

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 SEAN RODNEY ORTH,

3                   Appellant,

4                   vs.

5 THE STATE OF NEVADA,

6                   Respondent.

Docket No.: 85229   Electronically Filed  
Aug 21 2023 05:06 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

7 (Appeal From A Final Judgment Of The Eighth Judicial District Court, In And For  
8                   The County Of Clark, State Of Nevada)

9                   **APPELLANT'S OPENING BRIEF**

10                   **Volume VIII**

11                   **Bates Nos.:**

12                   **AA001245 – AA001377**

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14   
15 C. BENJAMIN SCROGGINS, ESQ.

16 Nevada Bar No. 7902

17 **THE LAW FIRM OF**

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SEAN RODNEY ORTH

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 SEAN RODNEY ORTH,

3                   Appellant,

4                   vs.

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Docket No.: 85229

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Aaron Ford  
Alexander Chen

CERTIFIED this 21<sup>st</sup> day of August, 2023.

  
KELLY JARVI, Legal Assistant to  
THE LAW FIRM OF  
C. BENJAMIN SCROGGINS, CHTD.

1 SEAN RODNEY ORTH # 96723  
2 POST OFFICE BOX 650  
3 INDIAN SPRINGS, NEVADA 89070  
4 IN PROPER PERSON

FILED

FEB 03 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

IN THE SUPREME COURT OF NEVADA

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8 SEAN RODNEY ORTH,  
9 PETITIONER,  
10 VS.  
11 THE EIGHTH JUDICIAL  
12 DISTRICT COURT, FOR  
13 THE STATE OF NEVADA,  
14 RESPONDENT.  
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CASE NO. \_\_\_\_\_  
(DIST. CRT CASE NO. C-20-352701-1)

PETITIONER'S APPENDIX OF EXHIBITS  
IN SUPPORT OF WRIT OF  
MANDAMUS.

RECEIVED  
FEB 02 2022  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

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HENDERSON POLICE DEPARTMENT  
WITNESS STATEMENT

HPD 0155

PAGE 1 OF 1

DR# 20-16189

DATE: 10/19/2011

TIME: 0115

STATE OF NEVADA )

COUNTY OF CLARK )

SS: HENDERSON

I, Louis Polanco

, date of birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

Occupation \_\_\_\_\_

Home Address \_\_\_\_\_

Email Address \_\_\_\_\_

Business Address \_\_\_\_\_

Phone #'s: (H) \_\_\_\_\_

(W) \_\_\_\_\_

(C) \_\_\_\_\_

do hereby make the following true statements to:

A. Zell #2621

of the Henderson Police Department, of my own free will. There have been no threats, or promises of immunity or reward made to me to make this statement. It is further understood that this statement may be used either wholly or in part as evidence in a Court of Law.  
I can read this and write the English language.

friend of mine came by was talking me his friend came  
got drunk that day I went to bed 4/10 woke he was gone to  
car came by today around 2 and told me he had  
a gun to sit down and took phone and computer  
too laptop crosser was going through my accounts changing  
passwords had gun and took my Smith & Western gun  
and Winchester make me 20 Gauge key and car told me  
not to call the cop or he'll kill me and my son but with  
phone computer guns and car

[Signature] #2621

Officer

[Signature]

Witness Signature

HPD 0155

City of Henderson, NV

Revised: 04/10/2012

Information collected per NRS 179A.075.



HENDERSON POLICE DEPARTMENT  
WITNESS STATEMENT

HPD 0155

PAGE 1 OF 2  
DR# 20-18989

DATE: 10/28/2020

TIME: 0115

STATE OF NEVADA )

COUNTY OF CLARK )

SS: HENDERSON

I, Jessie Coracciolo

, date of birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

Occupation \_\_\_\_\_

Home Address \_\_\_\_\_

Email Address \_\_\_\_\_

Business Address \_\_\_\_\_

Phone #'s: (H) \_\_\_\_\_

(C) \_\_\_\_\_

do hereby make the following true statements to:

AZEU #2621

of the Henderson Police Department, of my own free will. There have been no threats, or promises of immunity or reward made to me to make this statement. It is further understood that this statement may be used either wholly or in part as evidence in a Court of Law.

I can read this and write the English language.

I came over Sunday morning around between 2-3 to Luis Apt, a male that I did not know was here passed at he left sometime between 3-? I woke up around 8am he was gone I came back today Tuesday 28th little after 6:30pm; Luis (bf's) son and the male answered the door asked why I was here stated I needed my clothes work, he then talked at Luis I went to bedroom. They both went in closed the door. few minutes later they walked out and the guy was carrying green bag and the bag and left later after he left was when Luis (bf) told me he had taken his phone, camera, his military gun and a shotgun belonging to me that I had

[Signature]  
Officer

[Signature]  
Witness Signature

HPD 0155

City of Henderson, NV

Revised: 04/10/2012

Information collected per NRS 179A.075.



HENDERSON POLICE DEPARTMENT  
**NARRATIVE SHEET**  
REFER TO DM-0381

**HPD 0080**

PAGE 2 OF 2  
DR# 20-18989

(1) Narrative

(2) Describe physical evidence, location found, and disposition.

Given note to redo, I do know the  
shooter given was Smith Wesson 9mm.  
Black & Silver. Also stated to me  
that the police were at his property at  
around 4pm - and stated this man (who I came to find at his home as  
Sean Smith) stated he would harm his  
family if he had anyone or called the  
police. I stated we needed to call.

Officer

Witness Signature



## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HP201028000018

Report Number(s): 20-18989 (HP/1N11)

Audit Time	Audit Text	Operator	Console
10/28/2020 01:04:13	Unit Mgmt - City: From: To: (HEN)	HP1288	COHCADWS910
10/28/2020 01:14:09	Report Number Assigned - Rpt Num : 20-18989 (HP/1N11)	HP2621	COHMDT3299
	***** SUSPECT *****		
	ORTH, SEAN RODNEY		
10/28/2020 01:24:27	RECORD STATUS: CURRENT	HP2621	COHMDT3299
	SOC: 3 DOB:		
	SEX: M HGT: 601 WGT: 230 HAI: BLN EYE: HAZ		
10/28/2020 01:24:27	Incident Updated From: 3 To: 1	HP2621	COHMDT3299
10/28/2020 01:24:27	Incident Updated From: 425 To: 407	HP2621	COHMDT3299
10/28/2020 01:54:11	REQ METRO RESPOND TO 10274 MISSOURI MEADOWS ST, CHECK FOR WHI CHEVY MALIBU W/ UNK BODY SHOP PLATES, VIN/1G1ZS57F57F256434	HP0874	COHCADWS910
10/28/2020 01:55:13	Unit Status Timeout Reset	HP1288	COHCADWS910
10/28/2020 01:56:56	METRO ADVD, METRO EVENT #118612	HP0874	COHCADWS910
10/28/2020 02:16:42	METRO ATMPD TO LOCATE VEH, NEG CHEVY MALIBU IN NEIGHBORHOOD	HP0874	COHCADWS910
10/28/2020 02:23:20	MADE CONTACT WITH PR. HE STATED A FRIEND OF A FRIEND, WHO WAS IDENTIFIED AS SEAN ORTH, WAS IN HIS HOME, STOLE HIS BLACK AND RED HANDGUN, SHOTGUN, AND HIS 2007 CHEVY MALIBU. WHEN SEAN WAS LEAVING, HE THREATENED TO HURT HIM AND HIS FAMILY IF HE ATTEMPTED TO CALL THE POLICE. NO SERIAL NUMBERS COULD BE PROVIDED FOR THE FIREARMS. THE VIN FOR THE CHEVY MALIBU WAS PROVIDED HOWEVER THE PLATE IS UNKNOWN. REPORT WAS TAKEN AND ISD WILL CONDUCT FOLLOW UP IN THE MORNING.	HP2621	COHMDT3299
10/28/2020 02:23:30	Incident Status From: Active To: Closed	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit HP/1N11 Stat: AV Loc:	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Freed - Unit Id : HP/HP2621	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - City: From: To: (HEN)	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Location: From: 981 WHITNEY RANCH DR To:	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Apartment: From: To: (823)	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Loc Name: From: To: (THE MARLOW APTS)	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Zip Code: From: To: (89014)	HP2621	COHMDT3299
10/28/2020 02:23:30	Disposition From: To: RPT	HP2621	COHMDT3299
10/28/2020 02:23:30	Disposition From: To: RPT	HP2621	COHMDT3299
10/28/2020 02:23:30	Disposition From: To: HP/1N11	HP2621	COHMDT3299
10/28/2020 15:39:19	Vehicle 1 Added Role: INVOLVED Color: Year: 2002 Make: CHEVROLET Plate: 1BA538 NV	HP1017	COHCADWS9114

Thursday, November 12, 2020 10:35:09 AM

ORTH 20CRH001571





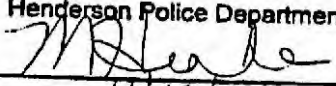
## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HP201028000018

Report Number(s): 20-18989 (HP/1N11)

Audit Time	Audit Text	Operator	Console
10/28/2020 15:39:47	Vehicle 1 Updated Role: INVOLVED Color: Year: 2002 Make: CHEVROLET Plate: 18A538 NV	HP1017	COHCADWS9114

I hereby certify that  
this is a true copy  
of the computerized  
record on file at the  
Henderson Police Department

By:   
Date: 11/12/20



# CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Type: <b>ASSIST PD EMERGENCIES</b>	Status: <b>Closed</b>	
Priority: <b>1</b>	Disposition: <b>CLEAR</b>	
Address: <b>981 WHITNEY RANCH DR</b>	City: <b>HEN</b>	Bldg: <b>8</b>
Cross High: <b>1600 PATRICK LN</b>	Cross Low: <b>1500 PLAIN SIGHT AVE</b>	
Location: <b>THE MARLOW APTS</b>	Jurisdiction:	
Area: <b>S82</b>	S/B: <b>82B</b>	SRA:
Map: <b>313165</b>	Latitude: <b>36.07744330</b>	Longitude: <b>-115.0</b>
Unit: <b>E82</b>	Officer 1: <b>E82 E82 E82</b>	Officer 2:
Console: <b>COHCADWS91</b>	Operator: <b>HP1366 DINKEL, A</b>	911: <b>Y</b>
<b>07</b>		
Caller: <b>JESSIE CARACCILLO</b>	Address: <b>981 WHITNEY RANCH DR</b>	Phone:
Create: <b>10/28/2020 7:20:31</b>	Dispatch: <b>10/28/2020 7:20:47</b>	Arrive: <b>10/28/2020 7:28:48</b>
		Close: <b>10/28/2020 7:28:48</b>

Audit Time	Audit Text	Operator	Console
10/28/2020 07:11:39	Incident Created	HP2689	COHCADWS910
10/28/2020 07:11:39	PR MADE REPORT OF MALE BEING ON PROPERTY, PR SAYS HE IS ARMED, HES CURRENTLY AT PR'S DOOR, MALEE TOOK PR'S 413'S	HP2689	COHCADWS910
10/28/2020 07:11:53	MALE IS STANDING AT PR'S DOOR, PR IS IN THE BATHROOM	HP2689	COHCADWS910
10/28/2020 07:12:02	MALE IS SHAWN ORTH	HP2689	COHCADWS910
10/28/2020 07:12:16	Dispatch: HP/2N11 (Officers: HP/DUFFY PHILIP)	HP1366	COHCADWS911
10/28/2020 07:12:16	Dispatch: HP/2N71 (Officers: HP/MANGAN ASHLEY)	HP1366	COHCADWS911
10/28/2020 07:12:16	Incident Status From: Initial To: Active	HP1366	COHCADWS911
10/28/2020 07:12:16	*Unit Status Change - From: AV To: D	HP1366	COHCADWS911
10/28/2020 07:12:16	*Unit Status Change - From: AV To: D	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS911



## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Audit Time	Audit Text	Operator	Console
10/28/2020 07:12:16	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS9113
10/28/2020 07:12:22	*Unit Status Change - From: D To: ER	HP2154	COHMDT3167
10/28/2020 07:12:22	*Unit Status Change - Submitted: 2020-10-28 07:12:21	HP2154	COHMDT3167
10/28/2020 07:12:27	MALE IS WMA 46 511/220 UNK CLOTHING	HP2689	COHCADWS9107
10/28/2020 07:12:34	*Unit Status Change - From: D To: ER	HP2576	COHMDT3119
10/28/2020 07:12:34	*Unit Status Change - Submitted: 2020-10-28 07:12:31	HP2576	COHMDT3119
10/28/2020 07:12:55	Dispatch: HP/S1387 (Officers: HP/CLEAR JAIME)	HP1387	COHMDT3295
10/28/2020 07:12:55	*Unit Status Change - From: AV To: ER	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Zip Code: From: To: 89014	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Apartment: From: To: 823	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Building: From: To: 8	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - City: From: To: HEN	HP1387	COHMDT3295
10/28/2020 07:13:15	IN RELATION TO DR # 20-18989	HP2689	COHCADWS9107
10/28/2020 07:13:26	INC 032 THIS MORNING	HP2689	COHCADWS9107
10/28/2020 07:13:41	MALE IS BANGING ON THE DOOR, CHILD IN THE RES	HP2689	COHCADWS9107
10/28/2020 07:14:01	2N11 - CODE RED	HP1366	COHCADWS9113
10/28/2020 07:14:08	PR IS NOT ARMED, ONLY HAS 413A	HP2689	COHCADWS9107
10/28/2020 07:14:14	Dispatch: HP/2N41 (Officers: HP/BRINK TIMOTHY)	HP1168	COHCADWS9101
10/28/2020 07:14:14	*Unit Status Change - From: AV To: D	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1168	COHCADWS9101

Thursday, November 12, 2020 10:33:10 AM

ORTH 20CRH001571

PA 7

AA001254





## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Audit Time	Audit Text	Operator	Console
10/28/2020 07:14:14	Unit Mgmt - Building: From: To: 8	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Zip Code: From: To: 89014	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - City: From: To: HEN	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Apartment: From: To: 823	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1168	COHCADWS9101
10/28/2020 07:14:35	Dispatch: HP/2W41 (Officers: HP/MURPHY BROOKE)	HP2274	COHMDT3102
10/28/2020 07:14:35	*Unit Status Change - From: AV To: ER	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Building: From: To: 8	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Zip Code: From: To: 89014	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - City: From: To: HEN	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Apartment: From: To: 823	HP2274	COHMDT3102
10/28/2020 07:14:42	MALE IS STILL KNOCKING ON THE DOOR	HP2689	COHCADWS9107
10/28/2020 07:14:52	UNITS ASKING IF MALE HAS THE 413 OUT OR JUST AT HIS SIDE	HP1366	COHCADWS9113
10/28/2020 07:14:53	UNK IF ANYONE ELSE IS WITH THE MALE	HP2689	COHCADWS9107
10/28/2020 07:15:12	**PREV INC # 018**	HP1130	COHCADWS9105
10/28/2020 07:15:34	PR NEVER SAW THE GUN ON HIM	HP2689	COHCADWS9107
10/28/2020 07:15:36	*Unit Status Change - From: D To: ER	HP1366	COHCADWS9113
10/28/2020 07:16:18	*Unit Status Change - From: ER To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:18	*Unit Status Change - From: ER To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:19	PR KNOWS ITS THE MALE FROM SEEING HIM THROUGH THE PEEPHOLE	HP2689	COHCADWS9107
10/28/2020 07:16:53	Dispatch: HP/T13 (Officers: HP/BALDINO PAUL)	HP1366	COHCADWS9113
10/28/2020 07:16:53	Dispatch: HP/T12 (Officers: HP/SCOBLE JASON)	HP1366	COHCADWS9113
10/28/2020 07:16:53	*Unit Status Change - From: AV To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:53	*Unit Status Change - From: AV To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS9113

Thursday, November 12, 2020 10:33:10 AM

ORTH 20CRH001571

PA 8

AA001255



# CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Audit Time	Audit Text	Operator	Console
10/28/2020 07:16:53	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS9113
10/28/2020 07:16:56	*Unit Status Change - From: AR To: CR	HP1366	COHCADWS9113
10/28/2020 07:17:02	< PR IS IN THE BATHROOM, HER BOYF IS AT THE DOOR AND SHE DOESNT KNOW IF HE CAN SEE ANY 413'S ON THE MALE >	HP2689	COHCADWS9107
10/28/2020 07:17:35	411 VEH IS WHI CHEV MALIBU UNK BODY SHOP PLATES	HP1366	COHCADWS9113
10/28/2020 07:17:42	Dispatch: HP/2N51 (Officers: HP/BOWLER BRENT)	HP1545	COHMDT3161
10/28/2020 07:17:42	*Unit Status Change - From: AV To: ER	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Building: From: To: 8	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - City: From: To: HEN	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Zip Code: From: To: 89014	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Apartment: From: To: 823	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1545	COHMDT3161
10/28/2020 07:17:51	WHI CHEV MALIBU BACKING UP	HP1366	COHCADWS9113
10/28/2020 07:18:14	FTY, 2N11 & 2N41 ATT'G 487	HP1366	COHCADWS9113
10/28/2020 07:18:18	2N71 BLOCKING EXIT	HP1366	COHCADWS9113
10/28/2020 07:18:27	2N51 & 2N71 AT FRONT EXIT	HP1366	COHCADWS9113
10/28/2020 07:18:30	FEM IS ADV'G MALE IS STILL AT THE DOOR	HP2689	COHCADWS9107
10/28/2020 07:18:39	QW.U;2N71.LASTNAME;ORTH.FIRSTNAME;SEAN.DOE	HP1165	COHCADWS9104

PA 9

AA001256

DR #20-18894, L. POLANCO (1)

1 STATE OF NEVADA) DATE: 10-28-2020  
2 ) SS: HENDERSON  
3 COUNTY OF CLARK) TIME: 8:55 a.m.  
4  
5

6 This recorded interview of LOUIS POLANCO did hereby  
7 take place at The Marlow apartments, number 823, 981 Whitney Ranch  
8 Drive, Henderson, Nevada 89014, reference DR #20-18894.  
9

10 Person present during this interview is LOUIS POLANCO.  
11 Person conducting the interview and audio recording is  
12 DET. DENNIS OZAWA of the Henderson Police Department.  
13 Transcription of the recorded statement by Hannah Lewon,  
14 Administrative Assistant I, Henderson City Clerk's Office.  
15

16 DET. DENNIS OZAWA: All right. It's October 28, 2020, at  
17 approximately 9 -- is it 9:15? Sorry. 8:55. Sorry. And we're here at  
18 -- do you know the address here?

19 LOUIS POLANCO: [REDACTED]

20 DET. OZAWA: And then we're in front of apartment [REDACTED]

21 BY DET. OZAWA:

22 Q I'm here speaking with --



23 A Louis Polanco.

24 Q -- Louis Polanco.

25 My name is Dennis Ozawa, detective with Henderson PD,

Office of the City Clerk (702) 267-1464

THIS COPY IS  
EXCERPT FROM  
COPYING AND  
ATTACHED TO  
SEP 21, 2021  
DEF. MOTN TO SUPPRESS  
DIST. CRT  
AA001257 PA 10

- 1 A He took my phone.
- 2 Q Okay.
- 3 What's your cell phone number?
- 4 A 
- 5 Q 
- 6 What kind of cell phone is it?
- 7 A LG Stylo 4.
- 8 Q Stylo 4?
- 9 A Yes.
- 10 Q What color is it?
- 11 A Blue, black-ish. Black-ish, blue-ish.
- 12 Q Blue, black?
- 13 A Yeah. It's, like, dark.
- 14 Q Does it have a cover on it?
- 15 A No cover.
- 16 Q Any other, like, stickers or anything on it? Designs?
- 17 A No. No.
- 18 Q Okay. Just straight-up phone.
- 19 A Yeah.
- 20 Q Nothing on it. Okay.
- 21 His name is again? The guy that - -
- 22 A Shawn.
- 23 Q What's his last name?
- 24 A I don't know. (Incomprehensible.)
- 25 Q It starts with an O?

1 Q It was set up for Sunday?

2 A Sunday. It was Sunday. Sunday. Yeah.

3 Q And what time were they supposed to come over?

4 Or was -- what time was Benny supposed to come over to get it -- to do  
5 that tattoo?

6 A It was in the evening. It was late. It wa -- he came  
7 over, like, around 11. And it -- they left -- he -- Benny -- Benny left -- he  
8 got -- passed out on the couch. I was, just -- just leave him. Just leave  
9 him. He didn't do anything. You know.

10 Q This was on Sunday?

11 A Yeah.

12 Q So, Sunday Benny and this guy come together?

13 A Yeah. And he just passed out. I was like, he -- he  
14 -- so, he wo -- he left. That's the thing. He didn't bother me that night.  
15 He was okay.

16 Q Okay.

17 A And then he came back yesterday.

18 Q Who did?

19 A The guy.

20 Q This guy?

21 A Yeah. That --

22 Q Shawn?

23 A Shawn. Yeah.

24 Q So -- okay.

25 So, let's back up to Sunday. Benny and this guy, Shawn,

1 Q Oh. So, then you go to sleep. You wake up.

2 He's --

3 A Yeah. I was just lay -- I was just, like, nodded out.

4 And then I woke up a little while later. He was gone.

5 Q What time did you wake up?

6 A Oh, fuck. I was -- I don't know. Eight -- seven -- eight,  
7 nine. I don't know.

8 Q Okay.

9 A It was -- it was -- the light was out.

10 Q So, eight. It was still dark out?

11 A No. It was light.

12 Q Oh, okay.

13 A The sun -- the sun was coming out.

14 Q Eight, 9:00, you wake up, and this other guy, Shawn,  
15 is gone?

16 A Yeah. That was it.

17 Q So, this is Monday. So, then --

18 A (Incomprehensible.)

19 Q -- what happens on Monday?

20 A Nothing.

21 Q And then Tuesday?

22 A Oh, was it -- that was yesterday?

23 Q Yeah.

24 A Yes. He came.

25 Q Who comes?

1 your phone. And -- which, he -- he took -- he took the -- he was -- he  
2 wanted to leave. 'Cause I had a camera -- I had a camera in my window  
3 and a camera in -- in the -- in -- inside.

4 Q Um-hum.

5 A He wanted to delete it. The cameras.

6 Q Why?

7 A 'Cause he said it's a felony to have the -- he said to  
8 record people, without them knowing. I was like, It's my -- my house.  
9 You know it's like, I'm not doing anything. And he starts -- then my son  
10 comes in. And he's -- and he's crying 'cause of -- 'cause of what  
11 happened. And --

12 Q What's your son's name again?

13 A Christian. Christian Polanco. Same as my last.

14 Q Okay.

15 So, while --

16 A He --

17 Q -- while Shawn's telling you, hey, I -- I need to see  
18 your laptop.

19 A I'm sitting there.

20 Q Let me see your laptop. Let me see your phone.

21 A (Incomprehensible.)

22 Q And then, does he take the cameras?

23 A Took the camera in the -- in the -- in my bedroom.

24 But he didn't get the camera in the living room. He just completely ripped  
25 it out. Some -- took it apart.



- 1 A No, no, no, no, no.
- 2 Q -- and he's pointing it at you?
- 3 A No. He didn't point it at me at all.
- 4 Q it's in his pants still?
- 5 A Yeah. Yeah.
- 6 Q So, still holstered in his pants?
- 7 A Yeah. He didn't -- pu -- pull it out.
- 8 Q Okay.
- 9 But then he says, Take --
- 10 A Show me your guns.
- 11 Q Show me your guns. And then he takes your guns?
- 12 A Yeah. I put --
- 13 Q How do -- where does he put them?
- 14 A In a duffel bag. He tried -- had a du -- had a bag in
- 15 my room. He put it in there.
- 16 Q What kind of duffel bag was it?
- 17 A It's a military bag.
- 18 Q Is it, like, camouflage?
- 19 A It's, like, a --
- 20 Q Or green? Or?
- 21 A It's, like, the brown -- like, sand. Like, the -- sand.
- 22 Q Okay.
- 23 A It's, like, a big one.
- 24 Q So, sand-colored duffel bag?
- 25 A Yeah.



1 But it -- he -- but before that, he -- he saw the guns. The  
2 cops were here.

3 Q The cops showed up before that?

4 A Yeah. That was 'cause of the -- my neigh -- my  
5 neighbor. They called the cops on my son.

6 Q And that's from building six?

7 A Yeah.

8 Q So, when the police came for that incident --

9 A He told me, Sit down. And -- sit down in -- on -- on  
10 the table. And 'cause my so -- I was trying, like, calm my son down. And  
11 I -- he was -- he was, like, really -- 'cause he was crying a lot. And he  
12 was, like, telling me -- like -- he's like, his best friend or whatever. Just  
13 try talk to him. Or to try and calm down. And I -- I'm, like, nervous as  
14 hell. Like, he's like --

15 Q Did the police come into your apartment?

16 A No. He wouldn't let me in the door.

17 Q They --

18 A They -- he answered the door.

19 Q I know. But did they -- did the police come into your  
20 apartment?

21 A No. They didn't come inside.

22 Q They just --

23 A They (incomprehensible).

24 Q -- they talked to him outside?

25 A Yeah. They -- he stood by the door with my son.

1 Q So, your son was - -

2 A ~~He was holding him, like - - he was right next to my~~

3 son.

4 Q Standing next to your son?

5 A (No audible response.)

6 Q Okay.

7 And then they talked to them outside?

8 A No. They were out - - the cops were outside. They  
9 were standing in front of the door.

10 Q ~~Did the cops see you?~~

11 A ~~Yeah. They saw me. I got up, and I walked to the~~  
12 ~~side. And I was standing behind. And he - - he pushed me. He put his~~  
13 ~~hand, like, to step back.~~

14 Q Did the cops talk to you at all?

15 A No.

16 Q Did they ask who you were?

17 A ~~He just said - - he asked me if he's the father. He - -~~  
18 ~~said, No. I'm - - I said, I am the father.~~

19 He said, I'm Un - - he said he's his uncle.

20 Q And then they never talked to you?

21 A No.

22 Q Okay.

23 So, then police leave. Then what happens after that?

24 A He was - - he was, like - - I still tried to talk to him.

25 He was like - - ~~he hates it here.~~ He was like, This is - - you know, he was

1 just saying -- he's, like, trying to be, like, a dad. Like, to -- I don't know.  
2 It was -- it was just weird. It was like he was trying to be, like, really nice  
3 to him.

4 Q Who?

5 A My -- the Shawn guy. He --

6 Q Trying to be nice to you?

7 A To my son. Like, being really, like, overly nice to my  
8 son while he's (incomprehensible) me. Like, taking from me.

9 Q So, he -- after the police leave, he starts talking to  
10 your son.

11 A Yeah. And I'm -- I'm there. But -- and -- he gets  
12 out, but he -- he goes -- he goes to the room, looking for things. Looking  
13 through my room, see if I have anymore cameras. And -- and then he  
14 leaves.

15 Like -- well, my girlfriend showed up before then, you  
16 know. He -- he, like -- I sit -- I sit down at the table. And I -- I was -- I  
17 told her to sit down.

18 Q What times does your girlfriend get there?

19 A I'd say six-ish. Around six-ish some -- sometime.

20 Q Six-ish.

21 A Yeah. He left.

22 Q Okay. So --

23 A And then when he starts getting -- come to the  
24 room --

25 Q So, six-ish, your girlfriend shows up?

1 A Yeah. He said to go to the room. I go to the room.  
2 And he's like, Why is she here?  
3 I said, What do you mean why she - - she's my girlfriend.  
4 And sh - -  
5 He says - - he's looking through the phone. He says, Do  
6 you have any more cameras? He was looking to see if I had cameras.  
7 He just deleted everything. He's like, Is that - - he was trying to go to  
8 - - well, this is after he left, he was going through all my accounts and stuff  
9 like that. Trying to get his - - 'cause he had access to everything..

10 Q Did you have a passcode on your phone?

11 A He-unlocked it.

12 Q Huh?

13 A I did. But he re - - I unlocked it. I show - - he said,

14 Let me use your phone. And then that was the end of it.

15 Q Okay.

16 What's the passcode on your phone?

17 A 1212.

18 Q You unlocked it for him? Or did you tell him the code?

19 A I told him the code. I said, It's just 1212.

20 Q So, then he - - he looks into your phone and deletes

21 what?

22 A It was - - just later - - it was just later on, he was

23 scrolling - - he was trying to get into the - - to my bank accounts.

24 (Incomprehensible) I was - - I was changing all the passwords and stuff

25 like that. And - -

1 Q How did you know that?

2 A 'Cause it was -- I was looking at the -- the mail.

3 Like, you could see -- like, you see, like --

4 Q Your email?

5 A Yeah. And I was looking. So, I -- I log in. And I  
6 was like -- 'cause I was still able to log -- I -- I -- so, I pulled up.

7 Q Well, ho -- hold on. Let's back up. So, girlfriend  
8 gets here at six. She shows up.

9 A Um-hum.

10 Q He walks you into your bedroom, asks you why  
11 she's here.

12 A Um-hum.

13 Q You said, She's my girlfriend. She's just coming over.

14 And then what happens after that?

15 A He grabs the bag. He says, Take this. Put it in your  
16 car. And give me the key. ✓

17 Q Put it in?

18 A My car.

19 Q Okay.

20 And what kind of car do you have?

21 A It was a sh -- well, it -- it's a shop car. It's -- my  
22 car's in the shop. It's my friend's shop.

23 Q Okay.

24 A And it's a Malibu. Chevy Malibu.

25 Q This is your friend's car?

1 A This is -- it's a body shop. It's a -- my friend owns  
2 the body shop over there.

3 Q So, he's letting you borrow the --

4 A The shop car while he fixes my car.

5 Q Who's the vehicle registered to?

6 A It's his body shop.

7 Q What's the body shop called?

8 A Fantastic Finishes.

9 Q Okay. Fantastic Finishes.

10 Where are they located at?

11 A Losee Road. Right -- northside.

12 Q Okay.

13 A Losee.

14 Q So, Losee Road. It's a shop car. 'Cause your car  
15 -- what kind of car do you actually have?

16 A A 2009 BMW.

17 Q What kind of color?

18 A Gray. Two doors.

19 Q What kind of BMW?

20 A 328i.

21 Q Okay. So, your gray BMW's in the shop.

22 This white Chevy -- how long have you had this white Chevy?

23 A For a minute. I -- my -- my car -- my frame was  
24 totaled. So, they had to rebuild it. So, like, a few months.

25 Q Like, do you -- are you thinking, like, September?

- 1 A No. It was, like, from -- since -- in January.
- 2 Q Since January?
- 3 A I wasn't -- yeah. Yeah.
- 4 Q Oh, so it's been more than a few months.
- 5 A (Incomprehensible.)
- 6 Q So, you've had this since January?
- 7 A Well, it -- it -- yeah. Like, beginning of February
- 8 -- yeah. February, March I got it. 'Cause I -- I had a rental car for a little
- 9 bit.
- 10 Q So, okay. So, February. Since February, you had
- 11 the vehicle.
- 12 So, he tells you, Give me the keys. And then he --
- 13 A Um-hum.
- 14 Q -- so, you walk with him to -- where's your car
- 15 parked at?
- 16 A Right over there. I have a spot open. Right up
- 17 -- right -- right there. 222 where the car's at.
- 18 Q Uh-huh. So --
- 19 A Yeah. And, Put it in the trunk.
- 20 Q What -- what's the slot -- spot number?
- 21 A 222.
- 22 Q 22?
- 23 A 222.
- 24 Q 222.
- 25 A Is your girlfriend's car there right now?

1 Q I don't know.

2 A I think so. Yeah.

3 Q So, 222. You put the --

4 A ~~Duffel bag~~ put it in the trunk.

5 Q You put the duffel bag in the trunk?

6 A Um-hum.

7 Q And then what happens after that?

8 A He left.

9 Q Okay.

10 A And --

11 Q And then --

12 A -- he saw me (incomprehensible portion).

13 Q Okay.

14 So, then what happens after that?

15 A (Incomprehensible portion.) I told her everything that

16 happened. And that was it. And --

17 Q So, what time do you think he left?

18 A He left around 6:30.

19 Q So, it wasn't too long after your girlfriend --

20 A Yeah.

21 Q -- showed up?

22 A 6:30, seven, he left. Yeah.

23 Q And then you call us at what time?

24 A At eight. It was late. I didn't wanna call. I was

25 -- I -- I didn't know -- I didn't know what to do, whether to call or not.



1 Q So, why did you call?

2 A 'Cause you -- I know my guns are registered. I just

3 -- I was nervous. I was scared. And I don't -- I don't do well with --

4 Q Scared that his --

5 A Like, he's my son. Like, I'm -- because he -- he's

6 all I have, you know. I mean --

7 Q Scared that he's coming back?

8 A Coming back. Yeah. Like, he's really, like -- okay.

9 This is weird the way he was acting towards my kid, man. I don't know.

10 Q And then prior to Sunday, has Shawn been to your

11 house before?

12 A No. I never met him.

13 Q You -- that was the fir -- on Sunday was the first

14 day and time you met him?

15 A Yeah.

16 Q And how long have you known Benny?

17 A I known Benny -- like, he tattooed me a few times.

18 Like, I did it from across the street. When I would go there, he tattooed

19 me over there.

20 Q And how long have you been getting tattoos from

21 Benny?

22 A Like, two years maybe.

23 Q Two years?

24 A On and off. Like yeah. I can't get them -- 'cause he

25 doesn't live here.

1 Q Where does he live?

2 A Sacramento.

3 Q So, how do you get to -- how do you get in contact  
4 with him?

5 A He's -- he's either on -- on -- on Facebook. He -- he  
6 says he's here. He'll leave the num -- number, I'll call. He'll come by when  
7 he can.

8 Q So, how did you -- how'd you set up Sunday's  
9 incident?

10 A He said he was here. He was in town. So, I was  
11 like, Yo --

12 Q And then through -- what was that through?

13 A Instagram.

14 Q Instagram?

15 A (No audible response.)

16 Q So, Sunday, on Instagram, he says he's in town?

17 A Oh, no. He was -- he was supposed -- he said was  
18 in Cali -- he was here on Friday, but he probably won't make it 'til, like,  
19 Sunday. (Incomprehensible.)

20 Q Did he specifically message you?

21 A Hm?

22 Q Did he specifically message you on Instagram or did  
23 he just put it out that he was --

24 A No. He -- he -- me, I got to talk to him. Like, he's  
25 like --

1 Q Oh. Like -- like, video chat or actually, like, call  
2 him --

3 A Yeah. Yeah.

4 Q -- through Instagram?

5 So, he calls you through Instagram, says he's in town. And  
6 then --

7 A Well, come by -- I said, Come by. We can have a  
8 drink. Whatever. You know.

9 Q Okay.

10 And then he was giving you some new tattoos?

11 A Yeah. He was -- yeah. 'Cause he covered up my  
12 arm. I got a bad tattoo. He was covering -- help me cover it up.

13 Q And then, does he charge you? Or is it just, like,  
14 a --

15 A Yeah. A friendship thing. You know, like, whatever.  
16 You know, yeah. We'll hang out. Give him a few dollars. And it's -- it's  
17 just we don't do a lot during session anyways. So, we can just do it for a  
18 good hour. So, you know.

19 Q So, did he charge you for the tattoos when he came  
20 Sunday?

21 A No. We -- we -- he -- sa -- not Sunday.

22 Q Okay.

23 So, he --

24 A 'Cause he -- 'cause he did -- he did some work on  
25 me before, and he didn't finish it. So, he just came out to finish some

- 1 work up. And that was it. We hung out. He was passed out. So, he left.
- 2 Q Who was passed out?
- 3 A That guy, Shawn. Yeah. Just let him sleep, you
- 4 know. And then --
- 5 Q Okay.
- 6 A I pa -- I nodded out. And then I woke up; he was
- 7 gone.
- 8 Q All right. It -- was there any -- and you're not
- 9 getting in trouble for it. I just need to know --
- 10 A Huh?
- 11 Q -- the whole story, okay?
- 12 Did -- were you guys doing any drugs or anything?
- 13 A No. We were drinking.
- 14 Q Just drinking?
- 15 A Yeah.
- 16 Q ~~Shawn wasn't using any~~ drugs?
- 17 A ~~Not that I know of.~~
- 18 Q You didn't see him do anything?
- 19 A No.
- 20 Q What about Benny?
- 21 A No. He wa -- I didn't see Benny even doing drugs.
- 22 Q Does Benny do drugs?
- 23 A Not that I know of.
- 24 Like, I don't -- I don't do any around my kid.
- 25 Q Oh, okay.

1 So, what about Shawn? Do you - -

2 A I never seen. No. He looked, kind of, fuzzy, weird,  
3 yesterday.

4 Q Okay.

5 A But he was just sweating a lot.

6 Q And do you do narcotics - - drugs?

7 A I - - I - - I did. I don't really - - I don't mess around  
8 anymore. I - -

9 Q What did you used to do?

10 A I used to - - I smoke a lot of weed. And then I did  
11 - - I smoked a little bit of meth here and there. But I don't do it 'cause I got  
12 my custody of my kid. I don't - -

13 Q Okay.

14 A - - I don't want it around my - - my son.

15 So, then we decided - - he left. By the time I got up, he was  
16 gone. And that was it.

17 Q Okay.

18 So, he leaves at eight - - around 6:30 on - - yesterday. You  
19 call us later that night.

20 A Yeah.

21 Q Why do you think he came back today?

22 A He said he was gonna be - - he said, I'll be back.  
23 That's what he said. I don't know what he was gonna do. Why he said  
24 he'd be back, but he was - - he was back really late this morning banging  
25 - - banging on the window, banging on the door, kicking the door. And then - -

- 1 Q So --
- 2 A She -- they said to call when --
- 3 Q When he left, he said, I -- I'm coming back?
- 4 A ~~He said, I --- I'll be back. Take care.~~ And I said,
- 5 (incomprehensible)? Like -- I mean, and he told me --
- 6 Q Why do you think he said that?
- 7 A I don't know. And then he was there. Like, he -- like,
- 8 it sounded like he was gonna break the window. Kicking and hitting it hard.
- 9 Q All right. But --
- 10 A I don't know why.
- 11 Q -- he ~~doesn't~~ live here?
- 12 A No. No. It's just me and -- me and my son.
- 13 Q And then -- but you told your girlfriend about what
- 14 was going on?
- 15 A Yes. Yes.
- 16 Q Okay.
- 17 But you don't know -- he just said, I'm coming back?
- 18 A He just -- yeah. Said, I'll -- take care.
- 19 Q ~~Said, I'll be back, take care?~~
- 20 A Yeah.
- 21 Q ~~Doesn't that sound, kind of, strange?~~
- 22 A ~~Yeah.~~
- 23 Q Like, why would --
- 24 A Like, I don't know.
- 25 Q ~~--- why would he take all your stuff, and then say, I'll~~

1 be back. Take care?

2 A Well, he said, he's - - he said if I call the cops, I'll be  
3 back (incomprehensible) or I'll - - I'll blow your house up with your dog  
4 and your son in it.

5 Q And then how did you call the police if he took your  
6 phone?

7 A Her phone.

8 Q Oh, she - - you used her phone?

9 A Yeah. She called. That's - -

10 Q Oh, okay. She called after you told her what  
11 happened?

12 A Yeah. We called - - 'cause it was later in the  
13 evening.

14 Q When did you tell her all this happened?

15 A She was - - she was there. Like, she was so - - like,  
16 something going on. You know, so she knew something was up. So, I  
17 told her by then.

18 Q But then, was that right after he left?

19 A Yeah. I came back in the house.

20 Q And then, why did she decide to wait so long to call?

21 A 'Cause she told me - - 'cause I told her what he said.  
22 Like - - and then I told her, like - - I - - I didn't - - it was my fault for not  
23 calling. 'Cause I didn't wanna call 'cause I was, you know, scared for my  
24 son, me, her. You know, like - -

25 Q And the - - all the stuff that he took was your laptop,



- 1 your phone, and two guns?
- 2 A Two guns.
- 3 Q Did he take anything else?
- 4 A Laptop, phone -- yeah. That's it.
- 5 Q So, the shotgun, and then the -- the .9mm?
- 6 A Yes.
- 7 Q How long have you had those weapons?
- 8 A Well, they're the -- the shotgun is hers. It's -- it's an
- 9 -- it's, like, an antique. It was from the '60s. It was an older one. I was
- 10 redoing it. It's just -- you know. And --
- 11 Q It's your girlfriend's?
- 12 A Yeah. It was her --
- 13 Q How big is it?
- 14 A It's -- it's -- it's got -- it's -- it's a --
- 15 Q Short barrel?
- 16 A Short barrel. And I had -- it's, like, it had -- the --
- 17 the stock was cut down.
- 18 Q Like, the stock was cut down and the barrel?
- 19 A Um-hum. Up -- 'cause it was, like, the handheld. It
- 20 had a light on the front.
- 21 Q Oh, okay.
- 22 Did you cut it yourself, or?
- 23 A Yes. I had a (incomprehensible) everything out.
- 24 Q And then, the Smith and Wesson is yours?
- 25 A Yes.



1 Q Okay.

2 Is there a serial number for the shotgun?

3 A It's on the bottom. Yes. This -- I don't have -- I  
4 don't -- I don't have the serial number, but it's, like, in the front.

5 Q Does your girlfriend know it?

6 A Probably not. It's an old one. I don't know. I sh --

7 Q Why does your girlfriend leave the shotgun at your  
8 place?

9 A 'Cause I was redoing them.

10 Q Oh, you were fixing them up?

11 A Yeah. (Incomprehensible.) That -- they were  
12 actually her deceased husband's.

13 Q Her deceased husband?

14 A Yeah.

15 So, I was fixing them up for her.

16 Q Okay. So, let me try to go back over this thing. And  
17 then let me know if anything sounds different or -- just to recap everything.

18 So, on Friday, you get -- you get a call from Benny on  
19 Instagram saying that he's in town. You're like, Oh, okay. Cool. We can  
20 drink and hang out or whatever.

21 And then on Sunday, it's set up. So, he comes over  
22 between, like -- or comes over around 11, stays 'til about three. You  
23 guys are drinking. He does some tattoos for you.

24 A Um-hum.

25 Q And -- but when he shows up, he has this guy

1 named Shawn with him, which is the first time you - - you met him.

2 A Yes.

3 Q And then Sh - - Benny leaves. Shawn falls asleep.

4 You tell him, Just leave him here. Then you fall asleep. You wake up  
5 between eight and nine. Shawn's gone.

6 A Yeah.

7 Q Then yesterday, Shawn comes over between two  
8 and 3:00. And then at that time, he shows you - - he's like, I got a gun.  
9 And then just shows you - - is it in his front waistband?

10 A Yes.

11 Q Or where is it at exactly?

12 A It's - - it's - -

13 Q It's tucked?

14 A Yeah.

15 Q So, it's tucked in his front waistband. He says, Give  
16 me your laptop. Give me your phone. And then, Where are all your  
17 guns? And he's - - ~~does he take the other camera with him, too?~~

18 A Yeah. He took a camera - - the one in there - - in  
19 ~~- - in the window, looking down the stairs.~~

20 Q Do those cameras record?

21 ~~A Yeah. That's what he did. He was erasing - - he~~  
22 ~~was erasing everything. He says that it's fe - -~~

23 Q Does the - - the camera's connected to your phone,  
24 ~~right? Like, you can look at video on your phone? - -~~

25 A So, the - - the - - this one. That's - -

- 1 Q Which one?
- 2 A The -- the -- the Cox Homelife.
- 3 Q And that one records?
- 4 A Yeah.
- 5 Q Okay.
- 6 A But he -- but he disconnected it.
- 7 Q Disconnected it?
- 8 A It -- it only records when you walk -- when you open
- 9 the door and you close it, for, like, a few seconds. It's, like, a small clip.
- 10 Q Okay.
- 11 A And that one, in my room, at the time, wasn't even
- 12 hooked up. But -- yeah. He was -- he was -- he's saying, you know,
- 13 it's, like -- it's -- it's -- it's a felony for every time you record somebody
- 14 that comes in and out of your house. I was like, It's my -- my house. ✓
- 15 Q Do you have -- on your phone, do you have access
- 16 to the cameras?
- 17 A Yeah. The Homelife? Yeah.
- 18 Q Yeah.
- 19 A Yeah. You could see it. You could zoom in, if I'm
- 20 recording. I could zoom in and out.
- 21 Q Okay.
- 22 So, then he's already asked for that. He says, Where are
- 23 your guns at? Takes you to the bedroom. Then your son comes home,
- 24 who got in a fight with his buddy?
- 25 A Yeah.

- 1 Q And there's something about a broken bottle.
- 2 A Um-hum.
- 3 Q Police show up. He tells you to sit down. He
- 4 answers the door with your son.
- 5 A With -- with my son -- yeah.
- 6 Q And then talks to the police. And then the police
- 7 leave shortly after?
- 8 A Yes.
- 9 Q So, after the police leave, your girlfriend shows up
- 10 -- or after the police leave, he starts talking to your son. It's -- and you
- 11 -- you don't really like it because it's -- he's just being too nice, saying
- 12 that, you know, he does -- he doesn't like it here. Or your son said that?
- 13 A He's just -- he was just really upset.
- 14 Q Your son was?
- 15 A And -- yeah. My son was really upset. Like, really
- 16 crying.
- 17 Q So, he's --
- 18 A He -- he took it, like, they were, like, bullying him.
- 19 Q So, how long does that go on before your girlfriend
- 20 shows up?
- 21 A I don't know. Maybe -- about a half hour -- I was
- 22 sittin' -- just sitting there. I'm just fuckin' (incomprehensible).
- 23 Q So, he's just sitting with you guys?
- 24 A Yeah.
- 25 Q What's your son doing?

1 A Just sitting down next to - - just sitting down. Like,  
2 I'm sitting next to my son. He's sitting beside him. And that was - - that  
3 was it. It was just - - they were talking. We were - - we were just bull  
4 - - like, he was, like - - he was, like, just, like, friends with him.

5 Q Was - - were you guys watching TV or anything?

6 A Yeah. The TV was on.

7 Q The TV was on?

8 A No, it wasn't on. He was just sitting in the living  
9 room, though. It wasn't on.

10 Q Okay.

11 Did your son know that - - does your son know that he had  
12 - - sorry. Does your son know that this guy has a gun or anything?

13 A Um-hum.

14 Q He does?

15 A I told him.

16 Q While you guys were sitting there?

17 A No. No, no. No.

18 Q I meant, while you're sitting there, does - - and he's  
19 talking to your son - - did he ever show the gun?

20 A No.

21 Q Okay.

22 So, your girlfriend then shows up around 6:00.

23 A Um-hum.

24 Q And then he takes you into his room.

25 A My room.

1 Q Or, I mean, sorry, takes you into your room. And  
2 says, Why - - why is she here?

3 A Yeah. ~~A few minutes in there and he's going~~  
4 ~~through all my stuff. Make sure no cameras. He's go--- grab a bag and~~  
5 ~~bring it downstairs. That was it.~~

6 Q Okay.

7 So - - ~~and then says, Give me the keys to the car. And~~  
8 ~~then, Load this duffel bag up into the back. You do that. And then he~~  
9 ~~leaves after that?~~

10 A Yes.

11 Q And then says, Don't call the cops or I'm gonna  
12 come back - -

13 A And blow up the hou - -

14 Q And blow up the home?

15 A Blow up my home. Something like that.

16 Q What - - do you remember exactly what he said?

17 A I think he said, Blow you - - blow you - - blow your  
18 dog and son away. Or something like that.

19 Q Don't call the cops, otherwise I'll blow - - come back  
20 and blow up your home.

21 Do you remember what he was wearing the first night that  
22 he showed up?

23 A No. No. Probably jeans, shirt, sweater.

24 Q Okay.

25 What was he wearing when he came over yesterday?

- 1 A Like -- like, a blue shirt.
- 2 Q A blue shirt?
- 3 A Yeah. I think he had a blue shirt.
- 4 Q Do you remember what it said on it?
- 5 A No. It was -- it was a plain, blue shirt.
- 6 Q And then what about pants? What kind of pants was
- 7 he wearing?
- 8 A I wanna say blue. He had a -- it's, like -- he had a
- 9 sweater.
- 10 Q What kind of sweater?
- 11 A It was blue.
- 12 Q So, he was just wearing all blue?
- 13 A I think with a -- something in the front with a logo.
- 14 Q Was it a hoodie sweater or just --
- 15 A Yeah. A hoodie -- yeah. Hoodie sweater.
- 16 Q So, blue hoodie with what on it?
- 17 A Like, a wet logo -- a school or something. I don't
- 18 know. Something like that. The lo --
- 19 Q How tall is he?
- 20 A He's taller than me. He's, like, six and change, I
- 21 guess.
- 22 Q Six-foot. Is he white, black, Hispanic, Asian?
- 23 A He's white. No, yeah. He's -- like (incomprehensible).
- 24 Q How much do you think he weighs?
- 25 A He's big. Like, two -- two and change.



- 1 Q Two hundred?
- 2 And what kind of hair does he style? Does have black hair,
- 3 brown hair?
- 4 A He has, like, hair - - like, with no hair. Like - - like,
- 5 buzzed. Shaved.
- 6 Q Just shaved? What color is it?
- 7 A Like, yellow.
- 8 Q Blonde?
- 9 A Like, 'cause he - - like, blonde.
- 10 Q Blonde hair?
- 11 What about Benny? What does Benny look like?
- 12 A Just tattoos everywhere. And he - - he's Mexican.
- 13 Q Huh? Benny's Mexican?
- 14 A Yeah.
- 15 Q How tall is he?
- 16 A Five-four-ish.
- 17 Q So, a short guy?
- 18 A Yeah. Short.
- 19 Q How much do you think he weighs?
- 20 A Chunky guy. 182?
- 21 Q Dark hair?
- 22 A He's bald.
- 23 Q Bald?
- 24 A Yeah.
- 25 Q Shaved head?



- 1 A Yes.
- 2 Q Completely bald, though?
- 3 A Yeah.
- 4 Q Like, he takes a razor and cuts it?
- 5 A Uh-huh.
- 6 Q Okay. All right.
- 7 Is there anything else you can think of that you haven't told
- 8 me yet?
- 9 A That he's been -- I wish he was -- he was going
- 10 through the -- when he wasn't here, he was going through my -- my
- 11 computer. I could see it.
- 12 Q And then how could you see that?
- 13 A The -- 'cause I had (incomprehensible) who was
- 14 linked to my Google account.
- 15 Q How are you checking that, though?
- 16 A Through the Wi-Fi.
- 17 Q But on what?
- 18 A My son's phone. My son had a phone.
- 19 Q Oh, your son's phone?
- 20 A He has a -- yeah. He gave me his -- the -- like, the
- 21 TextNow app. He could only use it in the house.
- 22 Q What kind of phone does your son have?
- 23 A It's a Samsung. He's --
- 24 Q So, you -- you logged in on your son's phone --
- 25 A Son's phone. Yeah.

- 1 Q -- to check all your accounts?
- 2 A Uh-huh. (Incomprehensible.)
- 3 Q What account was he checking?
- 4 A USAA, Faramo (phonetic), Navy Federal.
- 5 Q Did he take any money out of it?
- 6 A No. But there was -- sent it out -- on Venmo, there
- 7 was a request for a hundred thou -- a thousand dollars for rent from
- 8 someone I don't even know. And then when I go look on the app, it's no
- 9 -- none -- there's no request for anything.
- 10 Q So, somebody request a thousand dollars from you?
- 11 A No. I --
- 12 Q Or to you?
- 13 A I request some -- to somebody I don't even -- I'm
- 14 not even friends with.
- 15 Q Oh. So, he was the one doing that?
- 16 A I don't know. I mean, I think so 'cause he -- he's -- I
- 17 don't even -- ~~I didn't have the app on my cell phone.~~
- 18 Q You don't have an app? You don't have Venmo?
- 19 A I do. I do, but I don't have -- I didn't have it on my
- 20 son's phone.
- 21 Q But you saw it in your bank account?
- 22 A No, I saw it in emails. So, I down -- so, I
- 23 downloaded it on my son's phone, and there was nothing there. So, it
- 24 -- I'm not friends with anybody. It didn't go through.
- 25 Q Oh, okay. So, then somebody -- somebody

1 requested money from you, or you were --

2 A I requested --

3 Q -- or your account requested --

4 A Somebody I didn't even know. Like, it said Joe  
5 something, and then -- but then when I looked on the account, it's not  
6 there. There's no Joe nothing.

7 Q Okay.

8 So, you're thinking that Shawn requested money from  
9 somebody --

10 A Yeah.

11 Q -- using your account?

12 A But it didn't go through since it's not hooked up to  
13 anything.

14 Q Okay.

15 A That's it. You know.

16 Q Anything else?

17 A Hm. There's no money taken.

18 Q But he was just going through your bank account, it  
19 looks like?

20 A It was -- yeah.

21 Q Okay. All right.

22 A Act -- actually, today, it --

23 Q If there's anything else you can think of, let us know,  
24 okay?

25 A Yeah.

1 Q And then if we have any other questions, we'll  
2 -- we'll hit you up, too, okay?

3 A All right. I know that --

4 Q And I'll give you --

5 A -- ~~it seems weird. I -- I have, like -- like, severe~~  
6 ~~PTSD. Like, I don't do -- I'm, like, nervous around people. I don't really~~  
7 ~~go out.~~

8 Q That's my cell number. That's my card right there.  
9 Okay?

10 A Cool. Cool. Dennis?

11 Q So -- yeah.

12 And it's 9:30, and it's gonna end the interview.

13 (Whereupon, the audio recording concluded.)

14

15

16 I certify that the foregoing is a true and accurate transcript  
17 of the electronic audio recording with a length of 00:40:05 from the  
18 interview in the above-entitled matter.

19

20 Hannah Lewon, Administrative Assistant I

01-14-2020

21

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23

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**DR #20-18994, J. CARACCILO**

1 STATE OF NEVADA) DATE: 10-28-2020

2 ) SS: HENDERSON

3 COUNTY OF CLARK) TIME: 8:53 a.m.

4

5

6 This recorded interview of JESSICA CARACCILO did

7 hereby take place at The Marlow apartments, number 823,

8 981 Whitney Ranch Drive, Henderson, Nevada 89014, reference

9 DR #20-18994.

10

11 Person present during this interview is

12 JESSICA CARACCILO. Person conducting the interview and audio

13 recording is DET. KEVIN LAPEER of the Henderson Police Department.

14 Transcription of the recorded statement by Hannah Lewon,

15 Administrative Assistant I, Henderson City Clerk's Office.

16

17 DET. KEVIN LAPEER: Okay. This is Det. LaPeer. It is

18 10-28-2020. It is 8:53 a.m. I am at apartment 823.

19 BY DET. LAPEER:

20 Q What were the name of the apartments here,

21 ma'am?

22 A

23 Q

24 And I am currently speaking with - - ma'am, can you state

25     your name?

- 1 A Jessie Caracciolo.
- 2 Q Jessie. Let me see. I think I have your information
- 3 here. Let me make sure this is correct, and then we can get going.
- 4 Jessie, is it C-a-r-a-c-c-i-o-l-o?
- 5 A Yes.
- 6 Q Okay.
- 7 And your date of birth is [REDACTED]?
- 8 A Yes.
- 9 Q Okay.
- 10 And you don't currently reside here?
- 11 A No.
- 12 Q Okay.
- 13 But you are dating - -
- 14 A Yes.
- 15 Q - - Louis. Okay.
- 16 All right. We got a cell phone right here for you, too. [REDACTED]
- 17 a good number?
- 18 A Yes.
- 19 Q Okay. Cool.
- 20 What time do you need to get to work ma'am?
- 21 A They said as soon as - -
- 22 Q Okay.
- 23 A They're - - they're pretty good.
- 24 Q Oh, okay.
- 25 Where do you work at?

- 1 A Kids' Campus. I'm a teacher - -
- 2 Q Okay.
- 3 A - - pre-K teacher.
- 4 Q Okay.
- 5 So, how far away is that?
- 6 A About 20 minutes - - 30 minutes.
- 7 Q Okay. All right.
- 8 I'ma try to get - - get moving here. Okay.
- 9 What time did you come to the house here today?
- 10 A I came last night.
- 11 Q Last night?
- 12 A Yeah.
- 13 Q Okay.
- 14 What time?
- 15 A A little bit after 6:30.
- 16 Q All right. At 6:30 p.m. So, yesterday?
- 17 A Yes.
- 18 Q Okay. All right.
- 19 So, that's going to be the 27<sup>th</sup> that you were here. Okay.
- 20 A Yes.
- 21 Q Okay.
- 22 And then - - so, obviously, when you got here, your
- 23 boyfriend, Louis, was here.
- 24 A With his son.
- 25 Q Louis' - - Louis' son.

- 1 A Um-hum.
- 2 Q Okay.
- 3 And then the other male?
- 4 A Yes.
- 5 Q And do you know that male?
- 6 A No.
- 7 Q Okay.
- 8 So, what was - - so, when you came in at 6:30, what was
- 9 going on?
- 10 A When I came, the door was locked.
- 11 Q Uh-huh.
- 12 A Which, usually, I can just come in.
- 13 Q Okay.
- 14 A ~~The other male~~, and Christian had answered the
- 15 door. The other male stated, Why are you here?
- 16 I didn't know him. I was like, I'm here to pick up my stuff
- 17 from my boyfriend.
- 18 He then just - -
- 19 Q So, the male answered the door?
- 20 A With Christian, yes.
- 21 Q Who's Chri - - Christian's his son. Okay.
- 22 A Christian's his son. Yes.
- 23 Q Okay.
- 24 And he asked you why you're here?
- 25 A Yes.



1 Q Okay.

2 And then what - - and what'd you say? What - - what'd you  
3 tell him?

4 A That I was here to pick up my stuff for work. Loui  
5 was behind him. Kind of, gave me a look like something wasn't right.

6 Q Okay.

7 A So, I just made it very brief. Very just - - I just want  
8 - - I just had to grab some stuff for work.

9 Q Okay.

10 A ~~Then that's when the other male pointed to Loui and~~  
11 ~~pointed to the bedroom. And they went in there. And I sat here.~~

12 Q Okay.

13 So, when you entered, Loui - - Loui and the other male  
14 went into the bedroom, and you came in and sat down?

15 A Yeah.

16 Q Okay.

17 Did that other male - - I mean, did he have a weapon on him?

18 A ~~Not that I saw.~~

19 Q Okay.

20 So, he just told Loui to go in the room?

21 A Yeah. He, kind of, pointed to him.

22 Q And - - and Loui went into the room with him?

23 A He pointed to him, and then pointed to the room.

24 Q Okay.

25 A Very intimidating. Very just - - no hi's, no hello's, no

1 -- just, kind of --

2 Q Okay.

3 And then how long did they go in there for?

4 A ~~Maybe a couple minutes if that.~~

5 Q Okay.

6 So -- okay. So, then you sit down here at the table that  
7 we're sitting at currently?

8 A Yes.

9 Q Okay.

10 And then Loui and the male -- the male suspect go into the  
11 bedroom, and they were in there for a couple minutes. And then what  
12 happens?

13 A And then he walks out --

14 Q Okay.

15 A -- with a big, huge duffel bag.

16 Q Okay.

17 A ~~Like, a big, huge, green duffel bag. I didn't know~~  
18 ~~what was in it. And he leaves.~~

19 Q And -- and he leaves?

20 A Um-hum.

21 Q Okay.

22 ~~And you didn't know what was in the duffel bag?~~

23 A No.

24 Q Okay.

25 So, then he -- he leaves. And what time would that be?

1 So, probably 7:00-ish?

2 A Yeah.

3 Q Okay. Duffel bag at 7:00 p.m.

4 Okay. And then - - then what happens?

5 A I obviously sat down. Talked with Loui. I was like,

6 What's going on? What's - - what's happening? But he wasn't really

7 telling me much.

8 Q Okay.

9 A Didn't really - - he's like, I don't want you involved, or  
10 hurt, or whatever.

11 What did - - what do you mean - - does that mean?

12 That's when he finally told me that the other male did have  
13 his own weapon on him, and he was told to give him his phone, his  
14 computer, his military weapon, as well as my shotgun that I have.

15 Q Okay.

16 So, that took place in the bedroom while you were sitting here?

17 A Yes. I'm gonna assume so. I didn't hear anything.

18 The guy tried to be really quiet and try and listen, but it wasn't - - there's  
19 - - there wasn't much I could hear. Like - -

20 Q Okay.

21 So, when he comes out after the male leaves with the

22 bla - - with the - - I'm sorry - - green duffel bag, Louis then comes in and

23 tells you that - - that he told him to give him his gun, his computer, and  
24 your shotgun?

25 A Um-hum.

1 Q But he doesn't point a gun at him; he just tells him?

2 A Not that I know of.

3 Q Okay.

4 A I know he did state that he threatened Christian and  
5 him. That if he told anyone, called the police, or anything, he would harm  
6 his family.

7 Q Okay.

8 So - - so, at 7:00, he - - Louis tells you this.

9 What's his demeanor?

10 A Nervous.

11 Q Okay.

12 A Kind of upset.

13 Q Did he tell you who this guy is?

14 A He stated that it was a friend of his - - his friend's  
15 name is Benny. I guess they've known each other for quite a while. And  
16 he was doing a tattoo on him. And Benny invited this guy over. And  
17 that's how they met. And he said everything seemed fine. Like, they  
18 were all - - while he was doing the tattoo, so.

19 Q So, he was doing a tattoo on - - on him in here?

20 A I don't know if it was in here.

21 Q Okay.

22 A That, I'm not quite sure.

23 Q Where does Louis do tattoos at?

24 A Or - - Benny?

25 Q Or Ben - -

- 1 A Benny.
- 2 Q Oh, Benny was doing a tattoo?
- 3 A But - - yeah.
- 4 Q Oh, I'm sorry.
- 5 A Yeah.
- 6 Q So, Benny was doing a tattoo on the suspect male?
- 7 A On Louis.
- 8 Q Oh, on Louis?
- 9 A Yes.
- 10 Q And then - -
- 11 A He invited his friend, which is Shawn.
- 12 Q Okay.
- 13 A The one that we called the cops on.
- 14 Q Okay.
- 15 So, you know him as Shawn? How do you know him as
- 16 Shawn?
- 17 A That's - - I - - Loui told me - -
- 18 Q Okay.
- 19 A - - that was his name.
- 20 Q So, have you - - you've never seen him here before? ✓
- 21 A No.
- 22 Q Okay.
- 23 A And I've never met Benny either.
- 24 Q Okay.
- 25 So, then at 7:00, after he tells you this - - and then you guys

1 just go about your day?

2 A No. We go back and forth.

3 Q About what?

4 A Being -- about calling the police. Like I said, You  
5 need to do something. You need to call the police. We need -- I mean,  
6 that's two guns out there that's -- so, we --

7 Q Why do you need -- so -- and he didn't -- and Loui  
8 didn't want to call the cops?

9 A He didn't because of Christian. 'Cause he  
10 threatened Christian and threatened --

11 Q So, he -- he --

12 A -- to hurt him.

13 Q -- threatened to Louis to hurt Christian?

14 A Um-hum.

15 Q Okay.

16 So, that's why he didn't call the police?

17 A Yeah.

18 Q Okay.

19 A He was very upset about it. Like, he -- you know,  
20 he's like, I don't -- I don't know what to do.

21 I'm -- Call the police. Like, I -- get him off the streets.

22 Q Okay.

23 A At this point, I didn't know he had a record, or who  
24 he really was. I started doing my own thing -- you know, Facebook, or  
25 search.

1 Q Um-hum.

2 A Come to find out, he was just released from jail -- or  
3 prison. And he's got pretty -- rap sheets. So, I said, No, you're calling  
4 now.

5 Q Yeah.

6 A And we're calling.

7 Q Okay.

8 What time did you guys call the police?

9 A It was probably about 10:30, 11.

10 Q 10:30, 11.

11 Okay. Okay. And police come out here and take a report?

12 A Yes.

13 Q Okay.

14 And then -- then you guys just go to bed?

15 A I did, yes.

16 Q Okay.

17 And then, does he come back?

18 A He came back when I called this morning. That was  
19 about 7:00.

20 Q Oh, okay.

21 So, he's not here throughout the night?

22 A No.

23 Q But he comes back in the morning?

24 A Yeah.

25 Q And what time was that?

- 1 A Probably about seven.
- 2 Q Okay.
- 3 A Banging on the door. I only heard him once say, Let
- 4 me in. And then I went into the bathroom and -- 'cause it connects to
- 5 Christian's room.
- 6 Q Okay.
- 7 A And stayed in there --
- 8 Q What was Louis doing?
- 9 A -- with Christian.
- 10 He looked through the peephole once to see who it was.
- 11 Q Okay.
- 12 A 'Cause the operator asked, Is it him? And so, he
- 13 went and looked. And then he just, kind of, stayed in there with us.
- 14 Q Did he grab his gun?
- 15 A No.
- 16 Q Okay.
- 17 A He didn't pull it out. He didn't --
- 18 Q Why?
- 19 A That one is -- I don't know. It's mine.
- 20 Q So, what -- what's he here for? Why -- why -- why
- 21 is banging at the door?
- 22 A I don't know. I know he took his car last night
- 23 without permission.
- 24 Q Oh, okay.
- 25 So, he -- so, he took Louis's car?



- 1 A Yeah. I didn't find that out 'til -- 'til after he left. And --
- 2 Q When does Louis tell you that he took his car?
- 3 A During the time we were talking.
- 4 Q Okay. So --
- 5 A Yeah. So --
- 6 Q -- when you were trying to talk him into calling the
- 7 police --
- 8 A Yeah. He's like, Well, he took the car.
- 9 Q -- he tells you that he took his car?
- 10 A And I'm like, Now, you need to report it stolen.
- 11 Q Well, how did he take his car? He gave him his keys
- 12 then?
- 13 A He leaves his keys around.
- 14 Q So, how would this guy know where to get his keys?
- 15 A 'Cause Loui lose --
- 16 Q It's a rental car, right?
- 17 A Yeah.
- 18 Q From what I understand. So, it's not, like, a big key ring.
- 19 A No.
- 20 Q So, ~~where~~ where did he leave his keys?
- 21 A He usually puts them up here.
- 22 Q So, ~~how does~~ he know what car is what?
- 23 A I don't --
- 24 Q Okay.
- 25 A -- I don't know.

1 Q Okay.

2 So, he comes back at - - at seven in the morning. You call  
3 the police.

4 A Yes.

5 Q Okay.

6 He's knocking on the door?

7 A Yes.

8 Q What - - what is he saying?

9 A I only heard him state one time, Let me in.

10 Q Okay.

11 A And then I went to the back of the room, and then  
12 was just continuing to stay on the line with the operator. But he just kept  
13 banging and banging.

14 Q Okay.

15 Okay. Well - - and then - - so, Louis comes into the  
16 bedroom with you and Christian?

17 A Um-hum.

18 Q Okay.

19 And - - and then what happens?

20 A And then the police come.

21 Q Okay.

22 So, he never came back in a second time, or?

23 A No.

24 Q Did Louis see him with a firearm at the door?

25 A He couldn't tell.

- 1 Q Okay.
- 2 A He did look out the peephole, but he couldn't tell.
- 3 Q Okay.
- 4 A He tried turning on the camera on the door.
- 5 Q Okay.
- 6 A And get -- but he had already --
- 7 Q But -- so, you guys have a camera?
- 8 A Just the one on the door. I know you can turn it on
- 9 to see who's out there.
- 10 Q Okay.
- 11 A But he only saw him once, and then he -- I guess he
- 12 was going down the stairs. So, that's all I know.
- 13 Q On the camera, that -- it shows that?
- 14 A I --
- 15 Q Or he saw it?
- 16 A -- I think he saw it.
- 17 Q Okay.
- 18 Okay. So, how often are you here?
- 19 A Here and there.
- 20 Q You're his girl -- his active girlfriend?
- 21 A Yes. Yes.
- 22 Q Okay.
- 23 But you don't come here very much?
- 24 A I haven't been just 'cause work and things have
- 25 been busy, so.

1 Q Okay.

2 A But sometimes I stay here a couple, you know,  
3 weeks at a time.

4 Q Okay.

5 Let me ask you this. Why would Louis be hanging around  
6 with a guy who's, you know, like, a bad dude? Does he hang around with  
7 a bunch of bad guys?

8 A Not that I know of.

9 Q Okay.

10 The -- is Louis into anything that would bring him in cross  
11 paths with this guy?

12 A Just Benny. Benny's a tattoo artist.

13 Q Okay.

14 A That's the only --

15 Q Okay.

16 So, Benny's the -- the friend in common?

17 A Yeah.

18 Q Okay.

19 Do you know where he tattoos at?

20 A I know he's out of California.

21 Q Oh.

22 A But he does have business out here. I don't know  
23 what type of business.

24 Q So, does Benny live in California, or does he live  
25 here?

1 A He lives in California.

2 Q Oh.

3 So - - so, that introduction wasn't tonight, then?

4 A No.

5 Q Oh, okay.

6 So, when was this - - when did Benny introduce him to - - to  
7 Shawn if they live in California? Does - -

8 A It had to have been - - I came here Sunday morning.

9 Like, two or three in the morning. And - - 'cause I was at a previous  
10 engagement. And I came here. And he was here, passed out.

11 Q Shawn was?

12 A And I was like - - yeah. And I was like, Who's that?

13 And he's like, Oh, that's Benny's friend.

14 I was like, Oh, okay. I didn't really - -

15 Q Where was he passed out? In here?

16 A Yeah.

17 Q Okay.

18 A I didn't really think anything of it 'cause he's talked  
19 about Benny coming and them all getting together, or him and Benny  
20 getting together and doing the tattoo.

21 Q Okay.

22 A And then I had left Sunday.

23 Q Okay.

24 What does Louis do for work?

25 A He's dis - - on Social right now.

1 Q Okay.

2 A Due to Army injuries.

3 Q Okay. Okay.

4 All right. So, your knowledge - - or details that you would  
5 know of Shawn are going to be very slim since you've only seen him  
6 sleeping on the couch once. And then yesterday - -

7 A Yeah.

8 Q - - coming into the house?

9 A Yes.

10 Q Okay.

11 A When he did tell me his name, like I said, I - - I  
12 looked certain things up.

13 Q Okay.

14 A Realized he did - - it didn't tell me what he had  
15 records for, but it - - that he had alias names, that he was in prison, things  
16 like that.

17 Q Okay.

18 All right. Anything else that you think would be valuable to  
19 my investigation?

20 A (No audible response.)

21 Q No?

22 A Not that I can know of.

23 Q Okay.

24 Is this odd behavior from Louis?

25 A What do you mean, "odd"?

1 Q I mean, does this type of stuff happen? I mean, is  
2 this a common occurrence?

3 A No.

4 Q Okay.

5 Okay. All right. This ends the interview. It's 9:10

6 (Whereupon, the audio recording concluded.)

7

8

9 I certify that the foregoing is a true and accurate transcript  
10 of the electronic audio recording with a length of 00:15:11 from the  
11 interview in the above-entitled matter.

12

13 Hannah Lewon, Administrative Assistant I 01-19-2021

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**DR #20-18994, C. POLANCO & J. CARACCILO**

1 STATE OF NEVADA) DATE: 10-28-2020

2 ) SS: HENDERSON

3 COUNTY OF CLARK) TIME: 9:11 a.m.

4

5

6 This recorded interview of CHRISTIAN POLANCO and  
7 JESSICA CARACCILO did hereby take place at The Marlow  
8 apartments, number 823, 981 Whitney Ranch Drive, Henderson, Nevada  
9 89014, reference DR #20-18994.

10

11 Persons present during this interview are  
12 CHRISTIAN POLANCO and JESSICA CARACCILO. Person  
13 conducting the interview and audio recording is DET. KEVIN LAPEER of  
14 the Henderson Police Department. Transcription of the recorded  
15 statement by Hannah Lewon, Administrative Assistant I, Henderson  
16 City Clerk's Office.

17

18 DET. KEVIN LAPEER: All right. Okay. Hey, this is  
19 Det. LaPeer. It is 9:11 a.m. It's October 28, 2020. We're at the same  
20 location. I am speaking with Christian Polanco.

21 (Whereupon, Det. LaPeer interviewed Mr. Polanco.)

22 BY DET. LAPEER:

23 Q Christian you're the son to Louis, correct?

24                    A        Um-hum.

25 Q Okay. All right.

Office of the City Clerk

AA001310 DA 69



1 What movie is that? Is that Back to the Future II?

2 A Yeah.

3 Q Holy - - make me feel old. I remember Back to the  
4 Future I.

5 A Um-hum.

6 Q I was probably your age.

7 All right. So, you live here. And you were home last night,  
8 as well?

9 A Um-hum.

10 Q Okay.

11 So, this - - this this person that comes over, from what I  
12 understand, you call him uncle; is that right?

13 A No. That's what he was saying to the cops.

14 Q Okay.

15 So, that's what he was saying to the cops? You don't call  
16 him uncle?

17 A Huh-uh. I just - -

18 Q Okay. Okay. That's what - - that was the first thing I  
19 wanted to clear up.

20 A Um-hum.

21 Q Okay.

22 So, you do not call him uncle. Thank you.

23 Now, how often do you see him here?

24 A Not much. Like, he was here once, like, three days  
25 straight.

1 Q Okay.

2 A Just, like, a little bit. Like, a while. See him a little  
3 bit.

4 Q Does - - so, he's never lived here?

5 A No.

6 Q Did he ever have - - so, he lived here - - or, I'm sorry  
7 - - so, he stayed here for three days. But did he ever have, like, a  
8 - - where he actually lived in a room, or had something like where he  
9 stayed here continually?

10 A No. He stays with, like, some of his friends.

11 Q Okay.

12 So, he's never stayed here? 'Cause he's claiming - -

13 A Huh-uh.

14 Q - - that he's a - - he's a roommate.

15 A He never lived here.

16 Q Okay. Okay.

17 A I've met him, like - - like, ten days ago maybe.

18 Q Oh, so you've only known him for ten days?

19 A ~~No. Me and my dad both met him a while back.~~

20 Q Okay.

21 So - - well, hold on. So - - so, you and your dad met him a  
22 while back, about ten days ago?

23 A Um-hum.

24 Q Or have you known him longer than that?

25 A No. Just, like, ten days maybe.

1 Q Okay. Okay.

2 Okay. And what did you see when - - when he came over  
3 yesterday.

4 A ~~Not much. Just them going into the room and talking.~~  
5 ~~a lot.~~

6 Q Okay.

7 Did - - did it seem like your dad was scared?

8 A A little bit. He was, like, anxious.

9 Q He was anxious?

10 A Like, nervous, maybe.

11 Q Okay. Anxious and nervous. Okay.

12 And in the other times that he's been - - that the - - that  
13 Shawn's been to this house, did Shawn and your dad go into the room  
14 and talk previous times?

15 A Yeah. A - - probably, like, a couple times maybe.

16 Q Okay. But would they spend their time in the  
17 bedroom?

18 A Yeah. That would just, like, talk maybe.

19 Q Okay.

20 So, when - - when Shawn would come over, previous to  
21 last night, your dad and Shawn wouldn't, like, sit out here? They would  
22 go in the room?

23 A I mean, they - - sometimes they would tell me to go  
24 in my room, and they would talk out here - -

25 Q Oh, okay.

- 1 A -- on the couch.
- 2 Q Okay.
- 3 And they would tell you to go in the room?
- 4 A Um-hum.
- 5 Q Okay.
- 6 What -- what did you think of Shawn? What kind of guy is
- 7 Shawn?
- 8 A ~~Like a friend or something.~~
- 9 Q Okay.
- 10 A Maybe.
- 11 Q Yeah. Did you like him?
- 12 A ~~He was cool.~~
- 13 Q Okay.
- 14 A ~~Played with football with him a couple times.~~
- 15 Q Oh, yeah?
- 16 A Almost broke my finger.
- 17 Q Oh, yeah?
- 18 A Yeah. Because, like, the ball jammed into it.
- 19 Q Sure. Oh, yeah. I know how that goes.
- 20 A It really hurt.
- 21 Q All right.
- 22 So, he didn't seem like a bad guy the other times --
- 23 ~~A No.~~
- 24 Q -- that he was here? Okay.
- 25 All right. Did your dad mention anything to you about what

1 happened last night? Did he say -- I mean, you said you could tell that  
2 he was scared or nervous, but did your dad tell you anything that -- that  
3 happened that was bad?

4 A No. Not really.

5 Q Okay.

6 So, he tried to keep you out of it?

7 A Um-hum.

8 Q Okay. All right.

9 And then, did you see Shawn come back this morning or  
10 were you sleeping?

11 A I was sleeping. It was, like --

12 Q You were sleeping?

13 A -- six when he started knocking on the door, like,  
14 banging -- right?

15 JESSICA CARACCIOLO: Hm. Around six, seven?

16 Seven.

17 MR. POLANCO: I don't know.

18 BY DET. LAPEER:

19 Q Okay.

20 ~~All right.~~ And has your -- do you know -- has your dad  
21 ever been robbed before?

22 A Yeah. And there was some dude -- he stole, like,  
23 \$10,000 from my dad. --

24 Q Okay.

25 A Took his entire bank account. My college money.

- 1 Everything.
- 2 Q When was that?
- 3 A Like, a year ago maybe.
- 4 Q Okay.
- 5 A It was a while back. We never got anything back
- 6 from him.
- 7 Q Did they -- did he know who did that?
- 8 A Yeah. It was, like, some guy that my dad was helping
- 9 out.
- 10 Q Okay.
- 11 A And he -- the guy was, like, saying that he was
- 12 going to pay the bills and everything.
- 13 Q Okay.
- 14 A Really, he was going over to the gas station down
- 15 the street and gambling. Putting money -- took the money from the ATM and
- 16 everything.
- 17 Q Okay.
- 18 A Never once paid any bills.
- 19 Q And who was he? Was he a roommate here?
- 20 A Huh-uh.
- 21 Q He was just his friend?
- 22 A Yeah, kind of.
- 23 Q Okay. Okay.
- 24 So, that -- that was last year?
- 25 A Yeah.

1 Q Okay.

2 So, from what I was told outside by one of the patrol officers  
3 is that you said that your - - your dad owed Shawn money?

4 A Hm. I don't know. Maybe.

5 Q What - - what would he have owed him money for?  
6 Was it tattoos, or?

7 A No. Because, like, if he owed money for the tattoos,  
8 he would just give it to Benny. That's his tattoo guy.

9 Q Okay.

10 So, did your dad owe him money? 'Cause that's what the  
11 patrol officer is saying, that you told them - -

12 A I'm not really sure.

13 Q Okay.

14 And I - - I'm not trying to get you in a bad spot, young man.  
15 I'm just trying to get the - - the stuff in order.

16 A Um-hum.

17 Q So, you don't know if your dad owed - -

18 A No.

19 Q - - Shawn any money?

20 A No. That's, like - -

21 Q Okay.

22 A - - they probably know that. I don't know anything  
23 like that.

24 Q Okay. Perfect. Yeah. Well, and that's why we got  
25 my other - - my partner's talking to your dad downstairs right now. And

1 then Shawn's in jail. So, we'll - - we'll talk to him later, okay?

2 A Okay.

3 Q All right.

4 So, unknown if your dad owed money. Perfect.

5 All right.

6 A My dad also said that, like, Shawn had, like, other  
7 things. Like, three other times of, like, assaults and stuff. I don't know.

8 Q He said what? That your - - that - -

9 A Like, he had other stuff like this. Like, this already  
10 happened - -

11 Q Oh.

12 A - - with other people.

13 Q Oh, okay. So, he's robbed other people?

14 A Maybe.

15 Q And - - and - - and you're - -

16 A He said that he had, like, other counts of assault and  
17 stuff to other people.

18 Q Okay.

19 Your dad told you that today?

20 A No. That was, like, two days ago maybe.

21 Q Okay.

22 Was your dad having any problems with him two days ago?

23 A Yeah. Because, like, - - I don't know - - he's just  
24 been, like, here all the time. He's just being - - like, acting weird and stuff.

25 Q Okay.



1 A Especially with him, like -- 'cause, like, we already  
2 know that he stole, like, one of the wine bottles here because one of them  
3 went missing.

4 Q Okay.

5 A And he keeps on turning off that camera and stuff.

6 Q Okay.

7 So, two days ago, your dad and Sh -- did he -- did he  
8 confront Shawn about that? About the wine bottle?

9 A No. We just --

10 Q Okay.

11 A -- figured that out.

12 Q Okay.

13 So, why -- why would he be -- why is he turning of the  
14 camera on the -- on the -- on the door?

15 A We don't know.

16 Q Okay.

17 Did your dad say anything to him about that?

18 A No. We just --

19 Q Okay.

20 A -- every time when he turned it off, we'd just turn it  
21 back on. And --

22 Q Okay.

23 A we'll leave the house. Then we'll come back, and  
24 it's turned off again.

25 Q Okay. Hm.

1                    So, did - - did your dad leave him here at the house by  
2 himself?

3                    A        I think maybe, like, once maybe.

4                    Q        Okay.

5                    So, whe - - so, when he would come back and the - - it  
6 would be turned off - - so, you're - - you and your dad would leave to go  
7 do whatever school or whatever?

8                    A        Yeah. But, like, he has an alarm on the door, so it  
9 sends him a notification whenever the door opens.

10                  Q        Okay.

11                  A        Same with that one, too.

12                  Q        Okay.

13                  So, then he would know that Shawn was in here turning off  
14 the camera?

15                  A        I mean, no.

16                  Q        That's weird, huh?

17                  A        We would have to be here to see it.

18                  Q        ~~Okay.~~ Oh, okay. - But he - - but he did know that he  
19 was turning cameras off?

20                  A        ~~Um-hum.~~ Yeah. I told him (incomprehensible).

21                  Q        Did your dad tell you why he thought Shawn was  
22 maybe turning the camera off on - - on the - - on the doors?

23                  A        No. I was - - I just told him about that. I didn't hear  
24 anything.

25                  Q        Okay.

1 A I just turned it back on.

2 Q Okay.

3 A He was also messing with the Wi-Fi and stuff.

4 And - -

5 Q What's he doing with the Wi-Fi?

6 A I don't know. Because, like, the past week, the Wi-Fi  
7 just sucked. Like, we weren't being able to get anything. Nothing was  
8 working.

9 Q Okay.

10 A And, yeah. That camera - - the cameras also run on  
11 Wi-Fi, so I think he probably knows about that. So, he started messing  
12 with the Wi-Fi to do that or something.

13 Q Okay.

14 A I don't know.

15 Q Okay.

16 So, just so I get my notes right. So, two days ago, Shawn  
17 was acting weird.

18 A Yeah. He was just being strange and stuff.

19 Q He wa - - okay. And then you guys believe he stole  
20 a wine bottle?

21 A Yeah. Because one of them went missing.

22 Q Okay.

23 A We just knew something wasn't right with it.

24 Q Okay.

25 A It was, like, out of order.

1 Q So, when he was acting weird, did it seem like he  
2 was paranoid? Or, like, did he - - maybe - - I - - that may be too difficult a  
3 question to ask.

4 Okay. So, two days ago, he was acting - - he was acting  
5 weird. Did your dad tell them that, hey - - or did he confide in you - - or  
6 you that, hey, this dude's freaking me out. He's - - anything along those  
7 lines? Or was it just, kind of, like, hey Shawn's being weird and just call it  
8 good?

9 A Yeah. He was just like, (incomprehensible) was  
10 acting weird.

11 Q Okay. Okay.

12 A I'ma go grab a towel real quick 'cause there's  
13 something on the wall?

14 MS. CARACCILO: What do you mean's "on the wall"?

15 DET. LAPEER: Oh, a bug.

16 MR. POLANCO: Giant cockroach on the wall right there.

17 DET. LAPEER: He's going to take it out.

18 MS. CARACCILO: Christian, hit it - - don't. Make sure  
19 it's - -

20 MR. POLANCO: There it is.

21 MS. CARACCILO: - - gone.

22 DET. LAPEER: Nice job, Christian.

23 MR. POLANCO: I fixed it. Yeah. Karate skills. And it's  
24 disgusting.

25

1 BY DET. LAPEER:

2 Q Okay.

3 All right, man. Well, hey, listen, dude, I -- I really  
4 appreciate you sitting down and talking to me, man. Was there anything  
5 else that was weird or out of the ordinary with Shawn, recently, with your  
6 dad or here at the house?

7 -A. No. Not much.

8 Q Okay. Okay.

9 So, two days -- so, has he been over to the house, like,  
10 pretty-much every day for, like, the last week then?

11 A. Um-hum.

12 Q Okay.

13 A All I know.

14 Q All right.

15 Well, doing -- what's he doing when he's here? Just  
16 hanging out with your dad?

17 A Just a lot of talking.

18 Q A lot of talking?

19 A And even more talking.

20 Q Yeah.

21 A Yeah. Just pretty much talking.

22 Q So, they -- so, they were doing a lot of talking?

23 A Um-hum.

24 Q Okay. All right.

25 And when -- did -- so, this whole week that he's been over

1 here a lot, has he been sleeping here?

2 A Huh-uh.

3 Q No? He's been leaving and staying at a friend's  
4 house?

5 A Yeah.

6 Q Okay.

7 ~~A We always have to, like, take him home. He always~~  
8 ~~has the car, so we always have to walk to wherever we go, or Uber. Uber~~  
9 ~~is what it's called, right?~~

10 Q Yeah. Uber. Yeah.

11 A Yeah.

12 Q So - - so, you would have to Uber him home?

13 A ~~No. We would, like, take him home sometimes. Or~~  
14 ~~he'd just borrow the car for, like, a week or something.~~

15 Q ~~Oh, okay. He would borrow your dad's car for a week?~~

16 A Yeah.

17 Q Why? Does your dad not drive?

18 A No. He - - he drives. His car's in the - - like, in the  
19 workshop.

20 Q Oh, okay.

21 A He's getting work on - - he got in a crash.

22 Q Okay.

23 So, then he would give him this car to drive for a week at a  
24 - - so, for the week, he was - -

25 ~~A Yeah. No. Like, we would give it to him to take~~

1 home --

2 Q Okay.

3 ~~A~~ -- but he would just never bring it back.

4 Q Okay.

5 Why'd you give it back to him then?

6 A I don't know. No, he just --

7 Q Or I -- I'm saying your -- your -- your dad.

8 A -- takes it.

9 Q Okay.

10 A Kinda -- he just, like, takes it --

11 Q Okay.

12 A -- pretty much. Goes home, keeps it for two days,  
13 even though we keep on asking him for it back. He just never answers.

14 Q Okay.

15 A Especially since he has my dad's phone. He has  
16 access to, like, everything on it.

17 Q He has access to your dad's phone?

18 A Um-hum.

19 Q Why?

20 ~~A~~ Yeah. Because ~~-- I don't know. He just gave it to him.~~

21 MS. CARACCILO: We -- we had to call several banks  
22 last night because he had all his information and he changed all his  
23 information.

24 DET. LAPEER: My god.

25 MR. POLANCO: Yeah. Yeah.

1 DET. LAPEER: Okay.

2 So, this is what I don't understand. And - - and - - and you  
3 don't have to answer this, young man. So, Louis is allowing him to use a  
4 car for the whole week, okay.

5 MR. POLANCO: Like - -

6 (Whereupon, Det. LaPeer interviewed Ms. Caracciolo.)

7 BY DET. LAPEER:

8 Q ~~He -- he has access to his bank accounts?~~ What  
9 -- what is the relationship where this guy has the ability to come into  
10 Louis's house and turn his cameras on and off, sleep on the couch, use  
11 his car at will, and then have access to his - - his bank accounts? I mean,  
12 what is - - what - - what really is going on?

13 A I didn't - -

14 Q Something - - something is going on.

15 A I didn't know he was here that long.

16 Q Okay.

17 A When he said, ten day - -

18 ~~Q -- Is -- is -- is Louis struggling with anything? -- Does -- you~~  
19 ~~know, from what I understand, he has some PTSD, correct?~~

20 A He does.

21 Q Okay.

22 A He does. He - - he - -

23 Q Is there - - is Louis - -

24 A PTSD.

25 Q Okay.



- 1 A He's -- anxiety --
- 2 Q Okay.
- 3 A -- social anxiety. He doesn't do well --
- 4 Q Okay.
- 5 A -- with these certain situations.
- 6 Q Sure.
- 7 A He doesn't do well with other people.
- 8 Q Okay.
- 9 A He does tend to shut down sometimes.
- 10 Q Hey, thank you, Christian. I -- I -- I appreciate you,
- 11 buddy.
- 12 MR. POLANCO: Okay.
- 13 BY DET. LAPEER:
- 14 Q So, tell me about these bank accounts.
- 15 A He has bank accounts. Like, his Navy Federal --
- 16 Q Okay.
- 17 A -- that disability and things get into.
- 18 Q Okay.
- 19 A I -- I didn't know he was here that long.
- 20 Q Okay.
- 21 A I've been staying at my house due to some family
- 22 -- my own --
- 23 Q Sure.
- 24 A -- personal family and things.
- 25 Q Okay.

1 A So, Sunday was the first day I had come back.

2 Q Okay. And that's okay.

3 A Okay.

4 Q Well -- so -- so, he had access to his Navy Federal  
5 Credit Union?

6 A Yeah. He --

7 Q And what other -- what other bank account?

8 A I know he has a USAA. Wells --

9 MR. POLANCO: Visa.

10 MS. CARACCILO: -- Fargo.

11 BY DET. LAPEER:

12 Q Wells Fargo?

13 A Yes. We had -- we had to call them last night, as  
14 well.

15 Q And -- and what did -- what did you tell them?

16 A ~~That he was locked out of his phone. That someone~~  
17 ~~had taken his phone and computer. And he started noticing charges.~~  
18 ~~That he -- it -- from going online, it looked like he was using it, taking~~  
19 ~~money out here and there. So, he called to say, Hey, this is not --~~

20 Q ~~So, this would be the second time that his bank~~  
21 ~~account has been compromised. So, Young Man was telling me that the~~  
22 ~~guy was taking money out of his account and gambling with it. And then~~  
23 ~~-- we'll -- and then this guy is doing the same thing?~~

24 A I guess. I don't know about the first one.

25 Q So -- so, this -- so, Shawn had access to all three of

1 these accounts?

2 A ~~Because he took his phone and computer.~~

3 Q So, obviously, that couldn't happen just yesterday.

4 A I --

5 Q When were the charges?

6 A 25<sup>th</sup> and 26<sup>th</sup>? So, yeah. Cause he took his phone,  
7 and computer, and all of that stuff.

8 Q When did he take his phone and computer?

9 A The last text I had -- so, I'm gonna assume on  
10 Monday, because that's the last --

11 Q Okay.

12 A -- I heard -- like, I had -- like, we had text  
13 through --

14 Q Okay.

15 So, did Louis call the police on Monday when -- when he  
16 took his phone and computer?

17 A (No audible response.)

18 Q And why did he -- what -- what did Louis say about  
19 him having his phone taken?

20 A He said he needed it because he threw his other one  
21 out the window.

22 Q Oh, so Shawn threw his phone out the window, so  
23 Louis willingly gave him his phone?

24 A I guess to, like, use to talk to a girlfriend or somebody.

25 Q Okay.

1 A That, I did notice he was -- I guess they stayed at  
2 the -- he was threatening a girlfriend or somebody. I'm, kind of, lost all  
3 over here.

4 Q So, earlier you told me that, when he walked out with  
5 a green duffel bag, he had his computer, phone, guns, and other stuff.  
6 So, really the computer and the phone was actually taken Monday?

7 A I'm gonna assume -- I'm gonna assume so now.

8 Q Okay.

9 A 'Cause I haven't text --

10 Q Okay.

11 A Yeah. 'Cause I had texted him Tuesday morning but  
12 did not hear anything back.

13 Q Okay.

14 A So, I just figured -- I mean -- but that was, like,  
15 Tuesday early -- I know that's --

16 Q Okay.

17 So, this -- this is the problem that --

18 A -- Monday -- early, early Monday.

19 Q So, this is, kind of, the problem I'm having here now.

20 When I told you things didn't add up prior -- okay, things really don't add  
21 up now. Okay. I don't know what's happening right now. It -- it -- it  
22 seems like -- and don't take this the wrong way. Don't take this as I don't  
23 want to help you guys. But it is very, very hard to believe that this man  
24 has been here all week. Okay. He's answer --

25 A I know.

1 Q -- he's answering the door.

2 A Yeah.

3 Q He's in the room with -- with -- with -- with your  
4 boyfriend. He has access to your boyfriend's phone, willingly, and car, -  
5 willingly, for a whole week.

6 A Which I knew nothing about.

7 Q Okay. And then he has access to all the bank  
8 accounts. Okay. So, there's -- there has to be some type of relationship  
9 that is going on. I mean, it's not like he's holding him at gunpoint and  
10 telling him, I need your -- your phone and your bank accounts. What  
11 would that -- why would that be?

12 A I don't --

13 Q What -- what is Louis saying to you where this guy  
14 has the ability to get in -- I mean --

15 A I don't know if it's --

16 Q -- does Louis owe this guy money?

17 A I hon -- truthfully, I honestly --

18 Q Okay.

19 A -- don't know. I know --

20 Q Is Louis into other nefarious acts where it would  
21 cause him to have to be --

22 A I--I know he'll go gamble sometimes. Like, we've  
23 gone out and gambled sometimes.

24 Q Sure.

25 A But not -- nothing, like, that I've noticed over

1 excessive or --

2 Q Okay.

3 Well, gambling's not illegal even if it's excessive, you know.

4 A No.

5 Q So, I -- I don't --

6 A But -- but even so if it is and he did borrow money or  
7 whatever, I -- I -- that I don't know.

8 Q Okay.

9 A He's never asked me for money. Never has said  
10 he's needed money, or borrowed money, or any of that --

11 Q Okay.

12 A -- to me.

13 Q Okay. All right. And -- and please don't take it the  
14 wrong way. I don't to -- I don't want it to look like I'm being accusatory to  
15 you, but I just -- doing robberies for as long as I have --

16 A Yeah.

17 Q -- this-is-just-odd--

18 A I --

19 Q It's very odd. Okay..

20 A Like I sa --

21 Q I'm not saying it didn't happen.

22 A No. Like I said, I didn't know he was here --

23 Q Yeah.

24 A -- for those -- those ten days --

25 Q Well, you know what -- yeah.

- 1 A -- because I haven't been here.
- 2 Q And that's okay. I mean, if you don't know, you don't
- 3 know, right?
- 4 A Yeah. And he --
- 5 Q I'm just saying --
- 6 A -- Loui's been, kind of, really vague. Like, real
- 7 quiet --
- 8 Q Okay.
- 9 A -- during that time.
- 10 Q Yeah.
- 11 A So, I thought maybe, okay. Maybe --
- 12 Q Sure.
- 13 A -- we weren't --
- 14 Q You guys weren't jiving?
- 15 A Yeah. So, maybe --
- 16 Q Yeah.
- 17 A -- you know, 'cause we -- it's not the first time we've
- 18 talked, or been together and then, kind of, stopped talking for a little bit.
- 19 Q Oh, okay. Yup.
- 20 A So, kind of, felt, you know, maybe that was
- 21 something like, okay. Well, maybe we were gonna take a little break or
- 22 whatever.
- 23 Q Okay.
- 24 A I don't know.
- 25 Q Sure.

- 1 A 'Cause he was just real quiet.
- 2 Q Okay.
- 3 A And then - -
- 4 Q Okay.
- 5 A - - that's a new stated, you know, Jessie, I don't want
- 6 ~~you involved or, you know, what's going on. He's acting crazy.~~ He's - -
- 7 Q That was Sunday?
- 8 A Yeah.
- 9 Q Okay.
- 10 A 'Cause I came Sunday morning.
- 11 Q Oh. So, Sunday he told you didn't want you involved
- 12 with Shawn?
- 13 A Yeah. ~~He told - - no. He said, Things aren't up and~~
- 14 ~~up. Like, he's acting really weird.~~
- 15 Q Okay.
- 16 So, he was - - that's when he started acting vague towards
- 17 you?
- 18 A Yeah.
- 19 Q Okay. All right.
- 20 A Vax (phonetic).
- 21 Q All right. Okay.
- 22 Okay. Now, were - - is there anything else that I need to
- 23 ~~know? 'Cause, you know, we went off, and we started with Christian.~~
- 24 ~~Now, we're back into some - - way more detailed stuff that you actually~~
- 25 knew about. Is there anything else I need to know about on this case?



- 1 A (No audible response.)
- 2 Q Is there anything else I need to know about your
- 3 husband -- I'm sorry -- your boyfriend and Shawn?
- 4 A That's all I know --
- 5 Q Okay.
- 6 A -- of them.
- 7 Q Anything else to do with anything else on the
- 8 computer, or a phone, bank accounts? Any of this jazz that's going on,
- 9 that he apparently has this iron claw over the top of Louis, and he has the
- 10 ability to be in -- involved in everything in his life?
- 11 A That I don't know.
- 12 Q Okay.
- 13 A I honestly, truly don't know. I -- I --
- 14 Q Let me ask you this. So, the dude that stole the 10K
- 15 from him last night, and had access to his bank accounts, who was that?
- 16 A I don't know.
- 17 Q Okay.
- 18 So, were you dating him then?
- 19 A So, we -- we were not talking at that point.
- 20 Q Okay.
- 21 A We've known each other, but we were not --
- 22 Q Okay.
- 23 A I -- we started talking after all of that happened.
- 24 Q Okay.
- 25 A And I don't know much about that, as well, either.

1 Q So, is -- now, let me ask you this. Is he -- I mean, is  
2 it normal that he would give his bank account out? I mean, or is he not  
3 under -- is he slower than -- and I don't mean that in a negative way. I  
4 mean, like, is something --

5 A He --

6 Q -- wrong where he would be duked into giving his  
7 credit -- that's a better thing. Like, was he --

8 A He's -- he's a very giving person and likes to --

9 Q Okay.

10 A -- help people.

11 Q Okay.

12 A So, he's -- he's helped -- tried to help several people.

13 Q Okay.

14 A And just seems to always get burned.

15 Q So, do you think maybe he's trying to help Shawn,  
16 and maybe that's how this --

17 A I -- I think so.

18 Q Okay.

19 A You know, with Shawn just being out of prison --

20 Q Prison:

21 A -- and everything. He's tried to help several people,  
22 you know.

23 Q Okay. All right.

24 And -- and -- and then that makes a little bit more sense,  
25 though.

1 A Yeah.

2 Q Because, like, listen. There's no way a grown man  
3 is going come in here - -

4 A Yeah.

5 Q - - and get access to my bank accounts.

6 A And that's what, kind of - -

7 Q We're - - we're - - we're gonna have an issue, right?

8 A That's what, kind of, made me question it, too.

9 Because he's never been that way.

10 Q Right.

11 A Like, he's - - he's been - -

12 Q Okay.

13 A - - (incomprehensible). You know, he's - - but it's  
14 just - -

15 Q Okay. All right. Sounds good.

16 Well, Jessie, I - - I - - I appreciate it.

17 This ends the interview. It is 9:34.

18 (Whereupon, the audio recording concluded.)

19

20

21 I certify that the foregoing is a true and accurate transcript  
22 of the electronic audio recording with a length of 00:22:35 from the  
23 interview in the above-entitled matter.

24

25 Hannah Lewon, Administrative Assistant I

01-14-2021

**DR #20-18894, L. POLANCO (2)**

1 STATE OF NEVADA)

**DATE: 10-28-2020**

2 ) SS: HENDERSON

3 COUNTY OF CLARK)

**TIME:** Unknown

4

5

6 This recorded interview of LOUIS POLANCO did hereby  
7 take place at The Marlow apartments, number 823, 981 Whitney Ranch  
8 Drive, Henderson, Nevada 89014, reference DR #20-18894.

9

10 Person present during this interview is LOUIS POLANCO.

11 Persons conducting the interview and audio recording are

12 DET. DENNIS OZAWA and DET. KEVIN LAPEER of the Henderson

13 Police Department. Transcription of the recorded statement by

14 Hannah Lewon, Administrative Assistant I, Henderson City Clerk's Office.

15

16 LOUIS POLANCO: Benny was supposed to come over

17 dur - - during the week. And he (incomprehensible). So, Friday,

18 (incomprehensible) Friday. They're not going Friday. Couldn't make it.

19 So, he came over Sunday, and that was it. Like, I only known him four

20 days?

21 BY DET. DENNIS OZAWA:

22 Q ~~So, you're saying the first time you met him was on~~

23 Sunday?

24 A Still - - on Saturday night. Saturday night was when

25 -- Sunday morning -- I think? Yeah. I think it was, like, Saturday night,

- 1 Sunday morning.
- 2 Q So, you met him Saturday night?
- 3 A I think. Yeah. It was Sunday morning - - Sunday
- 4 night. Sunday night. What's today? Wednesday?
- 5 Q Today is Wednesday.
- 6 A So, only, like, four days, like, I known this guy.
- 7 Q Okay.
- 8 So, you haven't - - did you go to a bar to meet up with
- 9 Benny at all?
- 10 A To be at a bar? No. He was at my house.
- 11 Q Benny was?
- 12 A He - - he came to my house.
- 13 Q Okay. ~~But that - - did you meet anybody at a bar -~~
- 14 ~~anytime last week?..~~
- 15 A No. Bar?
- 16 Q Yeah.
- 17 A Huh-uh.
- 18 Q Doesn't sound familiar?
- 19 A No.
- 20 Q So, Sunday was the first time you met - -
- 21 A Oh, I met - - I met a gir - - (incomprehensible portion)
- 22 I just met another girl at the bar. Yeah. That's - -
- 23 Q Okay.
- 24 Well, who - - what girl?
- 25 A Her name's Maria. Like, that was it. I got - - I just

- 1 -- that was a one-night thing.
- 2 Q Okay.
- 3 When was this?
- 4 A Saturday? Sunday? Saturday? Saturday. It was
- 5 the day before -- it was I wasn't getting tattooed yet.
- 6 Q It was the day before you got tattooed?
- 7 A Yeah.
- 8 Q Okay.
- 9 And how long have you been dating --
- 10 A We've been on and off for --
- 11 Q -- Jessica?
- 12 A -- about two years. Right? Yeah. About two years.
- 13 Q And then --
- 14 A Yeah.
- 15 Q -- you said Maria?
- 16 A Yeah.
- 17 Q You met her Saturday?
- 18 A Saturday. Yeah.
- 19 Q Which bar did you guys go to?
- 20 A We went to -- was it a PTs? (Incomprehensible.)
- 21 Q PTs where?
- 22 A Right here on Sunset.
- 23 Q Oh, okay.
- 24 Who were you with other than her?
- 25 A That was it. Me and her.

- 1 Q You just went there by yourself?
- 2 A Yeah.
- 3 Q And then, did you hang out with her afterwards or
- 4 no?
- 5 A No.
- 6 Q So, then Sunday, you meet up with Benny.
- 7 A Yeah.
- 8 Q And --
- 9 A And he knew about it 'cause I told him about it. Like,
- 10 I told him about her.
- 11 Q Benny?
- 12 A -- I told Benny and Shawn about her.
- 13 Q About the girl?
- 14 A Yeah.
- 15 Q Okay.
- 16 And have you let Shawn use your vehicle at all?
- 17 A He said -- see, I had no shorts yesterday.
- 18 Q I kn -- well, not yesterday.
- 19 A No.
- 20 Q Before that.
- 21 A No. My son --
- 22 Q When he left on Monday morning, did you let him
- 23 drive your car?
- 24 A Monday morning? No.
- 25 Q ~~Beau -- because Shawn's saying that you did, and~~

1 your girlfriend here says that, yeah, you let him use the car on Monday.

2 A (Incomprehensible?) Oh, shit. Went back this  
3 morning. But he -- but you guys were coming, right? That was my car  
4 he had.

5 Q Yeah.

6 A Yeah.

7 Q But before that, though, he left -- you're saying he  
8 left --

9 A Saturday, Sun --

10 Q On Mon -- he left yester -- or, yeah. Tuesday --

11 A Yeah.

12 Q -- with your car.

13 A He had my car. He stole it.

14 Q Came back today.

15 A ~~He took it. But he gave -- he put it back.~~

16 Q He put it back?

17 A He put it back right there. He -- he's (incomprehensible)  
18 knock or nothing. He was there.

19 Q When was this?

20 A ~~It had to be that night.~~ That night.

21 Q Which night?

22 A 'Cause I -- when I woke up, he was gone. The car  
23 was here.

24 Q So, Sunday --

25 A And I --



1 Q -- Monday morning, the car was here.

2 A Yeah. So --

3 Q He was gone.

4 A Yeah.

5 Q And then you see him come Tuesday?

6 A Yeah. And that was it.

7 Q Okay.

8 Did you make any plans for him to, like, move in with you or  
9 anything?

10 A No.

11 Q 'Cause that's what he's telling us.

12 A Why would -- no. No. No.

13 Q I'm -- it --

14 A I'm -- I'm getting -- I -- I want -- my -- I'm getting  
15 ready to move.

16 Q Where are you moving?

17 A This is -- I -- my lease is up in January. I'm out.  
18 Like, nobody's moving in here. He's -- I don't know this guy.

19 Q So, he -- so, you made no plans to have him move  
20 in with you at all?

21 A No.

22 Q ~~And he never driven -- has -- has he ever driven~~  
23 ~~your vehicle prior to yesterday?~~

24 A ~~No.~~

25 Q ~~So, why does your girlfriend say he did? And why is~~

1 he saying he did?

2 A (No audible response.)

3 Q Is it something that you -- you just don't remember  
4 giving him permission, or?

5 A I never gave this guy permission to do anything.

6 Like, he --

7 Q Okay.

8 A Yeah. He's --

9 Q And then what's in the duffel bag?

10 ~~A It was my sh -- my shotgun. My gun. My helmet.~~

11 He had -- he had my helmet.

12 Q Helmet to what?

13 A Motorcycle. That's it.

14 Q Okay.

15 And then, can you describe the gun again to me? The one  
16 that he -- when he lifted up his shirt, what did the gun look like again?

17 A He had his hand on it like this. It was black, I think.

18 It was a black gun.

19 Q Just -- just a black gun?

20 A Yeah.

21 Q Anything else you can remember about it?

22 A No. I didn't -- I didn't really, like, look at it. I knew

23 he had it. But --

24 Q Did he put it in the duffel bag when you guys left?

25

1 A : He -- yeah. -- He put it where -- he put my computer,  
2 my phone, the helmet. -- And the computer. -- My computer, phone, helmet.

3 Q What kind of computer was it?

4 A It was a small little -- it has stickers on it.

5 Q Is it, like, a -- a Dell, HP?

6 A ~~Lo -- Lovo --~~ Lenovo. Lenovo?

7 Q Lenova?

8 A Yeah. That one. That's it. It's, like, a flip -- flip one.

9 Q What do you mean "a flip one"?

10 A It turns --

11 Q Like, a tablet?

12 A -- (incomprehensible).

13 ~~Q~~ So, it's a tablet. What color is it?

14 A Black, gray-ish, like, color.

15 Q Okay.

16 ~~But you don't know why -- your girlfriend's also telling us,~~  
17 ~~that you let him borrow your cell phone.~~

18 A I had no choice.

19 Q No. Not -- not yesterday. Like, on Monday.

20 A ~~He -- yeah. But it was, like, he was here. He didn't~~  
21 ~~go anywhere with it. He could use the phone. He needed a phone, so I~~  
22 ~~gave him -- use my phone.~~

23 Q And what'd you let him use your phone for?

24 A I -- ~~he said he was trying to claim the PA --~~

25 (incomprehensible) -- the unemployment. -- And some -- and then that

1 was it. Like, I don't know. Made a phone call or whatever.

2 Q Okay.

3 And what day was that?

4 A They were -- he was here doing the tattoos. Like --

5 Q Sunday night at 11?

6 A He claimed it before Sunday.

7 Q Huh?

8 A You claim unemployment on Sundays.

9 Q ~~Yeah. But they're -- you said that they showed up~~  
10 ~~at your place at 11:00 at night.~~

11 A Yeah. So --

12 Q But he --

13 A -- it's --

14 Q -- he's not calling people at 11:00 at night.

15 A I don't know what he's doing.

16 Q You know?

17 A ~~I don't know what he's doing with it. That's what -- I~~

18 ~~know he was claiming -- trying to claim unemployment. We were talking~~

19 ~~about that.~~

20 Q ~~And so, he -- he didn't take your phone that Monday~~  
21 ~~morning? You had your phone on Monday?~~

22 A ~~I had my phone. I have -- yeah. He took it yesterday.~~

23 Q All right.

24 A ~~Yeah. 'Cause I -- I took my son's phone yesterday.~~

25 Q You were using your son's phone?

1 A Yeah.

2 DET. KEVIN LAPEER: So, you didn't have your phone?

3 You were using your son's phone?

4 MR. POLANCO: I had my son's phone.

5 DET. OZAWA: Yesterday.

6 DET. LAPEER: Okay. That's not the question he asked

7 you.

8 MR. POLANCO: Yeah. I had my son - - I had my phone - -

9 BY DET. OZAWA:

10 Q You had your son's phone after he took your phone?

11 A Yeah.

12 Q But prior to that, you did not - - did you let Shawn

13 use your phone, or take your phone with him?

14 A He took it. Yes. Yes. That's why I - -

15 Q Not - - not - - I know he took it yesterday. But prior to

16 yesterday, Monday, when he left, did you let him take your phone and

17 borrow it?

18 A \*No.

19 Q Did you see Shawn on Monday?

20 A ~~No. Yesterday? No. The day before yesterday?~~

21 No.

22 Q No, no, no. Monday.

23 A No.

24 Q 'Cause you said he left - -

25 A He came - -

1 Q -- he was already gone on Monday morning when  
2 you woke up.

3 A He came here yesterday.

4 Q I -- well, I know that.

5 A Yeah.

6 Q But --

7 A He -- he -- he was gone. He didn't come back --

8 Q Okay.

9 A -- until yesterday.

10 Q ~~Is it -- like I said, Louis, some of the stories aren't~~  
11 ~~matching up. And your girlfriend's story --~~

12 A ~~Well, yeah.~~

13 Q ~~-- compared to your story, and then what he's telling~~  
14 ~~us, like, some of the details are all mixed up.~~

15 A ~~Yeah.~~

16 Q But you -- you are claiming that you just met him  
17 Sunday?


18 A I just met this guy. Yeah. (Incomprehensible.)

19 Q Okay.

20 Is there anything?

21 DET. LAPEER: No.

22 DET. OZAWA: All right. That's going to end the interview.

23 MR. POLANCO: I don't really have no, like --  
24 (Whereupon the audio recording concluded.)   
25

1 I certify that the foregoing is a true and accurate transcript  
2 of the electronic audio recording with a length of 00:08:37 from the  
3 interview in the above-entitled matter.

4

5 Hannah Lewon, Administrative Assistant I 01-14-2021

6

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On 10/28/20, I Detective K. LaPeer #1446 assisted Det K. Lippisch #1710 with a robbery investigation. I was tasked with conducting interviews with witnesses or family members of the victim.

At 0853 hours, I conducted a recorded interview with Jessie Caracciolo (DOB 7/11/81) who is the victim's girlfriend. Jessie advised that she arrived at Louis's apartment at 1830 hours and was greeted at the door by Sean and Christian, and that Sean asked, "Why are You Here". Jessie stated that Louis looked at her and she could tell something was wrong, but that Sean asked Louis to go to his bedroom and they did.

Jessie stated that she sat at the dining room table while Sean and Louis entered his room. I asked if Sean was armed and she stated that he was not. Jessie advised that Louis and Sean emerged from the bedroom with Sean holding a large green duffel bag and Sean left the apartment at approximately 1900 hours.

After Sean left, Jessie advised that Louis told her he was robbed in the bedroom and that Sean had an unknown weapon on him. Louis advised Jessie that inside the green duffel bag was her shotgun, Louis's handgun, and his laptop. Jessie stated that Sean threatened to harm Louis's family if he called the police. Jessie stated that Louis was nervous as they talked for several hours trying to convince him to call the police.

Jessie stated that she did her own research and located a rap sheet for Sean and realized he was a bad guy. Jessie stated they called the police around 2230 hours. Jessie then stated that Sean took Louis's car that night as well.

At 0700 hours, Jessie advised that Sean returned to the apartment and knocked on the door. That Louis called the police and he and Jessie took cover in his son's room Christian. Jessie was unable to give a viable answer for why a person that just robbed her boyfriend and stole his car, would return in the morning.

Jessie claimed to have very little knowledge of Sean other than seeing him sleeping on Louis's couch a few days prior and this incident in question. I ended the interview at this point.

I then conducted a recorded interview with Christian Polanco (DOB 12/1/08) who is the son to Louis. Christian advised that Sean did not live at the apartment like Sean was claiming, but Christian advised that Sean has been at the apartment for the last three days, and furthermore that he and Louis met Sean approximately 10 days ago.

Christian advised that his father seemed anxious and nervous while Sean was at the house the night of the incident, but stated that it was normal practice that Louis and Sean would enter Louis's bedroom and talk and hang out in there.

Christian advised that he liked Sean and considered him a friend, stating that they played football a few times. Christian was then asked about the incident the night before and Christian stated that his father didn't tell him anything related to the robbery.

Christian then advised that he was sleeping in his room when Sean returned to the apartment the following morning.

Christian stated that his father was robbed of \$10,000 last year where a male suspect had access to his debit card and would gamble with Louis's money.

I asked Christian if Louis had any problems with Sean recently and he stated, "Yes". Christian advised that Sean would keep turning off the camera on their front door and has stolen a wine bottle. Christian stated that he and Louis would leave Sean at the apartment occasionally.

Christian advised that Sean could borrow his dad's car that Jessie claimed was stolen. Christian advised that Sean would drive the car for a couple of days before he returned it. Christian then stated that Sean has access to Louis's cellular phone and his bank accounts as well. It became evident that Sean was more of a friend than a suspect who committed a robbery.

Jessie then stated that Sean had access to Louis's Navy Credit Union and USAA credit union accounts. Jessie advised that last night they called and put a stop to his accounts. Jessie stated that several charges were found on Louis's account on 10/25 and 10/26.

It was clear that Louis's laptop was not stolen when Sean left with the green duffel bag as it was now learned Sean had Louis's laptop since Monday. Jessie advised that Louis also gave Sean his cell phone because Sean needed a phone. Jessie stated Sean has had the phone since at least Tuesday.

1 Date: 10/29/2020 Officer: LAPEER, KEVIN Subject: Search warrant narrative

On 10/29/20, I Detective K. LaPeer #1446 was assisting Det. K. Lippisch #1710 with a potential robbery investigation. Det. Lippisch authored search warrants for a large tan duffel bag as well as a white Chevrolet Malibu. The search warrants were reviewed by a district attorney and signed by a Henderson Justice court judge.

At 0700 hours, I executed the search warrant on the tan duffel bag. The following items of evidence were located and documented on the search warrant return.

1. Black "Fuel" motorcycle helmet
2. Model 12, .20-gauge Winchester shotgun. S/N 1291469
3. Federal .20-gauge ammunition HI-Brass (25) live shells
4. Surefire tactical flashlight with mount
5. Vice grips
6. Lenovo laptop S/N YD05BV4H
7. Grace USA chisel tool

All items were photographed by Detective D. Ozawa #1531 and later uploaded into digital evidence. I then properly booked all evidence in the main station vault. A copy of the search warrant return and sealing order were left inside the duffel bag.

At approximately 1400 hours, Detective Lynaugh #1554, CSA D. Proietto #2147 and I executed the search warrant on the white Malibu bearing NV Body Shop 6528. CSA Proietto processed the vehicle for forensic evidence and documented the vehicle with photographs. The following items of evidence were recovered:

1. DNA swabs from steering wheel
2. Drivers door, rear view mirror possible latent print lifts

A copy of the search warrant return and sealing order were left on the passenger seat of the vehicle. The vehicle will be returned to the victim.



SEAN RODNEY ORTH # 96723  
 POST OFFICE BOX 650  
 INDIAN SPRINGS, NEVADA 89070  
 IN PROPER PERSON

**FILED**

FEB 03 2022

ELIZABETH A. BROWN  
 CLERK OF SUPREME COURT  
 DEPUTY CLERK

IN THE SUPREME COURT OF NEVADA

SEAN RODNEY ORTH,  
 PETITIONER,

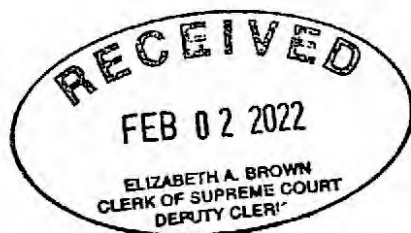
VS.

THE EIGHTH JUDICIAL  
 DISTRICT COURT, FOR  
 THE STATE OF NEVADA,  
 RESPONDENT.

CASE NO. \_\_\_\_\_

(DIST. CRT CASE NO. C-20-352701-1)

PETITIONER'S APPENDIX OF EXHIBITS  
IN SUPPORT OF WRIT OF  
MANDAMUS.



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HENDERSON POLICE DEPARTMENT  
WITNESS STATEMENT

HPD 0155

PAGE 1 OF 1

DR# 20-16189

DATE: 10/19/2011

TIME: 0115

STATE OF NEVADA )

COUNTY OF CLARK )

SS: HENDERSON

I, Louis Polanco, date of birth \_\_\_\_\_

Social Security Number \_\_\_\_\_ Occupation \_\_\_\_\_

Home Address \_\_\_\_\_, Email Address \_\_\_\_\_

Business Address \_\_\_\_\_

Phone #'s: (H) \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

do hereby make the following true statements to: A. Zell #2621  
of the Henderson Police Department, of my own free will. There have been no threats, or promises of immunity or reward made to me to make this statement. It is further understood that this statement may be used either wholly or in part as evidence in a Court of Law.  
I can read this and write the English language.

friend of mine came by was talking me his friend came  
got drunk that day I went to bed 4/10 woke he was gone to  
car came by today around 2 and told me he had  
a gun to sit down and took phone and computer  
too laptop crosser was going through my accounts changing  
passwords had gun and took my Smith & Western gun  
and Winchester make me 20 Gauge key and car told me  
not to call the cop or he'll kill me and my son but with  
phone computer guns and car

[Signature] #2621  
Officer

[Signature]  
Witness Signature

HPD 0155

City of Henderson, NV

Revised: 04/10/2012

Information collected per NRS 179A.075.



HENDERSON POLICE DEPARTMENT  
WITNESS STATEMENT

HPD 0155

PAGE 1 OF 2  
DR# 20-18989

DATE: 10/28/2020

TIME: 0115

STATE OF NEVADA )

COUNTY OF CLARK )

SS: HENDERSON

I, Jessie Coracciolo

, date of birth

Social Security Number

Occupation

Home Address

Email Address

Business Address

Phone #'s: (H)

(C)

do hereby make the following true statements to:

AZEU #2621

of the Henderson Police Department, of my own free will. There have been no threats, or promises of immunity or reward made to me to make this statement. It is further understood that this statement may be used either wholly or in part as evidence in a Court of Law.  
I can read this and write the English language.

I came over Sunday morning around between 2-3 to Luis Apt, a male that I did not know was here passed at he left sometime between 3-? I woke up around 8am he was gone I came back today Tuesday Oct. 28th little after 6:30pm; Luis (bf's) son and the male answered the door asked why I was here stated I needed my clothes work, he then talked at Luis I went to bedroom. They both went in closed the door. few minutes later they walked out and the guy was carrying green bag and the bag and left later after he left was when Luis (bf) told me he had taken his phone, camera, his military gun and a shotgun belonging to me that I had

[Signature]  
Officer

[Signature]  
Witness Signature

HPD 0155

City of Henderson, NV

Revised: 04/10/2012

Information collected per NRS 179A.075.





HENDERSON POLICE DEPARTMENT  
**NARRATIVE SHEET**  
REFER TO DM-0381

**HPD 0080**

PAGE 2 OF 2  
DR# 20-18989

(1) Narrative

(2) Describe physical evidence, location found, and disposition.

Given note to redo, I do know the  
shooter given was Smith Wesson 9mm.  
Black & Silver. Also stated to me  
that the police were at his property at  
around 4pm - and stated this man (who I came to find at his home as  
Sean Smith) stated he would harm his  
family if he had anyone or called the  
police. I stated we needed to call.

Officer

Witness Signature



## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HP201028000018

Report Number(s): 20-18989 (HP/1N11)

Audit Time	Audit Text	Operator	Console
10/28/2020 01:04:13	Unit Mgmt - City: From: To: (HEN)	HP1288	COHCADWS910
10/28/2020 01:14:09	Report Number Assigned - Rpt Num : 20-18989 (HP/1N11)	HP2621	COHMDT3299
	***** SUSPECT *****		
	ORTH, SEAN RODNEY		
10/28/2020 01:24:27	RECORD STATUS: CURRENT	HP2621	COHMDT3299
	SOC: 3 DOB:		
	SEX: M HGT: 601 WGT: 230 HAI: BLN EYE: HAZ		
10/28/2020 01:24:27	Incident Updated From: 3 To: 1	HP2621	COHMDT3299
10/28/2020 01:24:27	Incident Updated From: 425 To: 407	HP2621	COHMDT3299
10/28/2020 01:54:11	REQ METRO RESPOND TO 10274 MISSOURI MEADOWS ST, CHECK FOR WHI CHEVY MALIBU W/ UNK BODY SHOP PLATES, VIN/1G1ZS57F57F256434	HP0874	COHCADWS910
10/28/2020 01:55:13	Unit Status Timeout Reset	HP1288	COHCADWS910
10/28/2020 01:56:56	METRO ADVD, METRO EVENT #118612	HP0874	COHCADWS910
10/28/2020 02:16:42	METRO ATMPD TO LOCATE VEH, NEG CHEVY MALIBU IN NEIGHBORHOOD	HP0874	COHCADWS910
10/28/2020 02:23:20	MADE CONTACT WITH PR. HE STATED A FRIEND OF A FRIEND, WHO WAS IDENTIFIED AS SEAN ORTH, WAS IN HIS HOME, STOLE HIS BLACK AND RED HANDGUN, SHOTGUN, AND HIS 2007 CHEVY MALIBU. WHEN SEAN WAS LEAVING, HE THREATENED TO HURT HIM AND HIS FAMILY IF HE ATTEMPTED TO CALL THE POLICE. NO SERIAL NUMBERS COULD BE PROVIDED FOR THE FIREARMS. THE VIN FOR THE CHEVY MALIBU WAS PROVIDED HOWEVER THE PLATE IS UNKNOWN. REPORT WAS TAKEN AND ISD WILL CONDUCT FOLLOW UP IN THE MORNING.	HP2621	COHMDT3299
10/28/2020 02:23:30	Incident Status From: Active To: Closed	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit HP/1N11 Stat: AV Loc:	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Freed - Unit Id : HP/HP2621	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - City: From: To: (HEN)	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Location: From: 981 WHITNEY RANCH DR To:	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Apartment: From: To: (823)	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Loc Name: From: To: (THE MARLOW APTS)	HP2621	COHMDT3299
10/28/2020 02:23:30	Unit Mgmt - Zip Code: From: To: (89014)	HP2621	COHMDT3299
10/28/2020 02:23:30	Disposition From: To: RPT	HP2621	COHMDT3299
10/28/2020 02:23:30	Disposition From: To: RPT	HP2621	COHMDT3299
10/28/2020 02:23:30	Disposition From: To: HP/1N11	HP2621	COHMDT3299
10/28/2020 15:39:19	Vehicle 1 Added Role: INVOLVED Color: Year: 2002 Make: CHEVROLET Plate: 1BA538 NV	HP1017	COHCADWS9114

Thursday, November 12, 2020 10:35:09 AM

ORTH 20CRH001571



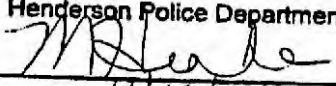
## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HP201028000018

Report Number(s): 20-18989 (HP/1N11)

Audit Time	Audit Text	Operator	Console
10/28/2020 15:39:47	Vehicle 1 Updated Role: INVOLVED Color: Year: 2002 Make: CHEVROLET Plate: 18A538 NV	HP1017	COHCADWS9114

I hereby certify that  
this is a true copy  
of the computerized  
record on file at the  
Henderson Police Department

By:   
Date: 11/12/20





# CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Type: <b>ASSIST PD EMERGENCIES</b>	Disposition: <b>CLEAR</b>	Status: <b>Closed</b>
Priority: <b>1</b>	City: <b>HEN</b>	Bldg: <b>8</b>
Address: <b>981 WHITNEY RANCH DR</b>	Cross-Low: <b>1500 PLAIN SIGHT AVE</b>	
Cross High: <b>1600 PATRICK LN</b>	Jurisdiction:	
Location: <b>THE MARLOW APTS</b>	S/B: <b>82B</b>	SRA:
Area: <b>S82</b>	Latitude: <b>36.07744330</b>	Longitude: <b>-115.0</b>
Map: <b>313165</b>	Officer 1: <b>E82 E82 E82</b>	Officer 2:
Unit: <b>E82</b>	Operator: <b>HP1366 DINKEL, A</b>	911: <b>Y</b>
Console: <b>COHCADWS91</b>	Address: <b>981 WHITNEY RANCH DR</b>	Phone:
<b>07</b>		
Caller: <b>JESSIE CARACCILLO</b>		
Create: <b>10/28/2020 7:20:31</b>	Dispatch: <b>10/28/2020 7:20:47</b>	Arrive: <b>10/28/2020 7:28:48</b>
		Close: <b>10/28/2020 7:28:48</b>

Audit Time	Audit Text	Operator	Console
10/28/2020 07:11:39	Incident Created	HP2689	COHCADWS910
10/28/2020 07:11:39	PR MADE REPORT OF MALE BEING ON PROPERTY, PR SAYS HE IS ARMED, HES CURRENTLY AT PR'S DOOR, MALEE TOOK PR'S 413'S	HP2689	COHCADWS910
10/28/2020 07:11:53	MALE IS STANDING AT PR'S DOOR, PR IS IN THE BATHROOM	HP2689	COHCADWS910
10/28/2020 07:12:02	MALE IS SHAWN ORTH	HP2689	COHCADWS910
10/28/2020 07:12:16	Dispatch: HP/2N11 (Officers: HP/DUFFY PHILIP)	HP1366	COHCADWS911
10/28/2020 07:12:16	Dispatch: HP/2N71 (Officers: HP/MANGAN ASHLEY)	HP1366	COHCADWS911
10/28/2020 07:12:16	Incident Status From: Initial To: Active	HP1366	COHCADWS911
10/28/2020 07:12:16	*Unit Status Change - From: AV To: D	HP1366	COHCADWS911
10/28/2020 07:12:16	*Unit Status Change - From: AV To: D	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS911
10/28/2020 07:12:16	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS911



## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Audit Time	Audit Text	Operator	Console
10/28/2020 07:12:16	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS9113
10/28/2020 07:12:16	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS9113
10/28/2020 07:12:22	*Unit Status Change - From: D To: ER	HP2154	COHMDT3167
10/28/2020 07:12:22	*Unit Status Change - Submitted: 2020-10-28 07:12:21	HP2154	COHMDT3167
10/28/2020 07:12:27	MALE IS WMA 46 511/220 UNK CLOTHING	HP2689	COHCADWS9107
10/28/2020 07:12:34	*Unit Status Change - From: D To: ER	HP2576	COHMDT3119
10/28/2020 07:12:34	*Unit Status Change - Submitted: 2020-10-28 07:12:31	HP2576	COHMDT3119
10/28/2020 07:12:55	Dispatch: HP/S1387 (Officers: HP/CLEAR JAIME)	HP1387	COHMDT3295
10/28/2020 07:12:55	*Unit Status Change - From: AV To: ER	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Zip Code: From: To: 89014	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Apartment: From: To: 823	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - Building: From: To: 8	HP1387	COHMDT3295
10/28/2020 07:12:55	Unit Mgmt - City: From: To: HEN	HP1387	COHMDT3295
10/28/2020 07:13:15	IN RELATION TO DR # 20-18989	HP2689	COHCADWS9107
10/28/2020 07:13:26	INC 032 THIS MORNING	HP2689	COHCADWS9107
10/28/2020 07:13:41	MALE IS BANGING ON THE DOOR, CHILD IN THE RES	HP2689	COHCADWS9107
10/28/2020 07:14:01	2N11 - CODE RED	HP1366	COHCADWS9113
10/28/2020 07:14:08	PR IS NOT ARMED, ONLY HAS 413A	HP2689	COHCADWS9107
10/28/2020 07:14:14	Dispatch: HP/2N41 (Officers: HP/BRINK TIMOTHY)	HP1168	COHCADWS9101
10/28/2020 07:14:14	*Unit Status Change - From: AV To: D	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1168	COHCADWS9101

Thursday, November 12, 2021 10:33:10 AM

ORTH 20CRH001571

PA 7

AA001254



## CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Audit Time	Audit Text	Operator	Console
10/28/2020 07:14:14	Unit Mgmt - Building: From: To: 8	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Zip Code: From: To: 89014	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - City: From: To: HEN	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Apartment: From: To: 823	HP1168	COHCADWS9101
10/28/2020 07:14:14	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1168	COHCADWS9101
10/28/2020 07:14:35	Dispatch: HP/2W41 (Officers: HP/MURPHY BROOKE)	HP2274	COHMDT3102
10/28/2020 07:14:35	*Unit Status Change - From: AV To: ER	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Building: From: To: 8	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Zip Code: From: To: 89014	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - City: From: To: HEN	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP2274	COHMDT3102
10/28/2020 07:14:35	Unit Mgmt - Apartment: From: To: 823	HP2274	COHMDT3102
10/28/2020 07:14:42	MALE IS STILL KNOCKING ON THE DOOR	HP2689	COHCADWS9107
10/28/2020 07:14:52	UNITS ASKING IF MALE HAS THE 413 OUT OR JUST AT HIS SIDE	HP1366	COHCADWS9113
10/28/2020 07:14:53	UNK IF ANYONE ELSE IS WITH THE MALE	HP2689	COHCADWS9107
10/28/2020 07:15:12	**PREV INC # 018**	HP1130	COHCADWS9105
10/28/2020 07:15:34	PR NEVER SAW THE GUN ON HIM	HP2689	COHCADWS9107
10/28/2020 07:15:36	*Unit Status Change - From: D To: ER	HP1366	COHCADWS9113
10/28/2020 07:16:18	*Unit Status Change - From: ER To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:18	*Unit Status Change - From: ER To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:19	PR KNOWS ITS THE MALE FROM SEEING HIM THROUGH THE PEEPHOLE	HP2689	COHCADWS9107
10/28/2020 07:16:53	Dispatch: HP/T13 (Officers: HP/BALDINO PAUL)	HP1366	COHCADWS9113
10/28/2020 07:16:53	Dispatch: HP/T12 (Officers: HP/SCOBLE JASON)	HP1366	COHCADWS9113
10/28/2020 07:16:53	*Unit Status Change - From: AV To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:53	*Unit Status Change - From: AV To: AR	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS9113

Thursday, November 12, 2020 10:33:10 AM

ORTH 20CRH001571

PA 8

AA001255



# CAD Incident Recall w/Audit Trail - City of Henderson

Incident: HF201028000014

Report Number(s): 20-27771

Audit Time	Audit Text	Operator	Console
10/28/2020 07:16:53	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Building: From: To: 8	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Zip Code: From: To: 89014	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Apartment: From: To: 823	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1366	COHCADWS9113
10/28/2020 07:16:53	Unit Mgmt - City: From: To: HEN	HP1366	COHCADWS9113
10/28/2020 07:16:56	*Unit Status Change - From: AR To: CR	HP1366	COHCADWS9113
10/28/2020 07:17:02	< PR IS IN THE BATHROOM, HER BOYF IS AT THE DOOR AND SHE DOESNT KNOW IF HE CAN SEE ANY 413'S ON THE MALE >	HP2689	COHCADWS9107
10/28/2020 07:17:35	411 VEH IS WHI CHEV MALIBU UNK BODY SHOP PLATES	HP1366	COHCADWS9113
10/28/2020 07:17:42	Dispatch: HP/2N51 (Officers: HP/BOWLER BRENT)	HP1545	COHMDT3161
10/28/2020 07:17:42	*Unit Status Change - From: AV To: ER	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Location: From: To: 981 WHITNEY RANCH DR	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Building: From: To: 8	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - City: From: To: HEN	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Zip Code: From: To: 89014	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Apartment: From: To: 823	HP1545	COHMDT3161
10/28/2020 07:17:42	Unit Mgmt - Loc Name: From: To: THE MARLOW APTS	HP1545	COHMDT3161
10/28/2020 07:17:51	WHI CHEV MALIBU BACKING UP	HP1366	COHCADWS9113
10/28/2020 07:18:14	FTY, 2N11 & 2N41 ATT'G 487	HP1366	COHCADWS9113
10/28/2020 07:18:18	2N71 BLOCKING EXIT	HP1366	COHCADWS9113
10/28/2020 07:18:27	2N51 & 2N71 AT FRONT EXIT	HP1366	COHCADWS9113
10/28/2020 07:18:30	FEM IS ADV'G MALE IS STILL AT THE DOOR	HP2689	COHCADWS9107
10/28/2020 07:18:39	QW.U;2N71.LASTNAME;ORTH.FIRSTNAME;SEAN.DOE	HP1165	COHCADWS9104

PA 9

AA001256

DR #20-18894, L. POLANCO (1)

1 STATE OF NEVADA) DATE: 10-28-2020  
2 ) SS: HENDERSON  
3 COUNTY OF CLARK) TIME: 8:55 a.m.  
4  
5

6 This recorded interview of LOUIS POLANCO did hereby  
7 take place at The Marlow apartments, number 823, 981 Whitney Ranch  
8 Drive, Henderson, Nevada 89014, reference DR #20-18894.  
9

10 Person present during this interview is LOUIS POLANCO.  
11 Person conducting the interview and audio recording is  
12 DET. DENNIS OZAWA of the Henderson Police Department.  
13 Transcription of the recorded statement by Hannah Lewon,  
14 Administrative Assistant I, Henderson City Clerk's Office.  
15

16 DET. DENNIS OZAWA: All right. It's October 28, 2020, at  
17 approximately 9 -- is it 9:15? Sorry. 8:55. Sorry. And we're here at  
18 -- do you know the address here?

19 LOUIS POLANCO: [REDACTED]

20 DET. OZAWA: And then we're in front of apartment [REDACTED]

21 BY DET. OZAWA:

22 Q I'm here speaking with --



23 A Louis Polanco.

24 Q -- Louis Polanco.

25 My name is Dennis Ozawa, detective with Henderson PD,

Office of the City Clerk (702) 267-1464

THIS COPY IS  
EXCERPT FROM  
COPYING AND  
ATTACHED TO  
SEP 21, 2021  
DEF. MOTN TO SUPPRESS  
DIST. CRT  
AA001257 PA 10

- 1 A He took my phone.
- 2 Q Okay.
- 3 What's your cell phone number?
- 4 A 
- 5 Q 
- 6 What kind of cell phone is it?
- 7 A LG Stylo 4.
- 8 Q Stylo 4?
- 9 A Yes.
- 10 Q What color is it?
- 11 A Blue, black-ish. Black-ish, blue-ish.
- 12 Q Blue, black?
- 13 A Yeah. It's, like, dark.
- 14 Q Does it have a cover on it?
- 15 A No cover.
- 16 Q Any other, like, stickers or anything on it? Designs?
- 17 A No. No.
- 18 Q Okay. Just straight-up phone.
- 19 A Yeah.
- 20 Q Nothing on it. Okay.
- 21 His name is again? The guy that - -
- 22 A Shawn.
- 23 Q What's his last name?
- 24 A I don't know. (Incomprehensible.)
- 25 Q It starts with an O?



1 Q It was set up for Sunday?

2 A Sunday. It was Sunday. Sunday. Yeah.

3 Q And what time were they supposed to come over?

4 Or was -- what time was Benny supposed to come over to get it -- to do  
5 that tattoo?

6 A It was in the evening. It was late. It wa -- he came  
7 over, like, around 11. And it -- they left -- he -- Benny -- Benny left -- he  
8 got -- passed out on the couch. I was, just -- just leave him. Just leave  
9 him. He didn't do anything. You know.

10 Q This was on Sunday?

11 A Yeah.

12 Q So, Sunday Benny and this guy come together?

13 A Yeah. And he just passed out. I was like, he -- he  
14 -- so, he wo -- he left. That's the thing. He didn't bother me that night.  
15 He was okay.

16 Q Okay.

17 A And then he came back yesterday.

18 Q Who did?

19 A The guy.

20 Q This guy?

21 A Yeah. That --

22 Q Shawn?

23 A Shawn. Yeah.

24 Q So -- okay.

25 So, let's back up to Sunday. Benny and this guy, Shawn,

1 Q Oh. So, then you go to sleep. You wake up.

2 He's --

3 A Yeah. I was just lay -- I was just, like, nodded out.

4 And then I woke up a little while later. He was gone.

5 Q What time did you wake up?

6 A Oh, fuck. I was -- I don't know. Eight -- seven -- eight,  
7 nine. I don't know.

8 Q Okay.

9 A It was -- it was -- the light was out.

10 Q So, eight. It was still dark out?

11 A No. It was light.

12 Q Oh, okay.

13 A The sun -- the sun was coming out.

14 Q Eight, 9:00, you wake up, and this other guy, Shawn,  
15 is gone?

16 A Yeah. That was it.

17 Q So, this is Monday. So, then --

18 A (Incomprehensible.)

19 Q -- what happens on Monday?

20 A Nothing.

21 Q And then Tuesday?

22 A Oh, was it -- that was yesterday?

23 Q Yeah.

24 A Yes. He came.

25 Q Who comes?



1 your phone. And -- which, he -- he took -- he took the -- he was -- he  
2 wanted to leave. 'Cause I had a camera -- I had a camera in my window  
3 and a camera in -- in the -- in -- inside.

4 Q Um-hum.

5 A He wanted to delete it. The cameras.

6 Q Why?

7 A 'Cause he said it's a felony to have the -- he said to  
8 record people, without them knowing. I was like, It's my -- my house.  
9 You know it's like, I'm not doing anything. And he starts -- then my son  
10 comes in. And he's -- and he's crying 'cause of -- 'cause of what  
11 happened. And --

12 Q What's your son's name again?

13 A Christian. Christian Polanco. Same as my last.

14 Q Okay.

15 So, while --

16 A He --

17 Q -- while Shawn's telling you, hey, I -- I need to see  
18 your laptop.

19 A I'm sitting there.

20 Q Let me see your laptop. Let me see your phone.

21 A (Incomprehensible.)

22 Q And then, does he take the cameras?

23 A Took the camera in the -- in the -- in my bedroom.

24 But he didn't get the camera in the living room. He just completely ripped  
25 it out. Some -- took it apart.

- 1 A No, no, no, no, no.
- 2 Q -- and he's pointing it at you?
- 3 A No. He didn't point it at me at all.
- 4 Q it's in his pants still?
- 5 A Yeah. Yeah.
- 6 Q So, still holstered in his pants?
- 7 A Yeah. He didn't -- pu -- pull it out.
- 8 Q Okay.
- 9 But then he says, Take --
- 10 A Show me your guns.
- 11 Q Show me your guns. And then he takes your guns?
- 12 A Yeah. I put --
- 13 Q How do -- where does he put them?
- 14 A In a duffel bag. He tried -- had a du -- had a bag in
- 15 my room. He put it in there.
- 16 Q What kind of duffel bag was it?
- 17 A It's a military bag.
- 18 Q Is it, like, camouflage?
- 19 A It's, like, a --
- 20 Q Or green? Or?
- 21 A It's, like, the brown -- like, sand. Like, the -- sand.
- 22 Q Okay.
- 23 A It's, like, a big one.
- 24 Q So, sand-colored duffel bag?
- 25 A Yeah.

1 But it -- he -- but before that, he -- he saw the guns. The  
2 cops were here.

3 Q The cops showed up before that?

4 A Yeah. That was 'cause of the -- my neigh -- my  
5 neighbor. They called the cops on my son.

6 Q And that's from building six?

7 A Yeah.

8 Q So, when the police came for that incident --

9 A He told me, Sit down. And -- sit down in -- on -- on  
10 the table. And 'cause my so -- I was trying, like, calm my son down. And  
11 I -- he was -- he was, like, really -- 'cause he was crying a lot. And he  
12 was, like, telling me -- like -- he's like, his best friend or whatever. Just  
13 try talk to him. Or to try and calm down. And I -- I'm, like, nervous as  
14 hell. Like, he's like --

15 Q Did the police come into your apartment?

16 A No. He wouldn't let me in the door.

17 Q They --

18 A They -- he answered the door.

19 Q I know. But did they -- did the police come into your  
20 apartment?

21 A No. They didn't come inside.

22 Q They just --

23 A They (incomprehensible).

24 Q -- they talked to him outside?

25 A Yeah. They -- he stood by the door with my son.

1 Q So, your son was - -

2 A ~~He was holding him, like - - he was right next to my~~

3 son.

4 Q Standing next to your son?

5 A (No audible response.)

6 Q Okay.

7 And then they talked to them outside?

8 A No. They were out - - the cops were outside. They  
9 were standing in front of the door.

10 Q ~~Did the cops see you?~~

11 A ~~Yeah. They saw me. I got up, and I walked to the~~  
12 ~~side. And I was standing behind. And he - - he pushed me. He put his~~  
13 ~~hand, like, to step back.~~

14 Q Did the cops talk to you at all?

15 A No.

16 Q Did they ask who you were?

17 A ~~He just said - - he asked me if he's the father. He - -~~  
18 ~~said, No. I'm - - I said, I am the father.~~

19 He said, I'm Un - - he said he's his uncle.

20 Q And then they never talked to you?

21 A No.

22 Q Okay.

23 So, then police leave. Then what happens after that?

24 A He was - - he was, like - - I still tried to talk to him.

25 He was like - - ~~he hates it here.~~ He was like, This is - - you know, he was

1 just saying -- he's, like, trying to be, like, a dad. Like, to -- I don't know.  
2 It was -- it was just weird. It was like he was trying to be, like, really nice  
3 to him.

4 Q Who?

5 A My -- the Shawn guy. He --

6 Q Trying to be nice to you?

7 A To my son. Like, being really, like, overly nice to my  
8 son while he's (incomprehensible) me. Like, taking from me.

9 Q So, he -- after the police leave, he starts talking to  
10 your son.

11 A Yeah. And I'm -- I'm there. But -- and -- he gets  
12 out, but he -- he goes -- he goes to the room, looking for things. Looking  
13 through my room, see if I have anymore cameras. And -- and then he  
14 leaves.

15 Like -- well, my girlfriend showed up before then, you  
16 know. He -- he, like -- I sit -- I sit down at the table. And I -- I was -- I  
17 told her to sit down.

18 Q What times does your girlfriend get there?

19 A I'd say six-ish. Around six-ish some -- sometime.

20 Q Six-ish.

21 A Yeah. He left.

22 Q Okay. So --

23 A And then when he starts getting -- come to the  
24 room --

25 Q So, six-ish, your girlfriend shows up?

1 A Yeah. He said to go to the room. I go to the room.

2 And he's like, Why is she here?

3 I said, What do you mean why she - - she's my girlfriend.

4 And sh - -

5 He says - - he's looking through the phone. He says, Do

6 you have any more cameras? He was looking to see if I had cameras.

7 He just deleted everything. He's like, Is that - - he was trying to go to

8 - - well, this is after he left, he was going through all my accounts and stuff

9 like that. Trying to get his - - 'cause he had access to everything..

10 Q Did you have a passcode on your phone?

11 A He-unlocked it.

12 Q Huh?

13 A I did. But he re - - I unlocked it. I show - - he said,

14 Let me use your phone. And then that was the end of it.

15 Q Okay.

16 What's the passcode on your phone?

17 A 1212.

18 Q You unlocked it for him? Or did you tell him the code?

19 A I told him the code. I said, It's just 1212.

20 Q So, then he - - he looks into your phone and deletes

21 what?

22 A It was - - just later - - it was just later on, he was

23 scrolling - - he was trying to get into the - - to my bank accounts.

24 (Incomprehensible) I was - - I was changing all the passwords and stuff

25 like that. And - -

1 Q How did you know that?

2 A 'Cause it was -- I was looking at the -- the mail.

3 Like, you could see -- like, you see, like --

4 Q Your email?

5 A Yeah. And I was looking. So, I -- I log in. And I  
6 was like -- 'cause I was still able to log -- I -- I -- so, I pulled up.

7 Q Well, ho -- hold on. Let's back up. So, girlfriend  
8 gets here at six. She shows up.

9 A Um-hum.

10 Q He walks you into your bedroom, asks you why  
11 she's here.

12 A Um-hum.

13 Q You said, She's my girlfriend. She's just coming over.

14 And then what happens after that?

15 A He grabs the bag. He says, Take this. Put it in your  
16 car. And give me the key. ✓

17 Q Put it in?

18 A My car.

19 Q Okay.

20 And what kind of car do you have?

21 A It was a sh -- well, it -- it's a shop car. It's -- my  
22 car's in the shop. It's my friend's shop.

23 Q Okay.

24 A And it's a Malibu. Chevy Malibu.

25 Q This is your friend's car?



1 A This is -- it's a body shop. It's a -- my friend owns  
2 the body shop over there.

3 Q So, he's letting you borrow the --

4 A The shop car while he fixes my car.

5 Q Who's the vehicle registered to?

6 A It's his body shop.

7 Q What's the body shop called?

8 A Fantastic Finishes.

9 Q Okay. Fantastic Finishes.

10 Where are they located at?

11 A Losee Road. Right -- northside.

12 Q Okay.

13 A Losee.

14 Q So, Losee Road. It's a shop car. 'Cause your car  
15 -- what kind of car do you actually have?

16 A A 2009 BMW.

17 Q What kind of color?

18 A Gray. Two doors.

19 Q What kind of BMW?

20 A 328i.

21 Q Okay. So, your gray BMW's in the shop.

22 This white Chevy -- how long have you had this white Chevy?

23 A For a minute. I -- my -- my car -- my frame was  
24 totaled. So, they had to rebuild it. So, like, a few months.

25 Q Like, do you -- are you thinking, like, September?



- 1 A No. It was, like, from -- since -- in January.
- 2 Q Since January?
- 3 A I wasn't -- yeah. Yeah.
- 4 Q Oh, so it's been more than a few months.
- 5 A (Incomprehensible.)
- 6 Q So, you've had this since January?
- 7 A Well, it -- it -- yeah. Like, beginning of February
- 8 -- yeah. February, March I got it. 'Cause I -- I had a rental car for a little
- 9 bit.
- 10 Q So, okay. So, February. Since February, you had
- 11 the vehicle.
- 12 So, he tells you, Give me the keys. And then he --
- 13 A Um-hum.
- 14 Q -- so, you walk with him to -- where's your car
- 15 parked at?
- 16 A Right over there. I have a spot open. Right up
- 17 -- right -- right there. 222 where the car's at.
- 18 Q Uh-huh. So --
- 19 A Yeah. And, Put it in the trunk.
- 20 Q What -- what's the slot -- spot number?
- 21 A 222.
- 22 Q 22?
- 23 A 222.
- 24 Q 222.
- 25 A Is your girlfriend's car there right now?

- 1 Q I don't know.
- 2 A I think so. Yeah.
- 3 Q So, 222. You put the --
- 4 A ~~Duffel bag~~ put it in the trunk.
- 5 Q You put the duffel bag in the trunk?
- 6 A Um-hum.
- 7 Q And then what happens after that?
- 8 A He left.
- 9 Q Okay.
- 10 A And --
- 11 Q And then --
- 12 A -- he saw me (incomprehensible portion).
- 13 Q Okay.
- 14 So, then what happens after that?
- 15 A (Incomprehensible portion.) I told her everything that
- 16 happened. And that was it. And --
- 17 Q So, what time do you think he left?
- 18 A He left around 6:30.
- 19 Q So, it wasn't too long after your girlfriend --
- 20 A Yeah.
- 21 Q -- showed up?
- 22 A 6:30, seven, he left. Yeah.
- 23 Q And then you call us at what time?
- 24 A At eight. It was late. I didn't wanna call. I was
- 25 -- I -- I didn't know -- I didn't know what to do, whether to call or not.

1 Q So, why did you call?

2 A 'Cause you -- I know my guns are registered. I just

3 -- I was nervous. I was scared. And I don't -- I don't do well with --

4 Q Scared that his --

5 A Like, he's my son. Like, I'm -- because he -- he's

6 all I have, you know. I mean --

7 Q Scared that he's coming back?

8 A Coming back. Yeah. Like, he's really, like -- okay.

9 This is weird the way he was acting towards my kid, man. I don't know.

10 Q And then prior to Sunday, has Shawn been to your

11 house before?

12 A No. I never met him.

13 Q You -- that was the fir -- on Sunday was the first

14 day and time you met him?

15 A Yeah.

16 Q And how long have you known Benny?

17 A I known Benny -- like, he tattooed me a few times.

18 Like, I did it from across the street. When I would go there, he tattooed

19 me over there.

20 Q And how long have you been getting tattoos from

21 Benny?

22 A Like, two years maybe.

23 Q Two years?

24 A On and off. Like yeah. I can't get them -- 'cause he

25 doesn't live here.

1 Q Where does he live?

2 A Sacramento.

3 Q So, how do you get to -- how do you get in contact  
4 with him?

5 A He's -- he's either on -- on -- on Facebook. He -- he  
6 says he's here. He'll leave the num -- number, I'll call. He'll come by when  
7 he can.

8 Q So, how did you -- how'd you set up Sunday's  
9 incident?

10 A He said he was here. He was in town. So, I was  
11 like, Yo --

12 Q And then through -- what was that through?

13 A Instagram.

14 Q Instagram?

15 A (No audible response.)

16 Q So, Sunday, on Instagram, he says he's in town?

17 A Oh, no. He was -- he was supposed -- he said was  
18 in Cali -- he was here on Friday, but he probably won't make it 'til, like,  
19 Sunday. (Incomprehensible.)

20 Q Did he specifically message you?

21 A Hm?

22 Q Did he specifically message you on Instagram or did  
23 he just put it out that he was --

24 A No. He -- he -- me, I got to talk to him. Like, he's  
25 like --

1 Q Oh. Like -- like, video chat or actually, like, call  
2 him --

3 A Yeah. Yeah.

4 Q -- through Instagram?

5 So, he calls you through Instagram, says he's in town. And  
6 then --

7 A Well, come by -- I said, Come by. We can have a  
8 drink. Whatever. You know.

9 Q Okay.

10 And then he was giving you some new tattoos?

11 A Yeah. He was -- yeah. 'Cause he covered up my  
12 arm. I got a bad tattoo. He was covering -- help me cover it up.

13 Q And then, does he charge you? Or is it just, like,  
14 a --

15 A Yeah. A friendship thing. You know, like, whatever.  
16 You know, yeah. We'll hang out. Give him a few dollars. And it's -- it's  
17 just we don't do a lot during session anyways. So, we can just do it for a  
18 good hour. So, you know.

19 Q So, did he charge you for the tattoos when he came  
20 Sunday?

21 A No. We -- we -- he -- sa -- not Sunday.

22 Q Okay.

23 So, he --

24 A 'Cause he -- 'cause he did -- he did some work on  
25 me before, and he didn't finish it. So, he just came out to finish some

- 1 work up. And that was it. We hung out. He was passed out. So, he left.
- 2 Q Who was passed out?
- 3 A That guy, Shawn. Yeah. Just let him sleep, you
- 4 know. And then --
- 5 Q Okay.
- 6 A I pa -- I nodded out. And then I woke up; he was
- 7 gone.
- 8 Q All right. It -- was there any -- and you're not
- 9 getting in trouble for it. I just need to know --
- 10 A Huh?
- 11 Q -- the whole story, okay?
- 12 Did -- were you guys doing any drugs or anything?
- 13 A No. We were drinking.
- 14 Q Just drinking?
- 15 A Yeah.
- 16 Q ~~Shawn wasn't using any~~ drugs?
- 17 A ~~Not that I know of.~~
- 18 Q You didn't see him do anything?
- 19 A No.
- 20 Q What about Benny?
- 21 A No. He wa -- I didn't see Benny even doing drugs.
- 22 Q Does Benny do drugs?
- 23 A Not that I know of.
- 24 Like, I don't -- I don't do any around my kid.
- 25 Q Oh, okay.

1 So, what about Shawn? Do you - -

2 A I never seen. No. He looked, kind of, fuzzy, weird,  
3 yesterday.

4 Q Okay.

5 A But he was just sweating a lot.

6 Q And do you do narcotics - - drugs?

7 A I - - I - - I did. I don't really - - I don't mess around  
8 anymore. I - -

9 Q What did you used to do?

10 A I used to - - I smoke a lot of weed. And then I did  
11 - - I smoked a little bit of meth here and there. But I don't do it 'cause I got  
12 my custody of my kid. I don't - -

13 Q Okay.

14 A - - I don't want it around my - - my son.

15 So, then we decided - - he left. By the time I got up, he was  
16 gone. And that was it.

17 Q Okay.

18 So, he leaves at eight - - around 6:30 on - - yesterday. You  
19 call us later that night.

20 A Yeah.

21 Q Why do you think he came back today?

22 A He said he was gonna be - - he said, I'll be back.  
23 That's what he said. I don't know what he was gonna do. Why he said  
24 he'd be back, but he was - - he was back really late this morning banging  
25 - - banging on the window, banging on the door, kicking the door. And then - -

- 1 Q So --
- 2 A She -- they said to call when --
- 3 Q When he left, he said, I -- I'm coming back?
- 4 A ~~He said, I --- I'll be back. Take care.~~ And I said,
- 5 (incomprehensible)? Like -- I mean, and he told me --
- 6 Q Why do you think he said that?
- 7 A I don't know. And then he was there. Like, he -- like,
- 8 it sounded like he was gonna break the window. Kicking and hitting it hard.
- 9 Q All right. But --
- 10 A I don't know why.
- 11 Q -- he ~~doesn't~~ live here?
- 12 A No. No. It's just me and -- me and my son.
- 13 Q And then -- but you told your girlfriend about what
- 14 was going on?
- 15 A Yes. Yes.
- 16 Q Okay.
- 17 But you don't know -- he just said, I'm coming back?
- 18 A He just -- yeah. Said, I'll -- take care.
- 19 Q ~~Said, I'll be back; take care?~~
- 20 A Yeah.
- 21 Q ~~Doesn't that sound, kind of, strange?~~
- 22 A ~~Yeah.~~
- 23 Q Like, why would --
- 24 A Like, I don't know.
- 25 Q ~~--- why would he take all your stuff, and then say, I'll~~



1 be back. Take care?

2 A Well, he said, he's - - he said if I call the cops, I'll be  
3 back (incomprehensible) or I'll - - I'll blow your house up with your dog  
4 and your son in it.

5 Q And then how did you call the police if he took your  
6 phone?

7 A Her phone.

8 Q Oh, she - - you used her phone?

9 A Yeah. She called. That's - -

10 Q Oh, okay. She called after you told her what  
11 happened?

12 A Yeah. We called - - 'cause it was later in the  
13 evening.

14 Q When did you tell her all this happened?

15 A She was - - she was there. Like, she was so - - like,  
16 something going on. You know, so she knew something was up. So, I  
17 told her by then.

18 Q But then, was that right after he left?

19 A Yeah. I came back in the house.

20 Q And then, why did she decide to wait so long to call?

21 A 'Cause she told me - - 'cause I told her what he said.  
22 Like - - and then I told her, like - - I - - I didn't - - it was my fault for not  
23 calling. 'Cause I didn't wanna call 'cause I was, you know, scared for my  
24 son, me, her. You know, like - -

25 Q And the - - all the stuff that he took was your laptop,

- 1 your phone, and two guns?
- 2 A Two guns.
- 3 Q Did he take anything else?
- 4 A Laptop, phone -- yeah. That's it.
- 5 Q So, the shotgun, and then the -- the .9mm?
- 6 A Yes.
- 7 Q How long have you had those weapons?
- 8 A Well, they're the -- the shotgun is hers. It's -- it's an
- 9 -- it's, like, an antique. It was from the '60s. It was an older one. I was
- 10 redoing it. It's just -- you know. And --
- 11 Q It's your girlfriend's?
- 12 A Yeah. It was her --
- 13 Q How big is it?
- 14 A It's -- it's -- it's got -- it's -- it's a --
- 15 Q Short barrel?
- 16 A Short barrel. And I had -- it's, like, it had -- the --
- 17 the stock was cut down.
- 18 Q Like, the stock was cut down and the barrel?
- 19 A Um-hum. Up -- 'cause it was, like, the handheld. It
- 20 had a light on the front.
- 21 Q Oh, okay.
- 22 Did you cut it yourself, or?
- 23 A Yes. I had a (incomprehensible) everything out.
- 24 Q And then, the Smith and Wesson is yours?
- 25 A Yes.

1 Q Okay.

2 Is there a serial number for the shotgun?

3 A It's on the bottom. Yes. This -- I don't have -- I

4 don't -- I don't have the serial number, but it's, like, in the front.

5 Q Does your girlfriend know it?

6 A Probably not. It's an old one. I don't know. I sh --

7 Q Why does your girlfriend leave the shotgun at your  
8 place?

9 A 'Cause I was redoing them.

10 Q Oh, you were fixing them up?

11 A Yeah. (Incomprehensible.) That -- they were  
12 actually her deceased husband's.

13 Q Her deceased husband?

14 A Yeah.

15 So, I was fixing them up for her.

16 Q Okay. So, let me try to go back over this thing. And  
17 then let me know if anything sounds different or -- just to recap everything.

18 So, on Friday, you get -- you get a call from Benny on  
19 Instagram saying that he's in town. You're like, Oh, okay. Cool. We can  
20 drink and hang out or whatever.

21 And then on Sunday, it's set up. So, he comes over  
22 between, like -- or comes over around 11, stays 'til about three. You  
23 guys are drinking. He does some tattoos for you.

24 A Um-hum.

25 Q And -- but when he shows up, he has this guy

1 named Shawn with him, which is the first time you - - you met him.

2 A Yes.

3 Q And then Sh - - Benny leaves. Shawn falls asleep.

4 You tell him, Just leave him here. Then you fall asleep. You wake up  
5 between eight and nine. Shawn's gone.

6 A Yeah.

7 Q Then yesterday, Shawn comes over between two  
8 and 3:00. And then at that time, he shows you - - he's like, I got a gun.  
9 And then just shows you - - is it in his front waistband?

10 A Yes.

11 Q Or where is it at exactly?

12 A It's - - it's - -

13 Q It's tucked?

14 A Yeah.

15 Q So, it's tucked in his front waistband. He says, Give  
16 me your laptop. Give me your phone. And then, Where are all your  
17 guns? And he's - - ~~does he take the other camera with him, too?~~

18 A Yeah. He took a camera - - the one in there - - in  
19 ~~- - in the window, looking down the stairs.~~

20 Q Do those cameras record?

21 ~~A Yeah. That's what he did. He was erasing - - he~~  
22 ~~was erasing everything. He says that it's fe - -~~

23 Q Does the - - the camera's connected to your phone,  
24 right? Like, you can look at video on your phone? - -

25 A So, the - - the - - this one. That's - -

- 1 Q Which one?
- 2 A The -- the -- the Cox Homelife.
- 3 Q And that one records?
- 4 A Yeah.
- 5 Q Okay.
- 6 A But he -- but he disconnected it.
- 7 Q Disconnected it?
- 8 A It -- it only records when you walk -- when you open
- 9 the door and you close it, for, like, a few seconds. It's, like, a small clip.
- 10 Q Okay.
- 11 A And that one, in my room, at the time, wasn't even
- 12 hooked up. But -- yeah. He was -- he was -- he's saying, you know,
- 13 it's, like -- it's -- it's -- it's a felony for every time you record somebody
- 14 that comes in and out of your house. I was like, It's my -- my house. ✓
- 15 Q Do you have -- on your phone, do you have access
- 16 to the cameras?
- 17 A Yeah. The Homelife? Yeah.
- 18 Q Yeah.
- 19 A Yeah. You could see it. You could zoom in, if I'm
- 20 recording. I could zoom in and out.
- 21 Q Okay.
- 22 So, then he's already asked for that. He says, Where are
- 23 your guns at? Takes you to the bedroom. Then your son comes home,
- 24 who got in a fight with his buddy?
- 25 A Yeah.

- 1 Q And there's something about a broken bottle.
- 2 A Um-hum.
- 3 Q Police show up. He tells you to sit down. He
- 4 answers the door with your son.
- 5 A With -- with my son -- yeah.
- 6 Q And then talks to the police. And then the police
- 7 leave shortly after?
- 8 A Yes.
- 9 Q So, after the police leave, your girlfriend shows up
- 10 -- or after the police leave, he starts talking to your son. It's -- and you
- 11 -- you don't really like it because it's -- he's just being too nice, saying
- 12 that, you know, he does -- he doesn't like it here. Or your son said that?
- 13 A He's just -- he was just really upset.
- 14 Q Your son was?
- 15 A And -- yeah. My son was really upset. Like, really
- 16 crying.
- 17 Q So, he's --
- 18 A He -- he took it, like, they were, like, bullying him.
- 19 Q So, how long does that go on before your girlfriend
- 20 shows up?
- 21 A I don't know. Maybe -- about a half hour -- I was
- 22 sittin' -- just sitting there. I'm just fuckin' (incomprehensible).
- 23 Q So, he's just sitting with you guys?
- 24 A Yeah.
- 25 Q What's your son doing?

1 A Just sitting down next to - - just sitting down. Like,  
2 I'm sitting next to my son. He's sitting beside him. And that was - - that  
3 was it. It was just - - they were talking. We were - - we were just bull  
4 - - like, he was, like - - he was, like, just, like, friends with him.

5 Q Was - - were you guys watching TV or anything?

6 A Yeah. The TV was on.

7 Q The TV was on?

8 A No, it wasn't on. He was just sitting in the living  
9 room, though. It wasn't on.

10 Q Okay.

11 Did your son know that - - does your son know that he had  
12 - - sorry. Does your son know that this guy has a gun or anything?

13 A Um-hum.

14 Q He does?

15 A I told him.

16 Q While you guys were sitting there?

17 A No. No, no. No.

18 Q I meant, while you're sitting there, does - - and he's  
19 talking to your son - - did he ever show the gun?

20 A No.

21 Q Okay.

22 So, your girlfriend then shows up around 6:00.

23 A Um-hum.

24 Q And then he takes you into his room.

25 A My room.



1 Q Or, I mean, sorry, takes you into your room. And  
2 says, Why - - why is she here?

3 A Yeah. ~~A few minutes in there and he's going~~  
4 ~~through all my stuff. Make sure no cameras. He's go--- grab a bag and~~  
5 ~~bring it downstairs. That was it.~~

6 Q Okay.

7 So - - ~~and then says, Give me the keys to the car. And~~  
8 ~~then, Load this duffel bag up into the back. You do that. And then he~~  
9 ~~leaves after that?~~

10 A Yes.

11 Q And then says, Don't call the cops or I'm gonna  
12 come back - -

13 A And blow up the hou - -

14 Q And blow up the home?

15 A Blow up my home. Something like that.

16 Q What - - do you remember exactly what he said?

17 A I think he said, Blow you - - blow you - - blow your  
18 dog and son away. Or something like that.

19 Q Don't call the cops, otherwise I'll blow - - come back  
20 and blow up your home.

21 Do you remember what he was wearing the first night that  
22 he showed up?

23 A No. No. Probably jeans, shirt, sweater.

24 Q Okay.

25 What was he wearing when he came over yesterday?

- 1 A Like - - like, a blue shirt.
- 2 Q A blue shirt?
- 3 A Yeah. I think he had a blue shirt.
- 4 Q Do you remember what it said on it?
- 5 A No. It was - - it was a plain, blue shirt.
- 6 Q And then what about pants? What kind of pants was
- 7 he wearing?
- 8 A I wanna say blue. He had a - - it's, like - - he had a
- 9 sweater.
- 10 Q What kind of sweater?
- 11 A It was blue.
- 12 Q So, he was just wearing all blue?
- 13 A I think with a - - something in the front with a logo.
- 14 Q Was it a hoodie sweater or just - -
- 15 A Yeah. A hoodie - - yeah. Hoodie sweater.
- 16 Q So, blue hoodie with what on it?
- 17 A Like, a wet logo - - a school or something. I don't
- 18 know. Something like that. The lo - -
- 19 Q How tall is he?
- 20 A He's taller than me. He's, like, six and change, I
- 21 guess.
- 22 Q Six-foot. Is he white, black, Hispanic, Asian?
- 23 A He's white. No, yeah. He's - - like (incomprehensible).
- 24 Q How much do you think he weighs?
- 25 A He's big. Like, two - - two and change.

- 1 Q Two hundred?
- 2 And what kind of hair does he style? Does have black hair,
- 3 brown hair?
- 4 A He has, like, hair - - like, with no hair. Like - - like,
- 5 buzzed. Shaved.
- 6 Q Just shaved? What color is it?
- 7 A Like, yellow.
- 8 Q Blonde?
- 9 A Like, 'cause he - - like, blonde.
- 10 Q Blonde hair?
- 11 What about Benny? What does Benny look like?
- 12 A Just tattoos everywhere. And he - - he's Mexican.
- 13 Q Huh? Benny's Mexican?
- 14 A Yeah.
- 15 Q How tall is he?
- 16 A Five-four-ish.
- 17 Q So, a short guy?
- 18 A Yeah. Short.
- 19 Q How much do you think he weighs?
- 20 A Chunky guy. 182?
- 21 Q Dark hair?
- 22 A He's bald.
- 23 Q Bald?
- 24 A Yeah.
- 25 Q Shaved head?

- 1 A Yes.
- 2 Q Completely bald, though?
- 3 A Yeah.
- 4 Q Like, he takes a razor and cuts it?
- 5 A Uh-huh.
- 6 Q Okay. All right.
- 7 Is there anything else you can think of that you haven't told
- 8 me yet?
- 9 A That he's been -- I wish he was -- he was going
- 10 through the -- when he wasn't here, he was going through my -- my
- 11 computer. I could see it.
- 12 Q And then how could you see that?
- 13 A The -- 'cause I had (incomprehensible) who was
- 14 linked to my Google account.
- 15 Q How are you checking that, though?
- 16 A Through the Wi-Fi.
- 17 Q But on what?
- 18 A My son's phone. My son had a phone.
- 19 Q Oh, your son's phone?
- 20 A He has a -- yeah. He gave me his -- the -- like, the
- 21 TextNow app. He could only use it in the house.
- 22 Q What kind of phone does your son have?
- 23 A It's a Samsung. He's --
- 24 Q So, you -- you logged in on your son's phone --
- 25 A Son's phone. Yeah.

- 1 Q -- to check all your accounts?
- 2 A Uh-huh. (Incomprehensible.)
- 3 Q What account was he checking?
- 4 A USAA, Faramo (phonetic), Navy Federal.
- 5 Q Did he take any money out of it?
- 6 A No. But there was -- sent it out -- on Venmo, there
- 7 was a request for a hundred thou -- a thousand dollars for rent from
- 8 someone I don't even know. And then when I go look on the app, it's no
- 9 -- none -- there's no request for anything.
- 10 Q So, somebody request a thousand dollars from you?
- 11 A No. I --
- 12 Q Or to you?
- 13 A I request some -- to somebody I don't even -- I'm
- 14 not even friends with.
- 15 Q Oh. So, he was the one doing that?
- 16 A I don't know. I mean, I think so 'cause he -- he's -- I
- 17 don't even -- ~~I didn't have the app on my cell phone.~~
- 18 Q You don't have an app? You don't have Venmo?
- 19 A I do. I do, but I don't have -- I didn't have it on my
- 20 son's phone.
- 21 Q But you saw it in your bank account?
- 22 A No, I saw it in emails. So, I down -- so, I
- 23 downloaded it on my son's phone, and there was nothing there. So, it
- 24 -- I'm not friends with anybody. It didn't go through.
- 25 Q Oh, okay. So, then somebody -- somebody

1 requested money from you, or you were - -

2 A I requested - -

3 Q - - or your account requested - -

4 A Somebody I didn't even know. Like, it said Joe  
5 something, and then - - but then when I looked on the account, it's not  
6 there. There's no Joe nothing.

7 Q Okay.

8 So, you're thinking that Shawn requested money from  
9 somebody - -

10 A Yeah.

11 Q - - using your account?

12 A But it didn't go through since it's not hooked up to  
13 anything.

14 Q Okay.

15 A That's it. You know.

16 Q Anything else?

17 A Hm. There's no money taken.

18 Q But he was just going through your bank account, it  
19 looks like?

20 A It was - - yeah.

21 Q Okay. All right.

22 A Act - - actually, today, it - -

23 Q If there's anything else you can think of, let us know,  
24 okay?

25 A Yeah.

1 Q And then if we have any other questions, we'll

2 -- we'll hit you up, too, okay?

3 A All right. I know that --

4 Q And I'll give you --

5 A -- ~~it seems weird. I -- I have, like -- like, severe~~  
6 ~~PTSD. Like, I don't do -- I'm, like, nervous around people. I don't really~~  
7 ~~go out.~~

8 Q That's my cell number. That's my card right there.

9 Okay?

10 A Cool. Cool. Dennis?

11 Q So -- yeah.

12 And it's 9:30, and it's gonna end the interview.

13 (Whereupon, the audio recording concluded.)

14

15

16 I certify that the foregoing is a true and accurate transcript  
17 of the electronic audio recording with a length of 00:40:05 from the  
18 interview in the above-entitled matter.

19

20 Hannah Lewon, Administrative Assistant I

01-14-2020

21

22

23

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**DR #20-18994, J. CARACCILO**

1 STATE OF NEVADA) DATE: 10-28-2020

2 ) SS: HENDERSON

3 COUNTY OF CLARK) TIME: 8:53 a.m.

4

5

6 This recorded interview of JESSICA CARACCILO did

7 hereby take place at The Marlow apartments, number 823,

8 981 Whitney Ranch Drive, Henderson, Nevada 89014, reference

9 DR #20-18994.

10

11 Person present during this interview is

12 JESSICA CARACCILO. Person conducting the interview and audio

13 recording is DET. KEVIN LAPEER of the Henderson Police Department.

14 Transcription of the recorded statement by Hannah Lewon,

15 Administrative Assistant I, Henderson City Clerk's Office.

16

17 DET. KEVIN LAPEER: Okay. This is Det. LaPeer. It is

18 10-28-2020. It is 8:53 a.m. I am at apartment 823.

19 BY DET. LAPEER:

20 Q What were the name of the apartments here,

21 ma'am?

22 A

23 Q

24 And I am currently speaking with - - ma'am, can you state

25     your name?

- 1 A Jessie Caracciolo.
- 2 Q Jessie. Let me see. I think I have your information
- 3 here. Let me make sure this is correct, and then we can get going.
- 4 Jessie, is it C-a-r-a-c-c-i-o-l-o?
- 5 A Yes.
- 6 Q Okay.
- 7 And your date of birth is [REDACTED]?
- 8 A Yes.
- 9 Q Okay.
- 10 And you don't currently reside here?
- 11 A No.
- 12 Q Okay.
- 13 But you are dating - -
- 14 A Yes.
- 15 Q - - Louis. Okay.
- 16 All right. We got a cell phone right here for you, too. [REDACTED]
- 17 a good number?
- 18 A Yes.
- 19 Q Okay. Cool.
- 20 What time do you need to get to work ma'am?
- 21 A They said as soon as - -
- 22 Q Okay.
- 23 A They're - - they're pretty good.
- 24 Q Oh, okay.
- 25 Where do you work at?

- 1 A Kids' Campus. I'm a teacher - -
- 2 Q Okay.
- 3 A - - pre-K teacher.
- 4 Q Okay.
- 5 So, how far away is that?
- 6 A About 20 minutes - - 30 minutes.
- 7 Q Okay. All right.
- 8 I'ma try to get - - get moving here. Okay.
- 9 What time did you come to the house here today?
- 10 A I came last night.
- 11 Q Last night?
- 12 A Yeah.
- 13 Q Okay.
- 14 What time?
- 15 A A little bit after 6:30.
- 16 Q All right. At 6:30 p.m. So, yesterday?
- 17 A Yes.
- 18 Q Okay. All right.
- 19 So, that's going to be the 27<sup>th</sup> that you were here. Okay.
- 20 A Yes.
- 21 Q Okay.
- 22 And then - - so, obviously, when you got here, your
- 23 boyfriend, Louis, was here.
- 24 A With his son.
- 25 Q Louis' - - Louis' son.

- 1 A Um-hum.
- 2 Q Okay.
- 3 And then the other male?
- 4 A Yes.
- 5 Q And do you know that male?
- 6 A No.
- 7 Q Okay.
- 8 So, what was - - so, when you came in at 6:30, what was
- 9 going on?
- 10 A When I came, the door was locked.
- 11 Q Uh-huh.
- 12 A Which, usually, I can just come in.
- 13 Q Okay.
- 14 A ~~The other male~~, and Christian had answered the
- 15 door. The other male stated, Why are you here?
- 16 I didn't know him. I was like, I'm here to pick up my stuff
- 17 from my boyfriend.
- 18 He then just - -
- 19 Q So, the male answered the door?
- 20 A With Christian, yes.
- 21 Q Who's Chri - - Christian's his son. Okay.
- 22 A Christian's his son. Yes.
- 23 Q Okay.
- 24 And he asked you why you're here?
- 25 A Yes.

1 Q Okay.

2 And then what - - and what'd you say? What - - what'd you  
3 tell him?

4 A That I was here to pick up my stuff for work. Loui  
5 was behind him. Kind of, gave me a look like something wasn't right.

6 Q Okay.

7 A So, I just made it very brief. Very just - - I just want  
8 - - I just had to grab some stuff for work.

9 Q Okay.

10 A ~~Then that's when the other male pointed to Loui and~~  
11 ~~pointed to the bedroom. And they went in there. And I sat here.~~

12 Q Okay.

13 So, when you entered, Loui - - Loui and the other male  
14 went into the bedroom, and you came in and sat down?

15 A Yeah.

16 Q Okay.

17 Did that other male - - I mean, did he have a weapon on him?

18 A ~~Not that I saw.~~

19 Q Okay.

20 So, he just told Loui to go in the room?

21 A Yeah. He, kind of, pointed to him.

22 Q And - - and Loui went into the room with him?

23 A He pointed to him, and then pointed to the room.

24 Q Okay.

25 A Very intimidating. Very just - - no hi's, no hello's, no

1 -- just, kind of --

2 Q Okay.

3 And then how long did they go in there for?

4 A ~~Maybe a couple minutes if that.~~

5 Q Okay.

6 So -- okay. So, then you sit down here at the table that  
7 we're sitting at currently?

8 A Yes.

9 Q Okay.

10 And then Loui and the male -- the male suspect go into the  
11 bedroom, and they were in there for a couple minutes. And then what  
12 happens?

13 A And then he walks out --

14 Q Okay.

15 A -- with a big, huge duffel bag.

16 Q Okay.

17 A ~~Like, a big, huge, green duffel bag. I didn't know~~  
18 ~~what was in it. And he leaves.~~

19 Q And -- and he leaves?

20 A Um-hum.

21 Q Okay.

22 ~~And you didn't know what was in the duffel bag?~~

23 A No.

24 Q Okay.

25 So, then he -- he leaves. And what time would that be?

1 So, probably 7:00-ish?

2 A Yeah.

3 Q Okay. Duffel bag at 7:00 p.m.

4 Okay. And then - - then what happens?

5 A I obviously sat down. Talked with Loui. I was like,

6 What's going on? What's - - what's happening? But he wasn't really

7 telling me much.

8 Q Okay.

9 A Didn't really - - he's like, I don't want you involved, or  
10 hurt, or whatever.

11 What did - - what do you mean - - does that mean?

12 That's when he finally told me that the other male did have  
13 his own weapon on him, and he was told to give him his phone, his  
14 computer, his military weapon, as well as my shotgun that I have.

15 Q Okay.

16 So, that took place in the bedroom while you were sitting here?

17 A Yes. I'm gonna assume so. I didn't hear anything.

18 The guy tried to be really quiet and try and listen, but it wasn't - - there's  
19 - - there wasn't much I could hear. Like - -

20 Q Okay.

21 So, when he comes out after the male leaves with the

22 bla - - with the - - I'm sorry - - green duffel bag, Louis then comes in and

23 tells you that - - that he told him to give him his gun, his computer, and  
24 your shotgun?

25 A Um-hum.



1 Q But he doesn't point a gun at him; he just tells him?

2 A Not that I know of.

3 Q Okay.

4 A I know he did state that he threatened Christian and  
5 him. That if he told anyone, called the police, or anything, he would harm  
6 his family.

7 Q Okay.

8 So - - so, at 7:00, he - - Louis tells you this.

9 What's his demeanor?

10 A Nervous.

11 Q Okay.

12 A Kind of upset.

13 Q Did he tell you who this guy is?

14 A He stated that it was a friend of his - - his friend's  
15 name is Benny. I guess they've known each other for quite a while. And  
16 he was doing a tattoo on him. And Benny invited this guy over. And  
17 that's how they met. And he said everything seemed fine. Like, they  
18 were all - - while he was doing the tattoo, so.

19 Q So, he was doing a tattoo on - - on him in here?

20 A I don't know if it was in here.

21 Q Okay.

22 A That, I'm not quite sure.

23 Q Where does Louis do tattoos at?

24 A Or - - Benny?

25 Q Or Ben - -

- 1 A Benny.
- 2 Q Oh, Benny was doing a tattoo?
- 3 A But -- yeah.
- 4 Q Oh, I'm sorry.
- 5 A Yeah.
- 6 Q So, Benny was doing a tattoo on the suspect male?
- 7 A On Louis.
- 8 Q Oh, on Louis?
- 9 A Yes.
- 10 Q And then --
- 11 A He invited his friend, which is Shawn.
- 12 Q Okay.
- 13 A The one that we called the cops on.
- 14 Q Okay.
- 15 So, you know him as Shawn? How do you know him as
- 16 Shawn?
- 17 A That's -- I -- Loui told me --
- 18 Q Okay.
- 19 A -- that was his name.
- 20 Q So, have you -- you've never seen him here before? ✓
- 21 A No.
- 22 Q Okay.
- 23 A And I've never met Benny either.
- 24 Q Okay.
- 25 So, then at 7:00, after he tells you this -- and then you guys

1 just go about your day?

2 A No. We go back and forth.

3 Q About what?

4 A Being -- about calling the police. Like I said, You  
5 need to do something. You need to call the police. We need -- I mean,  
6 that's two guns out there that's -- so, we --

7 Q Why do you need -- so -- and he didn't -- and Loui  
8 didn't want to call the cops?

9 A He didn't because of Christian. 'Cause he  
10 threatened Christian and threatened --

11 Q So, he -- he --

12 A -- to hurt him.

13 Q -- threatened to Louis to hurt Christian?

14 A Um-hum.

15 Q Okay.

16 So, that's why he didn't call the police?

17 A Yeah.

18 Q Okay.

19 A He was very upset about it. Like, he -- you know,  
20 he's like, I don't -- I don't know what to do.

21 I'm -- Call the police. Like, I -- get him off the streets.

22 Q Okay.

23 A At this point, I didn't know he had a record, or who  
24 he really was. I started doing my own thing -- you know, Facebook, or  
25 search.

1 Q Um-hum.

2 A Come to find out, he was just released from jail -- or  
3 prison. And he's got pretty -- rap sheets. So, I said, No, you're calling  
4 now.

5 Q Yeah.

6 A And we're calling.

7 Q Okay.

8 What time did you guys call the police?

9 A It was probably about 10:30, 11.

10 Q 10:30, 11.

11 Okay. Okay. And police come out here and take a report?

12 A Yes.

13 Q Okay.

14 And then -- then you guys just go to bed?

15 A I did, yes.

16 Q Okay.

17 And then, does he come back?

18 A He came back when I called this morning. That was  
19 about 7:00.

20 Q Oh, okay.

21 So, he's not here throughout the night?

22 A No.

23 Q But he comes back in the morning?

24 A Yeah.

25 Q And what time was that?

- 1 A Probably about seven.
- 2 Q Okay.
- 3 A Banging on the door. I only heard him once say, Let
- 4 me in. And then I went into the bathroom and -- 'cause it connects to
- 5 Christian's room.
- 6 Q Okay.
- 7 A And stayed in there --
- 8 Q What was Louis doing?
- 9 A -- with Christian.
- 10 He looked through the peephole once to see who it was.
- 11 Q Okay.
- 12 A 'Cause the operator asked, Is it him? And so, he
- 13 went and looked. And then he just, kind of, stayed in there with us.
- 14 Q Did he grab his gun?
- 15 A No.
- 16 Q Okay.
- 17 A He didn't pull it out. He didn't --
- 18 Q Why?
- 19 A That one is -- I don't know. It's mine.
- 20 Q So, what -- what's he here for? Why -- why -- why
- 21 is banging at the door?
- 22 A I don't know. I know he took his car last night
- 23 without permission.
- 24 Q Oh, okay.
- 25 So, he -- so, he took Louis's car?

- 1 A Yeah. I didn't find that out 'til -- 'til after he left. And --
- 2 Q When does Louis tell you that he took his car?
- 3 A During the time we were talking.
- 4 Q Okay. So --
- 5 A Yeah. So --
- 6 Q -- when you were trying to talk him into calling the
- 7 police --
- 8 A Yeah. He's like, Well, he took the car.
- 9 Q -- he tells you that he took his car?
- 10 A And I'm like, Now, you need to report it stolen.
- 11 Q Well, how did he take his car? He gave him his keys
- 12 then?
- 13 A He leaves his keys around.
- 14 Q So, how would this guy know where to get his keys?
- 15 A 'Cause Loui lose --
- 16 Q It's a rental car, right?
- 17 A Yeah.
- 18 Q From what I understand. So, it's not, like, a big key ring.
- 19 A No.
- 20 Q So, ~~where~~ where did he leave his keys?
- 21 A He usually puts them up here.
- 22 Q So, ~~how does~~ he know what car is what?
- 23 A I don't --
- 24 Q Okay.
- 25 A -- I don't know.

1 Q Okay.

2 So, he comes back at - - at seven in the morning. You call  
3 the police.

4 A Yes.

5 Q Okay.

6 He's knocking on the door?

7 A Yes.

8 Q What - - what is he saying?

9 A I only heard him state one time, Let me in.

10 Q Okay.

11 A And then I went to the back of the room, and then  
12 was just continuing to stay on the line with the operator. But he just kept  
13 banging and banging.

14 Q Okay.

15 Okay. Well - - and then - - so, Louis comes into the  
16 bedroom with you and Christian?

17 A Um-hum.

18 Q Okay.

19 And - - and then what happens?

20 A And then the police come.

21 Q Okay.

22 So, he never came back in a second time, or?

23 A No.

24 Q Did Louis see him with a firearm at the door?

25 A He couldn't tell.



- 1 Q Okay.
- 2 A He did look out the peephole, but he couldn't tell.
- 3 Q Okay.
- 4 A He tried turning on the camera on the door.
- 5 Q Okay.
- 6 A And get -- but he had already --
- 7 Q But -- so, you guys have a camera?
- 8 A Just the one on the door. I know you can turn it on
- 9 to see who's out there.
- 10 Q Okay.
- 11 A But he only saw him once, and then he -- I guess he
- 12 was going down the stairs. So, that's all I know.
- 13 Q On the camera, that -- it shows that?
- 14 A I --
- 15 Q Or he saw it?
- 16 A -- I think he saw it.
- 17 Q Okay.
- 18 Okay. So, how often are you here?
- 19 A Here and there.
- 20 Q You're his girl -- his active girlfriend?
- 21 A Yes. Yes.
- 22 Q Okay.
- 23 But you don't come here very much?
- 24 A I haven't been just 'cause work and things have
- 25 been busy, so.

1 Q Okay.

2 A But sometimes I stay here a couple, you know,  
3 weeks at a time.

4 Q Okay.

5 Let me ask you this. Why would Louis be hanging around  
6 with a guy who's, you know, like, a bad dude? Does he hang around with  
7 a bunch of bad guys?

8 A Not that I know of.

9 Q Okay.

10 The -- is Louis into anything that would bring him in cross  
11 paths with this guy?

12 A Just Benny. Benny's a tattoo artist.

13 Q Okay.

14 A That's the only --

15 Q Okay.

16 So, Benny's the -- the friend in common?

17 A Yeah.

18 Q Okay.

19 Do you know where he tattoos at?

20 A I know he's out of California.

21 Q Oh.

22 A But he does have business out here. I don't know  
23 what type of business.

24 Q So, does Benny live in California, or does he live  
25 here?

1 A He lives in California.

2 Q Oh.

3 So - - so, that introduction wasn't tonight, then?

4 A No.

5 Q Oh, okay.

6 So, when was this - - when did Benny introduce him to - - to  
7 Shawn if they live in California? Does - -

8 A It had to have been - - I came here Sunday morning.

9 Like, two or three in the morning. And - - 'cause I was at a previous  
10 engagement. And I came here. And he was here, passed out.

11 Q Shawn was?

12 A And I was like - - yeah. And I was like, Who's that?

13 And he's like, Oh, that's Benny's friend.

14 I was like, Oh, okay. I didn't really - -

15 Q Where was he passed out? In here?

16 A Yeah.

17 Q Okay.

18 A I didn't really think anything of it 'cause he's talked  
19 about Benny coming and them all getting together, or him and Benny  
20 getting together and doing the tattoo.

21 Q Okay.

22 A And then I had left Sunday.

23 Q Okay.

24 What does Louis do for work?

25 A He's dis - - on Social right now.

1 Q Okay.

2 A Due to Army injuries.

3 Q Okay. Okay.

4 All right. So, your knowledge - - or details that you would  
5 know of Shawn are going to be very slim since you've only seen him  
6 sleeping on the couch once. And then yesterday - -

7 A Yeah.

8 Q - - coming into the house?

9 A Yes.

10 Q Okay.

11 A When he did tell me his name, like I said, I - - I  
12 looked certain things up.

13 Q Okay.

14 A Realized he did - - it didn't tell me what he had  
15 records for, but it - - that he had alias names, that he was in prison, things  
16 like that.

17 Q Okay.

18 All right. Anything else that you think would be valuable to  
19 my investigation?

20 A (No audible response.)

21 Q No?

22 A Not that I can know of.

23 Q Okay.

24 Is this odd behavior from Louis?

25 A What do you mean, "odd"?

1 Q I mean, does this type of stuff happen? I mean, is  
2 this a common occurrence?

3 A No.

4 Q Okay.

5 Okay. All right. This ends the interview. It's 9:10

6 (Whereupon, the audio recording concluded.)

7

8

9 I certify that the foregoing is a true and accurate transcript  
10 of the electronic audio recording with a length of 00:15:11 from the  
11 interview in the above-entitled matter.

12

13 Hannah Lewon, Administrative Assistant I 01-19-2021

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## DR #20-18994, C. POLANCO &amp; J. CARACCILO

1 STATE OF NEVADA) DATE: 10-28-2020

2 ) SS: HENDERSON

3 COUNTY OF CLARK) TIME: 9:11 a.m.

4

5

6 This recorded interview of CHRISTIAN POLANCO and  
7 JESSICA CARACCILO did hereby take place at The Marlow  
8 apartments, number 823, 981 Whitney Ranch Drive, Henderson, Nevada  
9 89014, reference DR #20-18994.

10

11 Persons present during this interview are  
12 CHRISTIAN POLANCO and JESSICA CARACCILO. Person  
13 conducting the interview and audio recording is DET. KEVIN LAPEER of  
14 the Henderson Police Department. Transcription of the recorded  
15 statement by Hannah Lewon, Administrative Assistant I, Henderson  
16 City Clerk's Office.

17

18 DET. KEVIN LAPEER: All right. Okay. Hey, this is  
19 Det. LaPeer. It is 9:11 a.m. It's October 28, 2020. We're at the same  
20 location. I am speaking with Christian Polanco.

21 (Whereupon, Det. LaPeer interviewed Mr. Polanco.)

22 BY DET. LAPEER:

23 Q Christian you're the son to Louis, correct?

24                      A            Um-hum.

25 Q Okay. All right.

Office of the City Clerk

AA001310 DA 69

1 What movie is that? Is that Back to the Future II?

2 A Yeah.

3 Q Holy - - make me feel old. I remember Back to the  
4 Future I.

5 A Um-hum.

6 Q I was probably your age.

7 All right. So, you live here. And you were home last night,  
8 as well?

9 A Um-hum.

10 Q Okay.

11 So, this - - this this person that comes over, from what I  
12 understand, you call him uncle; is that right?

13 A No. That's what he was saying to the cops.

14 Q Okay.

15 So, that's what he was saying to the cops? You don't call  
16 him uncle?

17 A Huh-uh. I just - -

18 Q Okay. Okay. That's what - - that was the first thing I  
19 wanted to clear up.

20 A Um-hum.

21 Q Okay.

22 So, you do not call him uncle. Thank you.

23 Now, how often do you see him here?

24 A Not much. Like, he was here once, like, three days  
25 straight.

1 Q Okay.

2 A Just, like, a little bit. Like, a while. See him a little  
3 bit.

4 Q Does - - so, he's never lived here?

5 A No.

6 Q Did he ever have - - so, he lived here - - or, I'm sorry  
7 - - so, he stayed here for three days. But did he ever have, like, a  
8 - - where he actually lived in a room, or had something like where he  
9 stayed here continually?

10 A No. He stays with, like, some of his friends.

11 Q Okay.

12 So, he's never stayed here? 'Cause he's claiming - -

13 A Huh-uh.

14 Q - - that he's a - - he's a roommate.

15 A He never lived here.

16 Q Okay. Okay.

17 A I've met him, like - - like, ten days ago maybe.

18 Q Oh, so you've only known him for ten days?

19 A ~~No. Me and my dad both met him a while back.~~

20 Q Okay.

21 So - - well, hold on. So - - so, you and your dad met him a  
22 while back, about ten days ago?

23 A Um-hum.

24 Q Or have you known him longer than that?

25 A No. Just, like, ten days maybe.



1 Q Okay. Okay.

2 Okay. And what did you see when - - when he came over  
3 yesterday.

4 A ~~Not much. Just them going into the room and talking.~~  
5 a lot.

6 Q Okay.

7 Did - - did it seem like your dad was scared?

8 A A little bit. He was, like, anxious.

9 Q He was anxious?

10 A Like, nervous, maybe.

11 Q Okay. Anxious and nervous. Okay.

12 And in the other times that he's been - - that the - - that  
13 Shawn's been to this house, did Shawn and your dad go into the room  
14 and talk previous times?

15 A Yeah. A - - probably, like, a couple times maybe.

16 Q Okay. But would they spend their time in the  
17 bedroom?

18 A Yeah. That would just, like, talk maybe.

19 Q Okay.

20 So, when - - when Shawn would come over, previous to  
21 last night, your dad and Shawn wouldn't, like, sit out here? They would  
22 go in the room?

23 A I mean, they - - sometimes they would tell me to go  
24 in my room, and they would talk out here - -

25 Q Oh, okay.

- 1 A -- on the couch.
- 2 Q Okay.
- 3 And they would tell you to go in the room?
- 4 A Um-hum.
- 5 Q Okay.
- 6 What -- what did you think of Shawn? What kind of guy is
- 7 Shawn?
- 8 A ~~Like a friend or something.~~
- 9 Q Okay.
- 10 A Maybe.
- 11 Q Yeah. Did you like him?
- 12 A ~~He was cool.~~
- 13 Q Okay.
- 14 A ~~Played with football with him a couple times.~~
- 15 Q Oh, yeah?
- 16 A Almost broke my finger.
- 17 Q Oh, yeah?
- 18 A Yeah. Because, like, the ball jammed into it.
- 19 Q Sure. Oh, yeah. I know how that goes.
- 20 A It really hurt.
- 21 Q All right.
- 22 So, he didn't seem like a bad guy the other times --
- 23 ~~A No.~~
- 24 Q -- that he was here? Okay.
- 25 All right. Did your dad mention anything to you about what

1 happened last night? Did he say -- I mean, you said you could tell that  
2 he was scared or nervous, but did your dad tell you anything that -- that  
3 happened that was bad?

4 A No. Not really.

5 Q Okay.

6 So, he tried to keep you out of it?

7 A Um-hum.

8 Q Okay. All right.

9 And then, did you see Shawn come back this morning or  
10 were you sleeping?

11 A I was sleeping. It was, like --

12 Q You were sleeping?

13 A -- six when he started knocking on the door, like,  
14 banging -- right?

15 JESSICA CARACCIOLO: Hm. Around six, seven?

16 Seven.

17 MR. POLANCO: I don't know.

18 BY DET. LAPEER:

19 Q Okay.

20 ~~All right.~~ And has your -- do you know -- has your dad  
21 ever been robbed before?

22 A Yeah. And there was some dude -- he stole, like,  
23 \$10,000 from my dad. --

24 Q Okay.

25 A Took his entire bank account. My college money.

- 1 Everything.
- 2 Q When was that?
- 3 A Like, a year ago maybe.
- 4 Q Okay.
- 5 A It was a while back. We never got anything back
- 6 from him.
- 7 Q Did they -- did he know who did that?
- 8 A Yeah. It was, like, some guy that my dad was helping
- 9 out.
- 10 Q Okay.
- 11 A And he -- the guy was, like, saying that he was
- 12 going to pay the bills and everything.
- 13 Q Okay.
- 14 A Really, he was going over to the gas station down
- 15 the street and gambling. Putting money -- took the money from the ATM and
- 16 everything.
- 17 Q Okay.
- 18 A Never once paid any bills.
- 19 Q And who was he? Was he a roommate here?
- 20 A Huh-uh.
- 21 Q He was just his friend?
- 22 A Yeah, kind of.
- 23 Q Okay. Okay.
- 24 So, that -- that was last year?
- 25 A Yeah.

1 Q Okay.

2 So, from what I was told outside by one of the patrol officers  
3 is that you said that your - - your dad owed Shawn money?

4 A Hm. I don't know. Maybe.

5 Q What - - what would he have owed him money for?  
6 Was it tattoos, or?

7 A No. Because, like, if he owed money for the tattoos,  
8 he would just give it to Benny. That's his tattoo guy.

9 Q Okay.

10 So, did your dad owe him money? 'Cause that's what the  
11 patrol officer is saying, that you told them - -

12 A I'm not really sure.

13 Q Okay.

14 And I - - I'm not trying to get you in a bad spot, young man.  
15 I'm just trying to get the - - the stuff in order.

16 A Um-hum.

17 Q So, you don't know if your dad owed - -

18 A No.

19 Q - - Shawn any money?

20 A No. That's, like - -

21 Q Okay.

22 A - - they probably know that. I don't know anything  
23 like that.

24 Q Okay. Perfect. Yeah. Well, and that's why we got  
25 my other - - my partner's talking to your dad downstairs right now. And

1 then. Shawn's in jail. So, we'll - - we'll talk to him later, okay?

2 A Okay.

3 Q All right.

4 So, unknown if your dad owed money. Perfect.

5 All right.

6 A My dad also said that, like, Shawn had, like, other  
7 things. Like, three other times of, like, assaults and stuff. I don't know.

8 Q He said what? That your - - that - -

9 A Like, he had other stuff like this. Like, this already  
10 happened - -

11 Q Oh.

12 A - - with other people.

13 Q Oh, okay. So, he's robbed other people?

14 A Maybe.

15 Q And - - and - - and you're - -

16 A He said that he had, like, other counts of assault and  
17 stuff to other people.

18 Q Okay.

19 Your dad told you that today?

20 A No. That was, like, two days ago maybe.

21 Q Okay.

22 Was your dad having any problems with him two days ago?

23 A Yeah. Because, like, - - I don't know - - he's just  
24 been, like, here all the time. He's just being - - like, acting weird and stuff.

25 Q Okay.

1 A Especially with him, like -- 'cause, like, we already  
2 know that he stole, like, one of the wine bottles here because one of them  
3 went missing.

4 Q Okay.

5 A And he keeps on turning off that camera and stuff.

6 Q Okay.

7 So, two days ago, your dad and Sh -- did he -- did he  
8 confront Shawn about that? About the wine bottle?

9 A No. We just --

10 Q Okay.

11 A -- figured that out.

12 Q Okay.

13 So, why -- why would he be -- why is he turning of the  
14 camera on the -- on the -- on the door?

15 A We don't know.

16 Q Okay.

17 Did your dad say anything to him about that?

18 A No. We just --

19 Q Okay.

20 A -- every time when he turned it off, we'd just turn it  
21 back on. And --

22 Q Okay.

23 A we'll leave the house. Then we'll come back, and  
24 it's turned off again.

25 Q Okay. Hm.

1                    So, did - - did your dad leave him here at the house by  
2 himself?

3                    A        I think maybe, like, once maybe.

4                    Q        Okay.

5                    So, whe - - so, when he would come back and the - - it  
6 would be turned off - - so, you're - - you and your dad would leave to go  
7 do whatever school or whatever?

8                    A        Yeah. But, like, he has an alarm on the door, so it  
9 sends him a notification whenever the door opens.

10                  Q        Okay.

11                  A        Same with that one, too.

12                  Q        Okay.

13                  So, then he would know that Shawn was in here turning off  
14 the camera?

15                  A        I mean, no.

16                  Q        That's weird, huh?

17                  A        We would have to be here to see it.

18                  Q        ~~Okay.~~ Oh, okay. But he - - but he did know that he  
19 was turning cameras off?

20                  A        ~~Um-hum.~~ Yeah. I told him (incomprehensible).

21                  Q        Did your dad tell you why he thought Shawn was  
22 maybe turning the camera off on - - on the - - on the doors?

23                  A        No. I was - - I just told him about that. I didn't hear  
24 anything.

25                  Q        Okay.



1 A I just turned it back on.

2 Q Okay.

3 A He was also messing with the Wi-Fi and stuff.

4 And - -

5 Q What's he doing with the Wi-Fi?

6 A I don't know. Because, like, the past week, the Wi-Fi  
7 just sucked. Like, we weren't being able to get anything. Nothing was  
8 working.

9 Q Okay.

10 A And, yeah. That camera - - the cameras also run on  
11 Wi-Fi, so I think he probably knows about that. So, he started messing  
12 with the Wi-Fi to do that or something.

13 Q Okay.

14 A I don't know.

15 Q Okay.

16 So, just so I get my notes right. So, two days ago, Shawn  
17 was acting weird.

18 A Yeah. He was just being strange and stuff.

19 Q He wa - - okay. And then you guys believe he stole  
20 a wine bottle?

21 A Yeah. Because one of them went missing.

22 Q Okay.

23 A We just knew something wasn't right with it.

24 Q Okay.

25 A It was, like, out of order.

1 Q So, when he was acting weird, did it seem like he  
2 was paranoid? Or, like, did he - - maybe - - I - - that may be too difficult a  
3 question to ask.

4 Okay. So, two days ago, he was acting - - he was acting  
5 weird. Did your dad tell them that, hey - - or did he confide in you - - or  
6 you that, hey, this dude's freaking me out. He's - - anything along those  
7 lines? Or was it just, kind of, like, hey Shawn's being weird and just call it  
8 good?

9 A Yeah. He was just like, (incomprehensible) was  
10 acting weird.

11 Q Okay. Okay.

12 A I'ma go grab a towel real quick 'cause there's  
13 something on the wall?

14 MS. CARACCILO: What do you mean's "on the wall"?

15 DET. LAPEER: Oh, a bug.

16 MR. POLANCO: Giant cockroach on the wall right there.

17 DET. LAPEER: He's going to take it out.

18 MS. CARACCILO: Christian, hit it - - don't. Make sure  
19 it's - -

20 MR. POLANCO: There it is.

21 MS. CARACCILO: - - gone.

22 DET. LAPEER: Nice job, Christian.

23 MR. POLANCO: I fixed it. Yeah. Karate skills. And it's  
24 disgusting.

25

1 BY DET. LAPEER:

2 Q Okay.

3 All right, man. Well, hey, listen, dude, I -- I really  
4 appreciate you sitting down and talking to me, man. Was there anything  
5 else that was weird or out of the ordinary with Shawn, recently, with your  
6 dad or here at the house?

7 -A. No. Not much.

8 Q Okay. Okay.

9 So, two days -- so, has he been over to the house, like,  
10 pretty-much every day for, like, the last week then?

11 A. Um-hum.

12 Q Okay.

13 A All I know.

14 Q All right.

15 Well, doing -- what's he doing when he's here? Just  
16 hanging out with your dad?

17 A Just a lot of talking.

18 Q A lot of talking?

19 A And even more talking.

20 Q Yeah.

21 A Yeah. Just pretty much talking.

22 Q So, they -- so, they were doing a lot of talking?

23 A Um-hum.

24 Q Okay. All right.

25 And when -- did -- so, this whole week that he's been over

1 here a lot, has he been sleeping here?

2 A Huh-uh.

3 Q No? He's been leaving and staying at a friend's  
4 house?

5 A Yeah.

6 Q Okay.

7 ~~A We always have to, like, take him home. He always~~  
8 ~~has the car, so we always have to walk to wherever we go, or Uber. Uber~~  
9 ~~is what it's called, right?~~

10 Q Yeah. Uber. Yeah.

11 A Yeah.

12 Q So - - so, you would have to Uber him home?

13 A ~~No. We would, like, take him home sometimes. Or~~  
14 ~~he'd just borrow the car for, like, a week or something.~~

15 Q ~~Oh, okay. He would borrow your dad's car for a week?~~

16 A Yeah.

17 Q Why? Does your dad not drive?

18 A No. He - - he drives. His car's in the - - like, in the  
19 workshop.

20 Q Oh, okay.

21 A He's getting work on - - he got in a crash.

22 Q Okay.

23 So, then he would give him this car to drive for a week at a  
24 - - so, for the week, he was - -

25 A ~~Yeah. No. Like, we would give it to him to take~~

1 home - -

2 Q Okay.

3 ~~A~~ - - but he would just never bring it back.

4 Q Okay.

5 Why'd you give it back to him then?

6 A I don't know. No, he just - -

7 Q Or I - - I'm saying your - - your - - your dad.

8 A - - takes it.

9 Q Okay.

10 A Kinda - - he just, like, takes it - -

11 Q Okay.

12 A - - pretty much. Goes home, keeps it for two days,  
13 even though we keep on asking him for it back. He just never answers.

14 Q Okay.

15 A Especially since he has my dad's phone. He has  
16 access to, like, everything on it.

17 Q He has access to your dad's phone?

18 A Um-hum.

19 Q Why?

20 ~~A~~ Yeah. Because ~~--- I don't know. He just gave it to him.~~

21 MS. CARACCILO: We - - we had to call several banks  
22 last night because he had all his information and he changed all his  
23 information.

24 DET. LAPEER: My god.

25 MR. POLANCO: Yeah. Yeah.

1 DET. LAPEER: Okay.

2 So, this is what I don't understand. And - - and - - and you  
3 don't have to answer this, young man. So, Louis is allowing him to use a  
4 car for the whole week, okay.

5 MR. POLANCO: Like - -

6 (Whereupon, Det. LaPeer interviewed Ms. Caracciolo.)

7 BY DET. LAPEER:

8 Q ~~He -- he has access to his bank accounts?~~ What  
9 -- what is the relationship where this guy has the ability to come into  
10 Louis's house and turn his cameras on and off, sleep on the couch, use  
11 his car at will, and then have access to his - - his bank accounts? I mean,  
12 what is - - what - - what really is going on?

13 A I didn't - -

14 Q Something - - something is going on.

15 A I didn't know he was here that long.

16 Q Okay.

17 A When he said, ten day - -

18 ~~Q -- Is -- is -- is Louis struggling with anything? -- Does -- you~~  
19 ~~know, from what I understand, he has some PTSD, correct?~~

20 A He does.

21 Q Okay.

22 A He does. He - - he - -

23 Q Is there - - is Louis - -

24 A PTSD.

25 Q Okay.

- 1 A He's -- anxiety --
- 2 Q Okay.
- 3 A -- social anxiety. He doesn't do well --
- 4 Q Okay.
- 5 A -- with these certain situations.
- 6 Q Sure.
- 7 A He doesn't do well with other people.
- 8 Q Okay.
- 9 A He does tend to shut down sometimes.
- 10 Q Hey, thank you, Christian. I -- I -- I appreciate you,
- 11 buddy.
- 12 MR. POLANCO: Okay.
- 13 BY DET. LAPEER:
- 14 Q So, tell me about these bank accounts.
- 15 A He has bank accounts. Like, his Navy Federal --
- 16 Q Okay.
- 17 A -- that disability and things get into.
- 18 Q Okay.
- 19 A I -- I didn't know he was here that long.
- 20 Q Okay.
- 21 A I've been staying at my house due to some family
- 22 -- my own --
- 23 Q Sure.
- 24 A -- personal family and things.
- 25 Q Okay.

1 A So, Sunday was the first day I had come back.

2 Q Okay. And that's okay.

3 A Okay.

4 Q Well -- so -- so, he had access to his Navy Federal  
5 Credit Union?

6 A Yeah. He --

7 Q And what other -- what other bank account?

8 A I know he has a USAA. Wells --

9 MR. POLANCO: Visa.

10 MS. CARACCILO: -- Fargo.

11 BY DET. LAPEER:

12 Q Wells Fargo?

13 A Yes. We had -- we had to call them last night, as  
14 well.

15 Q And -- and what did -- what did you tell them?

16 A ~~That he was locked out of his phone. That someone~~  
17 ~~had taken his phone and computer. And he started noticing charges.~~  
18 ~~That he -- it -- from going online, it looked like he was using it, taking~~  
19 ~~money out here and there. So, he called to say. Hey, this is not --~~

20 Q ~~So, this would be the second time that his bank~~  
21 ~~account has been compromised. So, Young Man was telling me that the~~  
22 ~~guy was taking money out of his account and gambling with it. And then~~  
23 ~~-- we'll -- and then this guy is doing the same thing?~~

24 A I guess. I don't know about the first one.

25 Q So -- so, this -- so, Shawn had access to all three of



1 these accounts?

2 A ~~Because he took his phone and computer.~~

3 Q So, obviously, that couldn't happen just yesterday.

4 A I --

5 Q When were the charges?

6 A 25<sup>th</sup> and 26<sup>th</sup>? ~~So, yeah. Cause he took his phone,~~  
7 ~~and computer, and all of that stuff.~~

8 Q When did he take his phone and computer?

9 A The last text I had -- so, I'm gonna assume on  
10 Monday because that's the last --

11 Q Okay.

12 A -- I heard -- like, I had -- like, we had text  
13 through --

14 Q Okay.

15 So, did Louis call the police on Monday when -- when he  
16 took his phone and computer?

17 A (No audible response.)

18 Q And why did he -- what -- what did Louis say about  
19 him having his phone taken?

20 A He said he needed it because he threw his other one  
21 out the window.

22 Q Oh, so Shawn threw his phone out the window, so  
23 Louis willingly gave him his phone?

24 A I guess to, like, use to talk to a girlfriend or somebody.

25 Q Okay.

1 A That, I did notice he was -- I guess they stayed at  
2 the -- he was threatening a girlfriend or somebody. I'm, kind of, lost all  
3 over here.

4 Q So, earlier you told me that, when he walked out with  
5 a green duffel bag, he had his computer, phone, guns, and other stuff.  
6 So, really the computer and the phone was actually taken Monday?

7 A I'm gonna assume -- I'm gonna assume so now.

8 Q Okay.

9 A 'Cause I haven't text --

10 Q Okay.

11 A Yeah. 'Cause I had texted him Tuesday morning but  
12 did not hear anything back.

13 Q Okay.

14 A So, I just figured -- I mean -- but that was, like,  
15 Tuesday early -- I know that's --

16 Q Okay.

17 So, this -- this is the problem that --

18 A -- Monday -- early, early Monday.

19 Q So, this is, kind of, the problem I'm having here now.

20 When I told you things didn't add up prior -- okay, things really don't add  
21 up now. Okay. I don't know what's happening right now. It -- it -- it  
22 seems like -- and don't take this the wrong way. Don't take this as I don't  
23 want to help you guys. But it is very, very hard to believe that this man  
24 has been here all week. Okay. He's answer --

25 A I know.

1 Q -- he's answering the door.

2 A Yeah.

3 Q He's in the room with -- with -- with -- with your  
4 boyfriend. He has access to your boyfriend's phone, willingly, and car, -  
5 willingly, for a whole week.

6 A Which I knew nothing about.

7 Q Okay. And then he has access to all the bank  
8 accounts. Okay. So, there's -- there has to be some type of relationship  
9 that is going on. I mean, it's not like he's holding him at gunpoint and  
10 telling him, I need your -- your phone and your bank accounts. What  
11 would that -- why would that be?

12 A I don't --

13 Q What -- what is Louis saying to you where this guy  
14 has the ability to get in -- I mean --

15 A I don't know if it's --

16 Q -- does Louis owe this guy money?

17 A I hon -- truthfully, I honestly --

18 Q Okay.

19 A -- don't know. I know --

20 Q Is Louis into other nefarious acts where it would  
21 cause him to have to be --

22 A I--I know he'll go gamble sometimes. Like, we've  
23 gone out and gambled sometimes.

24 Q Sure.

25 A But not -- nothing, like, that I've noticed over

1 excessive or --

2 Q Okay.

3 Well, gambling's not illegal even if it's excessive, you know.

4 A No.

5 Q So, I -- I don't --

6 A But -- but even so if it is and he did borrow money or  
7 whatever, I -- I -- that I don't know.

8 Q Okay.

9 A He's never asked me for money. Never has said  
10 he's needed money, or borrowed money, or any of that --

11 Q Okay.

12 A -- to me.

13 Q Okay. All right. And -- and please don't take it the  
14 wrong way. I don't to -- I don't want it to look like I'm being accusatory to  
15 you, but I just -- doing robberies for as long as I have --

16 A Yeah.

17 Q -- this-is-just-odd--

18 A I --

19 Q It's very odd. Okay..

20 A Like I sa --

21 Q I'm not saying it didn't happen.

22 A No. Like I said, I didn't know he was here --

23 Q Yeah.

24 A -- for those -- those ten days --

25 Q Well, you know what -- yeah.

- 1 A -- because I haven't been here.
- 2 Q And that's okay. I mean, if you don't know, you don't
- 3 know, right?
- 4 A Yeah. And he --
- 5 Q I'm just saying --
- 6 A -- Loui's been, kind of, really vague. Like, real
- 7 quiet --
- 8 Q Okay.
- 9 A -- during that time.
- 10 Q Yeah.
- 11 A So, I thought maybe, okay. Maybe --
- 12 Q Sure.
- 13 A -- we weren't --
- 14 Q You guys weren't jiving?
- 15 A Yeah. So, maybe --
- 16 Q Yeah.
- 17 A -- you know, 'cause we -- it's not the first time we've
- 18 talked, or been together and then, kind of, stopped talking for a little bit.
- 19 Q Oh, okay. Yup.
- 20 A So, kind of, felt, you know, maybe that was
- 21 something like, okay. Well, maybe we were gonna take a little break or
- 22 whatever.
- 23 Q Okay.
- 24 A I don't know.
- 25 Q Sure.

- 1 A 'Cause he was just real quiet.
- 2 Q Okay.
- 3 A And then - -
- 4 Q Okay.
- 5 A - - that's a new stated, you know, Jessie, I don't want
- 6 ~~you involved or, you know, what's going on. He's acting crazy.~~ He's - -
- 7 Q That was Sunday?
- 8 A Yeah.
- 9 Q Okay.
- 10 A 'Cause I came Sunday morning.
- 11 Q Oh. So, Sunday he told you didn't want you involved
- 12 with Shawn?
- 13 A Yeah. He told - - no. He said, Things aren't up and
- 14 up. Like, he's acting really weird.
- 15 Q Okay.
- 16 So, he was - - that's when he started acting vague towards
- 17 you?
- 18 A Yeah.
- 19 Q Okay. All right.
- 20 A Vax (phonetic).
- 21 Q All right. Okay.
- 22 Okay. Now, were - - is there anything else that I need to
- 23 ~~know? 'Cause, you know, we went off, and we started with Christian.~~
- 24 ~~Now, we're back into some - - way more detailed stuff that you actually~~
- 25 knew about. Is there anything else I need to know about on this case?

- 1 A (No audible response.)
- 2 Q Is there anything else I need to know about your
- 3 husband -- I'm sorry -- your boyfriend and Shawn?
- 4 A That's all I know --
- 5 Q Okay.
- 6 A -- of them.
- 7 Q Anything else to do with anything else on the
- 8 computer, or a phone, bank accounts? Any of this jazz that's going on,
- 9 that he apparently has this iron claw over the top of Louis, and he has the
- 10 ability to be in -- involved in everything in his life?
- 11 A That I don't know.
- 12 Q Okay.
- 13 A I honestly, truly don't know. I -- I --
- 14 Q Let me ask you this. So, the dude that stole the 10K
- 15 from him last night, and had access to his bank accounts, who was that?
- 16 A I don't know.
- 17 Q Okay.
- 18 So, were you dating him then?
- 19 A So, we -- we were not talking at that point.
- 20 Q Okay.
- 21 A We've known each other, but we were not --
- 22 Q Okay.
- 23 A I -- we started talking after all of that happened.
- 24 Q Okay.
- 25 A And I don't know much about that, as well, either.

1 Q So, is -- now, let me ask you this. Is he -- I mean, is  
2 it normal that he would give his bank account out? I mean, or is he not  
3 under -- is he slower than -- and I don't mean that in a negative way. I  
4 mean, like, is something --

5 A He --

6 Q -- wrong where he would be duked into giving his  
7 credit -- that's a better thing. Like, was he --

8 A He's -- he's a very giving person and likes to --

9 Q Okay.

10 A -- help people.

11 Q Okay.

12 A So, he's -- he's helped -- tried to help several people.

13 Q Okay.

14 A And just seems to always get burned.

15 Q So, do you think maybe he's trying to help Shawn,  
16 and maybe that's how this --

17 A I -- I think so.

18 Q Okay.

19 A You know, with Shawn just being out of prison --

20 Q Prison:

21 A -- and everything. He's tried to help several people,  
22 you know.

23 Q Okay. All right.

24 And -- and -- and then that makes a little bit more sense,  
25 though.



1 A Yeah.

2 Q Because, like, listen. There's no way a grown man  
3 is going come in here - -

4 A Yeah.

5 Q - - and get access to my bank accounts.

6 A And that's what, kind of - -

7 Q We're - - we're - - we're gonna have an issue, right?

8 A That's what, kind of, made me question it, too.

9 Because he's never been that way.

10 Q Right.

11 A Like, he's - - he's been - -

12 Q Okay.

13 A - - (incomprehensible). You know, he's - - but it's  
14 just - -

15 Q Okay. All right. Sounds good.

16 Well, Jessie, I - - I - - I appreciate it.

17 This ends the interview. It is 9:34.

18 (Whereupon, the audio recording concluded.)

19

20

21 I certify that the foregoing is a true and accurate transcript  
22 of the electronic audio recording with a length of 00:22:35 from the  
23 interview in the above-entitled matter.

24

25 Hannah Lewon, Administrative Assistant I

01-14-2021

**DR #20-18894, L. POLANCO (2)**

1 STATE OF NEVADA)

**DATE: 10-28-2020**

2 ) SS: HENDERSON

3 COUNTY OF CLARK)

**TIME:** Unknown

4

5

6 This recorded interview of LOUIS POLANCO did hereby  
7 take place at The Marlow apartments, number 823, 981 Whitney Ranch  
8 Drive, Henderson, Nevada 89014, reference DR #20-18894.

9

10 Person present during this interview is LOUIS POLANCO.

11 Persons conducting the interview and audio recording are

12 DET. DENNIS OZAWA and DET. KEVIN LAPEER of the Henderson

13 Police Department. Transcription of the recorded statement by

14 Hannah Lewon, Administrative Assistant I, Henderson City Clerk's Office.

15

16 LOUIS POLANCO: Benny was supposed to come over

17 dur - - during the week. And he (incomprehensible). So, Friday,

18 (incomprehensible) Friday. They're not going Friday. Couldn't make it.

19 So, he came over Sunday, and that was it. Like, I only known him four

20 days?

21 BY DET. DENNIS OZAWA:

22 Q ~~So, you're saying the first time you met him was on~~

23 Sunday?

24 A Still - - on Saturday night. Saturday night was when

25     - - Sunday morning - - I think? Yeah. I think it was, like, Saturday night,

- 1 Sunday morning.
- 2 Q So, you met him Saturday night?
- 3 A I think. Yeah. It was Sunday morning - - Sunday
- 4 night. Sunday night. What's today? Wednesday?
- 5 Q Today is Wednesday.
- 6 A So, only, like, four days, like, I known this guy.
- 7 Q Okay.
- 8 So, you haven't - - did you go to a bar to meet up with
- 9 Benny at all?
- 10 A To be at a bar? No. He was at my house.
- 11 Q Benny was?
- 12 A He - - he came to my house.
- 13 Q Okay. ~~But that - - did you meet anybody at a bar -~~
- 14 ~~anytime last week?..~~
- 15 A No. Bar?
- 16 Q Yeah.
- 17 A Huh-uh.
- 18 Q Doesn't sound familiar?
- 19 A No.
- 20 Q So, Sunday was the first time you met - -
- 21 A Oh, I met - - I met a gir - - (incomprehensible portion)
- 22 I just met another girl at the bar. Yeah. That's - -
- 23 Q Okay.
- 24 Well, who - - what girl?
- 25 A Her name's Maria. Like, that was it. I got - - I just

- 1 -- that was a one-night thing.
- 2 Q Okay.
- 3 When was this?
- 4 A Saturday? Sunday? Saturday? Saturday. It was
- 5 the day before -- it was I wasn't getting tattooed yet.
- 6 Q It was the day before you got tattooed?
- 7 A Yeah.
- 8 Q Okay.
- 9 And how long have you been dating --
- 10 A We've been on and off for --
- 11 Q -- Jessica?
- 12 A -- about two years. Right? Yeah. About two years.
- 13 Q And then --
- 14 A Yeah.
- 15 Q -- you said Maria?
- 16 A Yeah.
- 17 Q You met her Saturday?
- 18 A Saturday. Yeah.
- 19 Q Which bar did you guys go to?
- 20 A We went to -- was it a PTs? (Incomprehensible.)
- 21 Q PTs where?
- 22 A Right here on Sunset.
- 23 Q Oh, okay.
- 24 Who were you with other than her?
- 25 A That was it. Me and her.

- 1 Q You just went there by yourself?
- 2 A Yeah.
- 3 Q And then, did you hang out with her afterwards or
- 4 no?
- 5 A No.
- 6 Q So, then Sunday, you meet up with Benny.
- 7 A Yeah.
- 8 Q And --
- 9 A And he knew about it 'cause I told him about it. Like,
- 10 I told him about her.
- 11 Q Benny?
- 12 A -- I told Benny and Shawn about her.
- 13 Q About the girl?
- 14 A Yeah.
- 15 Q Okay.
- 16 And have you let Shawn use your vehicle at all?
- 17 A He said -- see, I had no shorts yesterday.
- 18 Q I kn -- well, not yesterday.
- 19 A No.
- 20 Q Before that.
- 21 A No. My son --
- 22 Q When he left on Monday morning, did you let him
- 23 drive your car?
- 24 A Monday morning? No.
- 25 Q ~~Beau -- because Shawn's saying that you did, and~~

1 your girlfriend here says that, yeah, you let him use the car on Monday.

2 A (Incomprehensible?) Oh, shit. Went back this  
3 morning. But he -- but you guys were coming, right? That was my car  
4 he had.

5 Q Yeah.

6 A Yeah.

7 Q But before that, though, he left -- you're saying he  
8 left --

9 A Saturday, Sun --

10 Q On Mon -- he left yester -- or, yeah. Tuesday --

11 A Yeah.

12 Q -- with your car.

13 A He had my car. He stole it.

14 Q Came back today.

15 A ~~He took it. But he gave -- he put it back.~~

16 Q He put it back?

17 A He put it back right there. He -- he's (incomprehensible)  
18 knock or nothing. He was there.

19 Q When was this?

20 A ~~It had to be that night.~~ That night.

21 Q Which night?

22 A 'Cause I -- when I woke up, he was gone. The car  
23 was here.

24 Q So, Sunday --

25 A And I --

1 Q -- Monday morning, the car was here.

2 A Yeah. So --

3 Q He was gone.

4 A Yeah.

5 Q And then you see him come Tuesday?

6 A Yeah. And that was it.

7 Q Okay.

8 Did you make any plans for him to, like, move in with you or  
9 anything?

10 A No.

11 Q 'Cause that's what he's telling us.

12 A Why would -- no. No. No.

13 Q I'm -- it --

14 A I'm -- I'm getting -- I -- I want -- my -- I'm getting  
15 ready to move.

16 Q Where are you moving?

17 A This is -- I -- my lease is up in January. I'm out.  
18 Like, nobody's moving in here. He's -- I don't know this guy.

19 Q So, he -- so, you made no plans to have him move  
20 in with you at all?

21 A No.

22 Q ~~And he never driven -- has -- has he ever driven~~  
23 ~~your vehicle prior to yesterday?~~

24 A ~~No.~~

25 Q ~~So, why does your girlfriend say he did? And why is~~

1 he saying he did?

2 A (No audible response.)

3 Q Is it something that you -- you just don't remember  
4 giving him permission, or?

5 A I never gave this guy permission to do anything.

6 Like, he --

7 Q Okay.

8 A Yeah. He's --

9 Q And then what's in the duffel bag?

10 ~~A It was my sh -- my shotgun. My gun. My helmet.~~

11 He had -- he had my helmet.

12 Q Helmet to what?

13 A Motorcycle. That's it.

14 Q Okay.

15 And then, can you describe the gun again to me? The one  
16 that he -- when he lifted up his shirt, what did the gun look like again?

17 A He had his hand on it like this. It was black, I think.

18 It was a black gun.

19 Q Just -- just a black gun?

20 A Yeah.

21 Q Anything else you can remember about it?

22 A No. I didn't -- I didn't really, like, look at it. I knew  
23 he had it. But --

24 Q Did he put it in the duffel bag when you guys left?

25



- 1 A : He -- yeah -- He put it where -- he put my computer,  
2 my phone, the helmet. And the computer. My computer, phone, helmet.
- 3 Q What kind of computer was it?
- 4 A It was a small little - - it has stickers on it.
- 5 Q Is it, like, a - - a Dell, HP?
- 6 A ~~Lo -- Lovo --~~ Lenovo. Lenovo?
- 7 Q .Lenova?
- 8 A Yeah. That one. That's it. It's, like, a flip - - flip one.
- 9 Q What do you mean "a flip one"?
- 10 A It turns - -
- 11 Q Like, a tablet?
- 12 A - - (incomprehensible).
- 13 ~~Q~~ So, it's a tablet. What color is it?
- 14 A Black, gray-ish, like, color.
- 15 Q Okay.
- 16 ~~But you don't know why - - your girlfriend's also telling us,~~  
17 ~~that you let him borrow your cell phone.~~
- 18 A I had no choice.
- 19 Q No. Not - - not yesterday. Like, on Monday.
- 20 A ~~He -- yeah.~~ But it was, like, he was here. He didn't  
21 ~~go anywhere with it. He could use the phone. He needed a phone, so I~~  
22 ~~gave him -- use my phone.~~
- 23 Q And what'd you let him use your phone for?
- 24 A I -- he said he was trying to claim the PA - -  
25 (incomprehensible) - - the unemployment. And some - - and then that

1 was it. Like, I don't know. Made a phone call or whatever.

2 Q Okay.

3 And what day was that?

4 A They were - - he was here doing the tattoos. Like - -

5 Q Sunday night at 11?

6 A He claimed it before Sunday.

7 Q Huh?

8 A You claim unemployment on Sundays.

9 Q ~~Yeah. But they're - - you said that they showed up~~  
10 ~~at your place at 11:00 at night.~~

11 A Yeah. So - -

12 Q But he - -

13 A - - it's - -

14 Q - - he's not calling people at 11:00 at night.

15 A I don't know what he's doing.

16 Q You know?

17 A I don't know what he's doing with it. That's what - - I

18 ~~know he was claiming - - trying to claim unemployment. We were talking~~  
19 ~~about that.~~

20 Q ~~And so, he - - he didn't take your phone that Monday~~  
21 ~~morning? You had your phone on Monday?~~

22 A ~~I had my phone. I have - - yeah. He took it yesterday.~~

23 Q All right.

24 A ~~Yeah. 'Cause I - - I took my son's phone yesterday.~~

25 Q You were using your son's phone?

1 A Yeah.

2 DET. KEVIN LAPEER: So, you didn't have your phone?

3 You were using your son's phone?

4 MR. POLANCO: I had my son's phone.

5 DET. OZAWA: Yesterday.

6 DET. LAPEER: Okay. That's not the question he asked

7 you.

8 MR. POLANCO: Yeah. I had my son - - I had my phone - -

9 BY DET. OZAWA:

10 Q You had your son's phone after he took your phone?

11 A Yeah.

12 Q But prior to that, you did not - - did you let Shawn

13 use your phone, or take your phone with him?

14 A He took it. Yes. Yes. That's why I - -

15 Q Not - - not - - I know he took it yesterday. But prior to

16 yesterday, Monday, when he left, did you let him take your phone and

17 borrow it?

18 A \*No.

19 Q Did you see Shawn on Monday?

20 A ~~No. Yesterday? No. The day before yesterday?~~

21 No.

22 Q No, no, no. Monday.

23 A No.

24 Q 'Cause you said he left - -

25 A He came - -

1 Q -- he was already gone on Monday morning when  
2 you woke up.

3 A He came here yesterday.

4 Q I -- well, I know that.

5 A Yeah.

6 Q But --

7 A He -- he -- he was gone. He didn't come back --

8 Q Okay.

9 A -- until yesterday.

10 Q ~~Is it -- like I said, Louis, some of the stories aren't~~  
11 ~~matching up. And your girlfriend's story --~~

12 A ~~Well, yeah.~~

13 Q ~~-- compared to your story, and then what he's telling~~  
14 ~~us, like, some of the details are all mixed up.~~

15 A ~~Yeah.~~

16 Q But you -- you are claiming that you just met him  
17 Sunday?


18 A I just met this guy. Yeah. (Incomprehensible.)

19 Q Okay.

20 Is there anything?

21 DET. LAPEER: No.

22 DET. OZAWA: All right. That's going to end the interview.

23 MR. POLANCO: I don't really have no, like --  
24 (Whereupon the audio recording concluded.)   
25

1 I certify that the foregoing is a true and accurate transcript  
2 of the electronic audio recording with a length of 00:08:37 from the  
3 interview in the above-entitled matter.

4

5 Hannah Lewon, Administrative Assistant I 01-14-2021

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On 10/28/20, I Detective K. LaPeer #1446 assisted Det K. Lippisch #1710 with a robbery investigation. I was tasked with conducting interviews with witnesses or family members of the victim.

At 0853 hours, I conducted a recorded interview with Jessie Caracciolo (DOB 7/11/81) who is the victim's girlfriend. Jessie advised that she arrived at Louis's apartment at 1830 hours and was greeted at the door by Sean and Christian, and that Sean asked, "Why are You Here". Jessie stated that Louis looked at her and she could tell something was wrong, but that Sean asked Louis to go to his bedroom and they did.

Jessie stated that she sat at the dining room table while Sean and Louis entered his room. I asked if Sean was armed and she stated that he was not. Jessie advised that Louis and Sean emerged from the bedroom with Sean holding a large green duffel bag and Sean left the apartment at approximately 1900 hours.

After Sean left, Jessie advised that Louis told her he was robbed in the bedroom and that Sean had an unknown weapon on him. Louis advised Jessie that inside the green duffel bag was her shotgun, Louis's handgun, and his laptop. Jessie stated that Sean threatened to harm Louis's family if he called the police. Jessie stated that Louis was nervous as they talked for several hours trying to convince him to call the police.

Jessie stated that she did her own research and located a rap sheet for Sean and realized he was a bad guy. Jessie stated they called the police around 2230 hours. Jessie then stated that Sean took Louis's car that night as well.

At 0700 hours, Jessie advised that Sean returned to the apartment and knocked on the door. That Louis called the police and he and Jessie took cover in his son's room Christian. Jessie was unable to give a viable answer for why a person that just robbed her boyfriend and stole his car, would return in the morning.

Jessie claimed to have very little knowledge of Sean other than seeing him sleeping on Louis's couch a few days prior and this incident in question. I ended the interview at this point.

I then conducted a recorded interview with Christian Polanco (DOB 12/1/08) who is the son to Louis. Christian advised that Sean did not live at the apartment like Sean was claiming, but Christian advised that Sean has been at the apartment for the last three days, and furthermore that he and Louis met Sean approximately 10 days ago.

Christian advised that his father seemed anxious and nervous while Sean was at the house the night of the incident, but stated that it was normal practice that Louis and Sean would enter Louis's bedroom and talk and hang out in there.

Christian advised that he liked Sean and considered him a friend, stating that they played football a few times. Christian was then asked about the incident the night before and Christian stated that his father didn't tell him anything related to the robbery.

Christian then advised that he was sleeping in his room when Sean returned to the apartment the following morning.

Christian stated that his father was robbed of \$10,000 last year where a male suspect had access to his debit card and would gamble with Louis's money.

I asked Christian if Louis had any problems with Sean recently and he stated, "Yes". Christian advised that Sean would keep turning off the camera on their front door and has stolen a wine bottle. Christian stated that he and Louis would leave Sean at the apartment occasionally.

Christian advised that Sean could borrow his dad's car that Jessie claimed was stolen. Christian advised that Sean would drive the car for a couple of days before he returned it. Christian then stated that Sean has access to Louis's cellular phone and his bank accounts as well. It became evident that Sean was more of a friend than a suspect who committed a robbery.

Jessie then stated that Sean had access to Louis's Navy Credit Union and USAA credit union accounts. Jessie advised that last night they called and put a stop to his accounts. Jessie stated that several charges were found on Louis's account on 10/25 and 10/26.

It was clear that Louis's laptop was not stolen when Sean left with the green duffel bag as it was now learned Sean had Louis's laptop since Monday. Jessie advised that Louis also gave Sean his cell phone because Sean needed a phone. Jessie stated Sean has had the phone since at least Tuesday.

1 Date: 10/29/2020 Officer: LAPEER, KEVIN Subject: Search warrant narrative

On 10/29/20, I Detective K. LaPeer #1446 was assisting Det. K. Lippisch #1710 with a potential robbery investigation. Det. Lippisch authored search warrants for a large tan duffel bag as well as a white Chevrolet Malibu. The search warrants were reviewed by a district attorney and signed by a Henderson Justice court judge.

At 0700 hours, I executed the search warrant on the tan duffel bag. The following items of evidence were located and documented on the search warrant return.

1. Black "Fuel" motorcycle helmet
2. Model 12, .20-gauge Winchester shotgun. S/N 1291469
3. Federal .20-gauge ammunition HI-Brass (25) live shells
4. Surefire tactical flashlight with mount
5. Vice grips
6. Lenovo laptop S/N YD05BV4H
7. Grace USA chisel tool

All items were photographed by Detective D. Ozawa #1531 and later uploaded into digital evidence. I then properly booked all evidence in the main station vault. A copy of the search warrant return and sealing order were left inside the duffel bag.

At approximately 1400 hours, Detective Lynaugh #1554, CSA D. Proietto #2147 and I executed the search warrant on the white Malibu bearing NV Body Shop 6528. CSA Proietto processed the vehicle for forensic evidence and documented the vehicle with photographs. The following items of evidence were recovered:

1. DNA swabs from steering wheel
2. Drivers door, rear view mirror possible latent print lifts

A copy of the search warrant return and sealing order were left on the passenger seat of the vehicle. The vehicle will be returned to the victim.

**SEARCH WARRANT**

**STATE OF NEVADA**       )  
                                      )  
**COUNTY OF CLARK**     )  
                                      )

**DR # 20-18994**

The State of Nevada, to any Peace Officer in the County of Clark, Proof having been made therefore to me by Detective Karl Lippisch, said Affidavit attached hereto as Exhibit 3, and incorporated by reference herein by this reference.

That there is probable cause to believe that certain property, hereto as Exhibit 2, is presently located at as set forth in Exhibit 1.


AND, as I am satisfied there is probable cause that said property is located as set forth above, and based upon the Affidavit that there are sufficient grounds for issuance of the Search Warrant.

**Day Time Service Authorization:** You are hereby commanded to search forthwith said premises for said property, serving this warrant between the hours of 7:00 A.M. to 7:00 P.M., and if the property be there to seize it, prepare a written inventory of the property seized and make a return for me within ten (10) days.

DocuSigned by:  
  
B4B04DFAF730443...  
Judge's Signature

10/28/2020 | 3:51 PM PDT  
Date Signed

David S. Gibson, Sr.  
Judge's Name  
Henderson Justice Court - 243 S. Water St. Henderson, NV 89015 (702) 455-7951

  
Investigations Supervisor

**ORDER SEALING AFFIDAVIT**

**IN RE: SEARCH WARRANT FOR**

**Location(s):**

2007 white Chevrolet Malibu bearing NV Body Shop plate 6528 (VIN: 1G1ZS57F57F256434) at the Henderson Police Department

Tan duffel bag that had been in the possession of Sean Orth at the Henderson Police Department

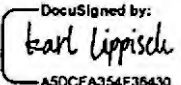
Black LG cellular phone at the Henderson Detention Center



Upon the ex parte application of Detective Karl Lippisch a commissioned officer with the Henderson Police Department, and Affiant, to seal the affidavit in support of the attached search warrant, and for good cause appearing therefore,

**IT IS HEREBY ORDERED** that the affidavit in support of the attached search warrant be ordered sealed pending further order of this Court except that copies may be provided to the office of the Clark County District Attorney and the District Attorney may provide copies to a defendant in a criminal proceeding as part of the criminal discovery process, and

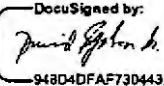
**IT IS FURTHER ORDERED** a copy of this order sealing the affidavit be left at the premises, along with the search warrant in lieu of the affidavit in support of the warrant.

DocuSigned by:  
  
ASDCFA354F36430...  
Affiant's Signature

10/28/2020 | 3:38 PM PDT

Date Signed


**Detective Karl Lippisch**  
Affiant's Name

DocuSigned by:  
  
948D4DFAF73D443...  
Judge's Signature

10/28/2020 | 3:51 PM PDT

Date Signed

David S. Gibson, Sr.  
Judge's Name  
Henderson Justice Court - 243 S. Water St. Henderson, NV 89015 (702) 455-7951

  
Investigations Supervisor

**APPLICATION AND AFFIDAVIT  
PREMESIS LOCATION TO WIT  
EXHIBIT 1**

**DR: 20-18994**

**2007 white Chevrolet Malibu bearing NV Body Shop plate 6528 (VIN: 1G1ZS57F57F256434)**

The 2007 white Chevrolet Malibu bearing NV Body Shop plate 6528 currently in the Henderson Police Department CSA secured garage.

**Tan duffel bag that had been in the possession of Sean Orth**

**Black LG cellular phone**

Louis' black LG cellular phone that had been in the possession of Sean Orth and is currently in Sean's property at the Henderson Detention Center, to be relocated the Henderson Police Department Main Station for a forensic search.

**APPLICATION AND AFFIDAVIT  
PROPERTY TO BE SEIZED  
EXHIBIT 2**

**DR: 20-18994**

- All forensic processing necessary to conduct and complete robbery w/ deadly weapon investigation which along with confirming and/or establishing the identity of the suspect, as well as any other persons present. This will include but will not be limited to latent processing, photographs as well as the collection of all trace, biological or other physical evidence from the vehicle and duffel bag.
- Forensic collection of items located in the vehicles and duffel bag which may contain or possess forensic value which need to be relocated to a laboratory environment for further processing.
- Any and all firearms, ammunition, and accessories to firearms deemed to possibly be related to the incident and the original call for service to the Henderson Police Department Dispatch.
- Limited items of personal property showing identity of persons having possessory interest or to establish or clarify who all the victims and suspects are. Such located information is at the discretion to be collected or photographed.
- Any and all locked devices which are able to contain anything of evidentiary value to this investigation.
- DNA buccal swabs, known exemplar prints, and photographs of/from the person of Sean Orth (DOB                      for comparison to forensic processing completed from the vehicle, duffel bag, and items located within previous locations.
- Cellular Phones
  - Any and all cellular phones, including any inserted data storage cards, power cords and/or charging materials, regardless of the phone's connection or service status.
- Forensic Search
  - That Affiant requests permission to forensically search the aforementioned electronic storage device(s) or media for all digital data files, records, documents and materials or otherwise evidence described in the warrant. Such search may be conducted on-scene or at an off-site location. Namely Affiant requests that a bit by bit image of all data storage devices be made by a forensic examiner to be searched through at a later date. All of the components could be seized and taken into the custody of the Henderson Police Department; if evidence relating to a felony is located the equipment may be seized as per the NRS.
- A forensic search of the collected evidence may require a range of data analysis techniques, therefore affiant requests permission to use whatever data analysis techniques appear necessary to locate and retrieve the evidence described in this affidavit.

9

PA 116

AA001355

BA 123

**APPLICATION AND AFFIDAVIT  
PROBABLE CAUSE  
EXHIBIT 3**

**DR: 20-18994**

On 10/28/2020 at approximately 0711 HPD Units were dispatched to The Marlow Apartments, 981 Whitney Ranch Drive #823, reference a reported armed robbery suspect who was currently at the location. Dispatch advised that the person reporting had stated that the suspect who had committed an armed robbery at the location the night before (reported under HPD DR#20-18989) was currently at their door, possibly armed, and was most likely driving their white Chevrolet Malibu with unknown "Body Shop" plates that he had unlawfully taken the night before.

Upon arrival HPD Patrol Officers observed a vehicle matching that description backing out of a parking space and driving from the area of the apartment. Several uniformed Patrol Units in marked Henderson Police Department Police vehicles began following the vehicle and initiated a stop by activating their overhead emergency lights and sirens, however the suspect vehicle failed to yield and continued towards the exit of the apartment complex, accelerating towards the exit gate. An additional HPD Unit arrived and was outside the exit gate, which was closed, and the suspect opened the driver side door, jumped out, and immediately ran. The suspect vehicle continued to drive forward, unoccupied, crashing into the exit gate of the apartment complex. The suspect was carrying a tan duffle bag as he fled and he threw it over the property wall just before he climbed over the same wall, running out to Whitney Ranch Drive.

Patrol Officers initiated a foot pursuit, issuing commands for the suspect to stop, however he continued to run leaving the duffle bag behind because he struggled to pick it back up quickly. The suspect ran across Whitney Ranch Drive, attempting to evade HPD Officers, however Officers were able to overtake the suspect and he was placed in custody after a short struggle due to the fact that the suspect refused to comply. The suspect was identified as Sean Orth (DOB ) and was confirmed to be the same suspect identified in the previous robbery.

Due to the fact that Sean failed to yield to HPD Patrol Officers who initiated a lawful stop on a suspect in a felony crime, the fact that Sean then fled from Officers after jumping out of the suspect vehicle, and the fact that Sean failed to comply with lawful orders which resulted in a foot pursuit to take him into custody, Sean was taken into custody for NRS 199.280.3 Resist Public Officer and secured in an HPD Patrol Vehicle.

Due to the fact that Sean was the suspect in an armed robbery HPD ISD was contacted and I, Detective K. Lippisch, as well as, Detective D. Ozawa, Detective K. LaPeer, and Detective R. Christopher, responded and assumed the investigation. After being advised of the above facts Detective Christopher and I made contact with Sean while Detectives Ozawa and LaPeer contacted the victims of the robbery, Louis Polanco (DOB ) and Jessie Caracciolo (DOB ).

I was later advised by Detectives Ozawa and LaPeer that Louis and Jessie had differentiating accounts of what had occurred over the past week, however they both stated that Sean had left the apartment the prior evening with a tan duffel bag that contained property that belonged to them (Louis and Jessie), not Sean. Louis stated that Sean had displayed a handgun and told Louis that he was taking Louis' guns and laptop, and then had directed Louis to the master bedroom where the items were placed into the tan duffel bag. Sean then left the residence with the items that did not belong to him which included: Louis' black and red Smith and Wesson MMP Shield 9mm handgun (unknown serial #), Jessie's Winchester Model 12 20 Gauge Shotgun (unknown serial #), and Louis' Military ID. Sean exited the apartment,

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AA001356

PA 105

**APPLICATION AND AFFIDAVIT  
PROBABLE CAUSE  
EXHIBIT 3**

walked to Louis' 2007 white Chevrolet Malibu with NV Body Shop plate 6528, entered the driver side of the vehicle, and drove away. Louis advised that in addition to the above items Sean was also in possession of his laptop and cellular phone.

Jessie stated that she had not observed Sean with a handgun and although she felt that what had just transpired was odd, she did not know that Sean had committed the robbery until Louis told her because she had been seated in the kitchen when this occurred. Louis did not initially want to report the incident due to the fact that Sean had threatened to come back and hurt them if the Police were notified, however Jessie convinced Louis that this needed to be reported so they called HPD, completed the report, HPD DR#20-18989, and stated they wanted to press charges for the crimes that Sean had committed.

Detective Christopher and I contacted Sean in the back of the patrol vehicle, and I advised him that I would like to interview him regarding the incidents that he had been involved in. Sean agreed to talk with me, and he was placed in the front passenger seat of my unmarked department vehicle. I entered the front driver seat and Detective Christopher entered the rear passenger seat. Sean immediately stated that he did not want the interview recorded and initially stated that he did not want to be read Miranda. I advised Sean that due to the fact that he was in handcuffs and not free to leave I was going to read him Miranda, which I did at 0842 hours, and which he stated he understood and waived. Sean then stated the following:

He has known Louis for approximately a week, as well as Louis' girlfriend however he could not recall her (Jessie's) name. He advised that he has been spending time with them, using the vehicle at times, and also using Louis' cellular phone because his vehicle is getting worked on and his cellular phone is busted. Sean stated that he had been at the apartment yesterday until approximately 1900 hours and then he left in the Chevrolet Malibu to go see his girlfriend, who he was never able to locate. Sean stayed out until approximately 0600 hours this morning, which is when he returned to the apartment, with the Chevrolet Malibu. Sean exited the vehicle with the tan duffel bag, which he stated had been inside the vehicle the entire time and he was just planning on bringing it inside the apartment for Louis since it was his. Sean walked up to the apartment door and knocked, however no one answered. Sean thought this was odd since he stated he was supposed to return the vehicle before sunrise per his arraignment with Louis, so he continued knocking several times. After still getting no answer, Sean returned to the vehicle, still carrying the tan duffel bag, and then started to drive away. Sean had decided to go to the store and get milk before returning and attempting contact at the apartment again. Sean additionally stated that it was odd that no one answered because prior to arriving at the apartment he had used Louis' cellular phone to call Louis' girlfriend and tell her that he was on his way. Sean then stated that when he had been stopped by HPD Units the phone had been in his pocket.

As Sean started to drive towards the exit to the complex, he observed several HPD Patrol Vehicles and an HPD Motors Unit in the complex. Sean then observed that the marked patrol vehicles were following him and that they had activated their overhead lights and sirens. At first Sean thought they were attempting to pass him, but then he realized that they were attempting to stop and contact him. Sean immediately felt that he had been set up and that the duffel bag in the vehicle must contain items that would get him into trouble, so he didn't stop. Sean continued driving, swerving because he was reaching for the duffel bag, and then when he realized he wouldn't be able to make it out the exit gate Sean exited the vehicle with the duffel bag and fled, jumping the wall of the property.



PA 118

AA001357 



**APPLICATION AND AFFIDAVIT  
PROBABLE CAUSE  
EXHIBIT 3**

I asked Sean why he would flee because he claimed that he had not done anything wrong and that he didn't know what was inside the duffel bag (despite taking it with him when he fled). Sean responded by stating that he felt he had been set up and that it must be related to the duffel bag, and that he had made up his mind that he was going to try and get away.

Upon conclusion of the interview Sean was transported to the Henderson Detention Center where he was booked accordingly for Resist Public Officer. A records search returned to reveal that Sean was also a convicted felon (trafficking controlled substance, ex-felon possess firearm, robbery w/ deadly weapon, evade Police Officer, manufacture short barrel gun, and assault) and that he was P&P Priority 5, however attempts to contact his Supervising Officer have been negative at this time.

Due to the fact that Sean is the suspect in an armed robbery, that he had been operating the 2007 white Chevrolet Malibu, the fact that he had been in possession of the tan duffel bag that had been recovered by HPD Patrol, and the fact that he had been in possession of Louis' cellular phone and had stated that he had used the phone, the Affiant is requesting a search warrant be issued for the previous mentioned items including; the 2007 white Chevrolet Malibu bearing NV Body Shop plate 6528 that is currently in the custody of the Henderson Police Department and is currently located in the secured Henderson Police Department CSA garage, the tan duffel bag that is currently secured at the Henderson Police Department Main Station, and Louis' black LG cellular phone which had been in Sean's possession and which is currently secured with Sean's property at the Henderson Detention Center.

Due to the fact that it is known that suspect(s) in these types of criminal cases will use cellular and/or electronic devices to research, coordinate, and plan their actions, as well as the fact that they are likely to communicate their actions with others via their cellular device, and the fact that cellular devices commonly have active and passive GPS data collection that will correspond with the time and location of their crime(s) the Affiant requests that the cellular and electronic device be collected and forensically searched at the Henderson Police Department Main Station.

That this affidavit does not contain each and every fact known to your affiant related to this investigation but rather includes that information related to the probable cause pertaining to the search of the location referred to above.

That Affiant request that this Affidavit be sealed due to the fact this investigation is ongoing and additional follow up is needed. Information and further follow up learned from this search warrant could be jeopardized, if details of this case were to be released.

WHEREFORE, Affiant requests that a Search Warrant be issued directing a search for and seizure of the aforementioned items at the location set forth herein between the hours of 7:00 am and 7:00 pm.

8

PA 119

AA001358 *PA 119*

# Henderson Police Department

223 Lead Street, Henderson Nevada 89015

## Declaration of Arrest

DR#: 20-18994

Arrestee's Name: ORTH, SEAN RODNEY

Date and time of Arrest: 10/28/2020 7:19:46 AM

Charge(s)	Degree	NRS/HMC
Resist pub off	M	199.280.3

THE UNDERSIGNED MAKE THE FOLOWING DECLARATIONS SUBJECT TO THE PENALTY OF PERJURY AND SAYS: That I am a Peace Officer with the Henderson PD, Clark County Nevada. I learned the following facts and circumstances which led me to believe that the above-named subject committed (or was committing) the above offense/offenses at the location of 981 Whitney Ranch Dr Henderson, NV 89014 And that the offense approximately occurred at 10/28/2020 7:19:46 AM

### Details of Probable Cause

On 10/28/2020 at approximately 0711 HPD Units were dispatched to The Marlow Apartments, 981 Whitney Ranch Drive #823, reference a reported armed robbery suspect who was currently at the location. Dispatch advised that the person reporting had stated that the suspect who had committed an armed robbery at the location the night before (reported under HPD DR#20-18989) was currently at their door, possibly armed, and was most likely driving their white Chevrolet Malibu with unknown "Body Shop" plates that he had unlawfully taken the night before.

Upon arrival HPD Patrol Officers observed a vehicle matching that description backing out of a parking space and driving from the area of the apartment. Several uniformed Patrol Units in marked Henderson Police Department Police vehicles began following the vehicle and initiated a stop by activating their overhead emergency lights and sirens, however the suspect vehicle failed to yield and continued towards the exit of the apartment complex, accelerating towards the exit gate. An additional HPD Unit arrived and was outside the exit gate, which was closed, and the suspect opened the driver side door, jumped out, and immediately ran. The suspect vehicle continued to drive forward, unoccupied, crashing into the exit gate of the apartment complex. The suspect was carrying a tan duffle bag as he fled and he threw it over the property wall just before he climbed over the same wall, running out to Whitney Ranch Drive.

Patrol Officers initiated a foot pursuit, issuing commands for the suspect to stop, however he continued to run leaving the duffle bag behind because he struggled to pick it back up quickly. The suspect ran across Whitney Ranch Drive, attempting to evade HPD Officers, however Officers were able to overtake the suspect and he was placed in custody after a short struggle due to the fact that the suspect refused to comply. The suspect was identified as Sean Orth (DOB 06/16/1972), and was confirmed to be the same suspect identified in the previous robbery.

Due to the fact that Sean failed to yield to HPD Patrol Officers who initiated a lawful stop on a suspect in a felony crime, the fact that Sean then fled from Officers after jumping out of the suspect vehicle, and the fact that Sean failed to comply with lawful orders which resulted in a foot pursuit to take him into custody, I determined that there was probable cause to arrest Sean for NRS 199.280.3 Resist Public Officer.

# Henderson Police Department

223 Lead Street, Henderson Nevada 89015

## Declaration of Arrest

DR#: 20-18994

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

PA 121

Lippisch, K.  
Declarant's Name

AA001360  
*[Signature]*



# Henderson Police Department

223 Lead Street, Henderson Nevada 89015

## Declaration of Arrest

DR#: 20-18994

Arrestee's Name: ORTH, SEAN RODNEY

Date and time of Arrest: 11/3/2020 8:34:33 AM

Charge(s)	Degree	NRS/HMC
Own/poss gun by prohibit pers	B	202.360.1

THE UNDERSIGNED MAKE THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY OF PERJURY AND SAYS: That I am a Peace Officer with the Henderson PD, Clark County Nevada. I learned the following facts and circumstances which led me to believe that the above-named subject committed (or was committing) the above offense/offenses at the location of 981 Whitney Ranch Dr Henderson, NV 89014 And that the offense approximately occurred at 11/3/2020 8:34:33 AM

### Details of Probable Cause

On 10/28/2020 at approximately 0711 HPD Units were dispatched to The Marlow Apartments, 981 Whitney Ranch Drive #823, reference a reported armed robbery suspect who was currently at the location. Dispatch advised that the person reporting had stated that the suspect who had committed an armed robbery at the location the night before (reported under HPD DR#20-18989) was currently at their door, possibly armed, and was most likely driving their white Chevrolet Malibu with unknown "Body Shop" plates that he had unlawfully taken the night before.

Upon arrival HPD Patrol Officers observed a vehicle matching that description backing out of a parking space and driving from the area of the apartment. Several uniformed Patrol Units in marked Henderson Police Department Police vehicles began following the vehicle and initiated a stop by activating their overhead emergency lights and sirens, however the suspect vehicle failed to yield and continued towards the exit of the apartment complex, accelerating towards the exit gate. An additional HPD Unit arrived and was outside the exit gate, which was closed, and the suspect opened the driver side door, jumped out, and immediately ran. The suspect vehicle continued to drive forward, unoccupied, crashing into the exit gate of the apartment complex. The suspect was carrying a tan duffie bag as he fled and he threw it over the property wall just before he climbed over the same wall, running out to Whitney Ranch Drive.

Patrol Officers initiated a foot pursuit, issuing commands for the suspect to stop, however he continued to run leaving the duffie bag behind because he struggled to pick it back up quickly. The suspect ran across Whitney Ranch Drive, attempting to evade HPD Officers, however Officers were able to overtake the suspect and he was placed in custody after a short struggle due to the fact that the suspect refused to comply. The suspect was identified as Sean Orth (DOE) and was confirmed to be the same suspect identified in the previous robbery.

Due to the fact that Sean failed to yield to HPD Patrol Officers who initiated a lawful stop on a suspect in a felony crime, the fact that Sean then fled from Officers after jumping out of the suspect vehicle, and the fact that Sean failed to comply with lawful orders which resulted in a foot pursuit to take him into custody, Sean was taken into custody for NRS 199.280.3 Resist Public Officer and secured in an HPD Patrol Vehicle.

# Henderson Police Department

223 Lead Street, Henderson Nevada 89015

## Declaration of Arrest

DR#: 20-18994

Due to the fact that Sean was the suspect in an armed robbery HPD ISD was contacted and I, Detective K. Lippisch, as well as, Detective D. Ozawa, Detective K. LaPeer, and Detective R. Christopher, responded and assumed the investigation. After being advised of the above facts Detective Christopher and I made contact with Sean while Detectives Ozawa and LaPeer contacted the victims of the robbery, Louis Polanco (DOB and Jessie Caracciolo (DOE

*ramona*

I was later advised by Detectives Ozawa and LaPeer that Louis and Jessie had differential accounts of what had occurred over the past week, however they both stated that Sean had left the apartment the prior evening with a tan duffel bag that contained property that belonged to them (Louis and Jessie), not Sean. Louis stated that Sean had displayed a handgun and told Louis that he was taking Louis' guns and laptop, and then had directed Louis to the master bedroom where the items were placed into the tan duffel bag. Sean then left the residence with the items that did not belong to him which included: Louis' black and red Smith and Wesson MMP Shield 9mm handgun (unknown serial #), Jessie's Winchester Model 12 20 Gauge Shotgun (unknown serial #), and Louis' Military ID. Sean exited the apartment, walked to Louis' 2007 white Chevrolet Malibu with NV Body Shop plate 6528, entered the driver side of the vehicle, and drove away. Louis advised that in addition to the above items Sean was also in possession of his laptop and cellular phone.

Jessie stated that she had not observed Sean with a handgun and although she felt that what had just transpired was odd, she did not know that Sean had committed the robbery until Louis told her because she had been seated in the kitchen when this occurred. Louis did not initially want to report the incident due to the fact that Sean had threatened to come back and hurt them if the Police were notified, however Jessie convinced Louis that this needed to be reported so they called HPD, completed the report, HPD DR#20-18989, and stated they wanted to press charges for the crimes that Sean had committed.

Detective Christopher and I contacted Sean in the back of the patrol vehicle, and I advised him that I would like to interview him regarding the incidents that he had been involved in. Sean agreed to talk with me, and he was placed in the front passenger seat of my unmarked department vehicle. I entered the front driver seat and Detective Christopher entered the rear passenger seat. Sean immediately stated, that he did not want the interview recorded and initially stated that he did not want to be read Miranda. I advised Sean that due to the fact that he was in handcuffs and not free to leave I was going to read him Miranda, which I did at 0842 hours, and which he stated he understood and waived. Sean then stated the following:

He has known Louis for approximately a week, as well as Louis' girlfriend however he could not recall her (Jessie's) name. He advised that he has been spending time with them, using the vehicle at times, and also using Louis' cellular phone because his vehicle is getting worked on and his cellular phone is busted. Sean stated that he had been at the apartment yesterday until approximately 1900 hours and then he left in the Chevrolet Malibu to go see his girlfriend, who he was never able to locate. Sean stayed out until approximately 0600 hours this morning, which is when he returned to the apartment, with the Chevrolet Malibu. Sean exited the vehicle with the tan duffel bag, which he stated had been inside the vehicle the entire time and he was just planning on bringing it inside the apartment for Louis since it was his. Sean walked up to the apartment door and knocked, however no one answered. Sean thought this was odd since he stated he was supposed to return the vehicle before sunrise per his arrangement with Louis, so he continued knocking several times. After still getting no answer, Sean returned to the vehicle, still carrying the tan duffel bag, and then started to drive away. Sean had decided to go to the store and get milk before returning and attempting contact at the apartment again. Sean additionally stated that it was odd that no one answered because prior to arriving at the apartment he had used Louis' cellular phone to call Louis' girlfriend and tell her that he was on his way. Sean then stated that when he had been stopped by HPD Units the phone had been in his pocket.

# Henderson Police Department

223 Lead Street, Henderson Nevada 89015

## Declaration of Arrest

DR#: 20-18994

As Sean started to drive towards the exit to the complex, he observed several HPD Patrol Vehicles and an HPD Motors Unit in the complex. Sean then observed that the marked patrol vehicles were following him and that they had activated their overhead lights and sirens. At first Sean thought they were attempting to pass him, but then he realized that they were attempting to stop and contact him. Sean immediately felt that he had been set up and that the duffel bag in the vehicle must contain items that would get him into trouble, so he didn't stop. Sean continued driving, swerving because he was reaching for the duffel bag, and then when he realized he wouldn't be able to make it out the exit gate Sean exited the vehicle with the duffel bag and fled, jumping the wall of the property.

I asked Sean why he would flee because he claimed that he had not done anything wrong and that he didn't know what was inside the duffel bag (despite taking it with him when he fled). Sean responded by stating that he felt he had been set up and that it must be related to the duffel bag, and that he had made up his mind that he was going to try and get away.

Upon conclusion of the interview I contacted Detectives Ozawa and LaPeer, advised them of the information that Sean had provided, and asked them to clarify previous statements that Louis and Jessie had made. Detectives re-interviewed Louis and Jessie and they did admit to the fact that they had allowed Sean access to the Chevy Malibu and the cellular phone, as well as the fact that Sean had been spending time at the apartment for approximately a week.

Due to the above facts Sean was transported to the Henderson Detention Center where he was booked accordingly for Resist Public Officer. A records search returned to reveal that Sean was also a convicted felon (trafficking controlled substance, ex-felon possess firearm, robbery w/ deadly weapon, evade Police Officer, manufacture short barrel gun, and assault) and that he was P&P Priority 5. Initial attempts to contact his Supervising Officer were negative, however contact was eventually made and his Supervising Officer was advised of the above facts.

Due to the fact that Sean was the suspect in an armed robbery, that he had been operating the 2007 white Chevrolet Malibu, the fact that he had been in possession of the tan duffel bag that had been recovered by HPD Patrol, as well as the fact that he had been in possession of Louis' cellular phone and had stated that he had used the phone, I authored a search warrant to be issued for the previous mentioned items including; the 2007 white Chevrolet Malibu bearing NV Body Shop plate 6528 that had been towed from the scene and secured in the Henderson Police Department CSA garage, the tan duffel bag currently secured at the Henderson Police Department Main Station, and Louis' black LG cellular phone which had been in Sean's possession and was currently secured with Sean's property at the Henderson Detention Center. The search warrant was reviewed and approved by Clark County Deputy District Attorney Marc DiGiacomo and then reviewed and signed by the Honorable Henderson Justice Court Judge David Gibson Sr.

On 10/29/2020 the search warrant was served on the items previously listed. The following items were located in the tan canvas bag: black Fuel motorcycle helmet, Winchester Model 12 .20 gauge shot gun (SN: 1291469), Federal Ammunition Hi-Brass .20 gauge ammunition live rounds (25 count), Surefire tactical light w/ mount, vice grips, Lenovo Laptop, and a Grace USA chisel tool.

Due to the above stated facts, specifically that fact that Sean is a convicted felon and currently P&P Priority 5 and the fact that Sean fled from Officers while in possession of the tan canvas bag which contained a Winchester Model 12 .20 gauge shotgun and 25 live rounds, I determined that there was probable cause to arrest Sean for NRS 202.360 Ex-felon Possess Firearm. Due to the fact that Sean is in custody at the Henderson Detention Center I arrested him at that location for this additional charge.

# Henderson Police Department

223 Lead Street, Henderson Nevada 89015

## Declaration of Arrest

DR#: 20-18994

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

Page 4 of 4

Lippisch, K.  
Declarant's Name

PA 126  
AA001364



1 JUSTICE COURT, HENDERSON TOWNSHIP  
2 CLARK COUNTY, NEVADA

3 THE STATE OF NEVADA,

4 Plaintiff,

5 -vs-

6 SEAN RODNEY ORTH

7 Defendant.

CASE NO: 20CRH001571

DEPT NO:

DA CASE NO: 202047706C

8 AMENDED  
9 CRIMINAL COMPLAINT

10 The Defendant above named having committed the crimes of OWNERSHIP OR  
11 POSSESSION OF FIREARM BY PROHIBITED PERSON (Category B Felony - NRS  
12 202.360 - NOC 51460) and STOP REQUIRED ON SIGNAL OF POLICE OFFICER  
13 (Category B Felony - NRS 484B.550.3b - NOC 53833), in the manner following, to wit: That  
14 the said Defendant, on or about the 3rd day of November, 2020, at and within the County of  
15 Clark, State of Nevada,

16 COUNT 1 - OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON

17 did willfully, unlawfully, and feloniously own, or have in his possession and/or under  
18 his custody or control, a firearm, to wit: a Winchester, bearing Serial No. 1291469, the  
19 Defendant being a convicted felon, having in 2007, been convicted of Robbery with a Deadly  
20 Weapon, Possession of Firearm by Prohibited Person, and/or Evade a Police Officer, in Case  
21 No. unknown, Washoe County, felonies under the laws of the State of Nevada.

22 COUNT 2 - STOP REQUIRED ON SIGNAL OF POLICE OFFICER

23 did while driving a motor vehicle in the area of 981 Whitney Ranch, Clark County,  
24 Nevada, willfully, unlawfully, and feloniously fail or refuse to bring said vehicle to a stop, or  
25 otherwise flee or attempt to elude a peace officer in a readily identifiable vehicle of any police  
26 department or regulatory agency, specifically HPD Officers P. Duffy and/or B. Brink and/or  
27 J. Hehn, after being given a signal to bring the vehicle to a stop, and did operate said motor  
28 vehicle in a manner which endangered, or was likely to endanger any person other than

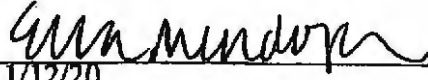
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PA at 127

1001365  
JAN 5 2021

1 himself/herself or the property of any person other than himself.

2 All of which is contrary to the form, force and effect of Statutes in such cases made and  
3 provided and against the peace and dignity of the State of Nevada. Said Complainant makes  
4 this declaration subject to the penalty of perjury.

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28 HPD EV# 2018994  
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PA 128

AA001366

1 STEVEN B. WOLFSON  
2 Clark County District Attorney  
3 Nevada Bar #001565  
4 ERIKA MENDOZA  
5 Chief Deputy District Attorney  
6 Nevada Bar #12520  
7 200 Lewis Avenue  
8 Las Vegas, Nevada 89155-2212  
9 (702) 671-2500  
10 Attorney for Plaintiff

11 JUSTICE COURT, HENDERSON TOWNSHIP  
12 CLARK COUNTY, NEVADA

13 THE STATE OF NEVADA,  
14  
15 Plaintiff,

16 -vs-

17 SEAN ORTH,  
18 #6111549

19 Defendant.

CASE NO: 20CRH001571

DEPT NO: 1

20 **STATE'S NOTICE OF MOTION AND MOTION TO CONTINUE**

21 DATE OF HEARING: NOVEMBER 17, 2020  
22 TIME OF HEARING: 9:30 A.M.

23 TO: SEAN ORTH, Defendant; and

24 TO: KARA SIMMONS, Attorney for Defendant

25 YOU, AND EACH OF YOU WILL PLEASE TAKE NOTICE that the State  
26 respectfully moves this Court to continue the above entitled case.

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1 This Motion, which will be heard in Justice Court on the 17th day of November, 2020,  
2 at 9:30 o'clock, A.M., is based upon Hill v. Sheriff of Clark County, 85 Nev. 234 (1969), and  
3 is supported by the following Affidavit.

4 DATED this 17 day of November, 2020.

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

8 BY Erika Mendoza  
9 ERIKA MENDOZA  
10 Chief Deputy District Attorney  
11 Nevada Bar #12520  
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AFFIDAVIT

STATE OF NEVADA }  
COUNTY OF CLARK } ss:

ERIKA MENDOZA, being first duly sworn, deposes and says:

1. That Detectives Kevin Lapeer and/or Dennis Ozawa are witnesses for the State of Nevada in this matter; that their present address is with the Henderson Police Department;

2. That the following efforts were made to procure the attendance of these witnesses at the preliminary hearing scheduled in this matter for NOVEMBER 17, 2020; that a subpoena was issued on or about November 12, 2020; that the undersigned delivered said subpoenas to the above officers on November 12, 2020; on November 12, 2020 K. Lapeer informed the undersigned that he is unavailable for the preliminary hearing as he has a previously scheduled mandatory training class scheduled at a time that would conflict with the hearing; on November 16, 2020 D. Ozawa informed the undersigned that he is unavailable for the preliminary hearing as he will be out of town on vacation;

3. That K. Lapeer and/or D. Ozawa are essential witnesses in that Defendant is charged with Possession of a Firearm by a Prohibited Person and K. Lapeer and D. Ozawa were the officers who discovered the firearm; that to affiant's present knowledge there is no other witness who could so testify;

4. That said witnesses will be available to testify after at a later date; that it will be necessary to seek a continuance in this matter due to the unavailability of these witnesses; that affiant first learned on November 16, 2020, that these witnesses would not be available to testify at the scheduled preliminary hearing;

5. That this Motion is made in good faith and not for the purpose of delay.  
I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/17/20  
(Date)

Erika Mendoza  
(Signature)

TRAN

CASE NO. C352701-1

IN THE JUSTICE'S COURT OF HENDERSON TOWNSHIP  
COUNTY OF CLARK, STATE OF NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

SEAN RODNEY ORTH,

Defendant.

CASE NO. 20CRH001571

REPORTER'S TRANSCRIPT

OF

CONTINUATION OF PRELIMINARY HEARING  
BEFORE THE HONORABLE SAMUEL G. BATEMAN  
JUSTICE OF THE PEACE

TUESDAY, NOVEMBER 17, 2020

APPEARANCES:

For the State: ERIKA MENDOZA  
Chief Deputy District Attorney

For the Defendant: IN PROPER PERSON

Standby Counsel: KARA SIMMONS  
Deputy Public Defender

Reported by: Lisa Brenske, CCR #186

HENDERSON, NEVADA, NOVEMBER 17, 2020

\* \* \* \* \*

THE COURT: Sean Orth, 20CRH1571.

On the preliminary hearing calendar. Is it on or off? Is that yours, Miss Simmons?

MS. SIMMONS: Your Honor, apparently our office was appointed as standby counsel. Mr. Orth did a Faretta motion and he was allowed to represent himself. But I have been assisting him, and the district attorney provided me with the motion that I provided him this morning.

THE COURT: Okay.

MS. MENDOZA: Your Honor, that's correct. I also filed an amended criminal complaint adding stop required on signal of a police officer which I provided to Miss Simmons last week.

THE COURT: Okay. So I didn't realize this. So hang on one second.

Is it Mr. Orth?

THE DEFENDANT: Yes, sir.

THE COURT: Looks like you decided you wanted to represent yourself; is that correct?

THE DEFENDANT: Yes, your Honor.

:52AM 1 THE COURT: And they appointed the public  
2 defender as standby to help out.

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Have you had any contact  
:52AM 5 with -- I don't want you to tell me what you talked  
6 about. Have you been in communication with  
7 Miss Simmons?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Miss Mendoza, were you in  
:52AM 10 communication with Miss Simmons about the continuance?

11 MS. MENDOZA: Your Honor, I didn't learn  
12 that I was going to need the continuance until after I  
13 talked to Miss Simmons yesterday at which point I knew  
14 she wasn't going to be able to get ahold of Mr. Orth  
:53AM 15 again. So I just gave her the Hill motion this  
16 morning.

17 THE COURT: So what's happened this  
18 morning, Mr. Orth, it looks like the DA's office is  
19 filing an amended criminal complaint. Do you have a  
:53AM 20 copy of that?

21 THE DEFENDANT: I do.

22 THE COURT: And you added a stop required;  
23 is that right?

24 MS. MENDOZA: Yes.

:53AM 25 THE COURT: So it looks like they added

:53AM 1 Count 2. And then they also filed a motion to continue  
2 the preliminary hearing.

3 So it looks like you're missing Mr. Lapeer  
4 and Mr. Ozawa; is that correct?

:53AM 5 MS. MENDOZA: Correct.

6 THE COURT: Do you have a copy of the  
7 motion?

8 THE DEFENDANT: I do, sir.

9 THE COURT: Looks like scheduling

:54AM 10 conflicts. One is in training and one is actually out  
11 of the jurisdiction. Do you have any opposition to the  
12 motion at this point, Mr. Orth, or did you want to  
13 communicate with Miss Simmons a little bit this  
14 morning?

:54AM 15 Did you have a chance to talk to him at  
16 all?

17 MS. SIMMONS: I did.

18 THE COURT: You did talk to Miss Simmons?

19 THE DEFENDANT: Yes. And I'd like to

:54AM 20 respond.

21 THE COURT: Go ahead.

22 THE DEFENDANT: The Nevada Supreme Court  
23 made it clear in Sheriff Nye County versus Davis which  
24 I have a copy for you, your Honor.

:54AM 25 THE COURT: Do you have a copy of this,

:54AM 1 Ms. Mendoza?

2 THE DEFENDANT: I apologize. I just  
3 received a copy from my attorney so I didn't get a  
4 chance to give it to Miss Mendoza.

:54AM 5 THE COURT: Off the top of my head I'm not  
6 familiar with it. What's your argument based on this  
7 case?

8 THE DEFENDANT: Well, here is the  
9 argument, your Honor. First I would like to address  
:54AM 10 the motion for continuance.

11 THE COURT: That's what I want you to  
12 address.

13 THE DEFENDANT: Under Nevada Supreme Court  
14 stated in Nye County versus Davis that in order for a  
:55AM 15 preliminary examination to be continued, the prosecutor  
16 has the obligation of making a motion within five days  
17 under NRS 178.478 and/or the requirements of Hill  
18 versus Sheriff which I'm sure the Court is familiar  
19 with.

:55AM 20 THE COURT: That's what this motion is.  
21 So their argument is this motion is based on Hill.

22 THE DEFENDANT: I don't mean to interrupt.

23 THE COURT: No, no. Go ahead.

24 THE DEFENDANT: So she's making a Hill

:55AM 25 motion. The problem is, your Honor, she can't satisfy



1 the Bustos section of it -- the Bustos part of it.  
2 Our Supreme Court has said that DCR 14 of the District  
3 Court does apply in preliminary examinations and that  
4 the district attorney is required to show cause to make  
5 motion on short notice. The district attorney just  
6 said she was not aware of the unavailability of these  
7 witnesses until the 16<sup>th</sup> I believe which was  
8 yesterday, but her affidavit that she has sworn to on  
9 Page 3, line 11 says that on November -- if I may read  
10 it into the record?

11 THE COURT: You got it. She says on  
12 November 12<sup>th</sup> she learned one witness and then on  
13 November 16<sup>th</sup> she learned the other witness.

14 THE DEFENDANT: Correct. So she could  
15 have filed a motion on the 12<sup>th</sup> and we would have had  
16 five days and I could have answered. Today is the  
17 17<sup>th</sup>. So she hasn't shown good cause for that witness.  
18 She's now saying that on November 16<sup>th</sup> yesterday  
19 Officer Ozawa informed the undersigned that he is  
20 unavailable for the preliminary hearing and he will be  
21 out of town on vacation. He was not out of town on  
22 vacation as of yet.

23 Your Honor, these officers have accused me  
24 of a crime that I did not commit. I'm fully capable of  
25 representing this case.



:56AM 1 THE COURT: And I have no problem letting  
2 you represent yourself, Mr. Orth.

3 THE DEFENDANT: Please, I'm not trying to  
4 impress the Court or the district attorney. I'm just  
:57AM 5 trying to state that in the first instance she said  
6 that she did not have notice until the 16<sup>th</sup> and which  
7 is contradicted by the fact that she could have filed a  
8 motion on the 12<sup>th</sup>. And she could have then asked if  
9 Mr. Ozawa was available and could do it himself. So  
:57AM 10 she has not shown good cause to file a motion on short  
11 notice and therefore these charges should be dismissed  
12 with prejudice as the Nevada Supreme Court found in  
13 Sheriff Nye County.

14 I would like to add one last minor thing,  
:57AM 15 your Honor, if you don't mind.

16 THE COURT: Go ahead.

17 THE DEFENDANT: If these officers are  
18 going to plan that their vacation is more important  
19 than my sitting in custody and lockdown in a COVID  
:57AM 20 facility, I would say that that also is not cause to  
21 accuse me of a criminal accusation and bring it before  
22 this Honorable Court and then at the very last second  
23 say, oh, I'm going to be on vacation but I haven't left  
24 yet. Unfortunately, your Honor, I think that the  
:58AM 25 officer may, and I do not mean to disrespect any

:58AM 1 officer, he may have continued his vacation maybe by  
2 one day since he's making these allegations against me.  
3 I do not think there is good cause.

4 And further she has not stated a  
:58AM 5 difference between what these officers would have  
6 testified to and their value to the preliminary  
7 examination which would be part of her cause shown.

8 THE COURT: Okay. Do you have anything  
9 else?

:58AM 10 THE DEFENDANT: No, sir. On that motion.

11 THE COURT: What's your other motion?

12 THE DEFENDANT: Same issue. We have a  
13 motion to amend the criminal complaint. Objection.  
14 She could have filed this amended complaint with five  
:58AM 15 days' notice. Again she did not file it. She's trying  
16 to give me a surprise motion now. I've already pleaded  
17 to obstruct resist based upon the plea. So the now  
18 evade will be a double jeopardy claim and I would just  
19 like to -- excuse me.

:59AM 20 THE COURT: I'm going to have you sit down  
21 for one second. There's a lot going on.

22 Do you need to get anywhere else, Miss  
23 Mendoza, or can you hang around?

24 MS. MENDOZA: No, I can.

:59AM 25 THE COURT: I will give you these to