

1 PLAINTIFF: Ms. Hope  
2 WITNESS: Richard Taylor  
3 COURT:  
4 DEFENDANT: Ms. Carlson

5  
6 WARM UP

7 Q. BY MS. HOPE: Actually, I don't believe we have  
8 any more motions this afternoon, your Honor.

9 THE COURT: All right. Does the defense have any  
10 motion or any issue that / it wants to bring to the  
11 Court's attention?

12 MS. CARLSON: No, your Honor. Thank you. We are  
13 ready to proceed with the next witness.

14 THE COURT: All right. Just / so the record is clear,  
15 do both parties stipulate that the two exhibits we were  
16 discussing may remain on the bulletin board at this time?/

17 MS. HOPE: Yes, that's fine with me. So stipulate.

18 MS. CARLSON: The defense stipulates to that, your  
19 Honor.

20 THE COURT: All right. Thank you.  
21 Call your next witness.

22 MS. HOPE: Thank you, your / Honor.

23 People call Officer Taylor to the stand.

24 MS. CARLSON: May I inquire, is this the last witness?

25 MS. HOPE: Probably for today, yes.

26 MS. CARLSON: All right. Thank you.

1 THE COURT: Please / state your full name for the  
2 record and spell your last name.

3 THE WITNESS: My legal name is Richard Taylor, spelled  
4 T-A-Y-L-O-R. /

5 THE COURT: Thank you. Please be seated.  
6 You may proceed.

7 DIRECT EXAMINATION

8 Q. BY MS. HOPE: Officer Taylor, thank you for  
9 returning this afternoon. We only have a couple areas of  
10 questioning for / you.

11 A. That's okay. I'm very sorry you had to wait for  
12 me. I was called out this morning, and it took a little  
13 longer than \*/ I expected.

14 THE COURT: Officer, no need to apologize. We had  
15 other business we needed to conduct. But thank you for  
16 your efforts to be here.

17 Proceed. /

18 Q. BY MS. HOPE: I want to start by asking you about  
19 your interview with Mrs. Gomez in May of 2012. Do you  
20 have the date of / that interview?

21 A. I believe it was May 23rd, but I would have to  
22 check my report to make sure.

23 Q. Do you recall how many times / you interviewed  
24 Mrs. Gomez regarding this incident?

25 A. To my recollection, it was four times. I first  
26 spoke with her on the night her husband was / shot. I

1 interviewed her the next day and then twice in May of  
2 2012. I think the 23rd and the 24th.

3 Q. The first / time you spoke with her, would you  
4 consider that an interview?

5 A. No, I would not. I just identified her as the  
6 victim's wife and got / a few brief details of the  
7 evening.

8 Q. How long do you believe that conversation lasted?

9 A. Approximately ten minutes. I spoke to her when I  
10 arrived / and as the paramedics were attending to her  
11 husband.

12 Q. And was Mr. Gomez, the victim in the case,  
13 transported to a hospital?

14 A. Yes, he was. \*/

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\*\*END OF WARM UP\*\*

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1 EXAM

2 Q. BY MS. HOPE: Did his wife accompany him to the  
3 hospital?

4 A. Yes, she did. She had her two children with her,  
5 and she followed the ambulance to the / hospital.

6 Q. Did you transport them to the hospital?

7 A. No. I remained at the scene to start my  
8 investigation. There was another officer who made sure /  
9 they got there safely.

10 Q. Do you remember who that officer was?

11 A. No, I'm sorry, I don't.

12 Q. Would reading a report or any notes refresh your  
13 / recollection on that point?

14 A. I don't believe so. I know it is not in my  
15 report, but it may be in someone else's. I am / sorry, I  
16 don't recall that.

17 Q. As the lead investigator, have you reviewed all  
18 the reports in this case?

19 A. Yes, I have. I don't recall seeing / that fact.

20 MS. CARLSON: Counsel, we can stipulate that Mrs.  
21 Gomez and her two children were taken to the hospital by  
22 Sergeant Adams.

23 THE COURT: If I could clarify. / Do you mean they  
24 were in the police car or in their own car?

25 MS. CARLSON: My belief is that the sergeant actually  
26 drove them to the / hospital, your Honor.

1 THE COURT: Is that a stipulation?

2 MS. HOPE: Yes, it is. Thank you.

3 MS. CARLSON: And we further stipulate the sergeant  
4 did not write a report about that \*/ fact.

5 THE COURT: All right. Let's proceed.

6 Q. BY MS. HOPE: Officer, did you interview either  
7 of them at the hospital after this incident?

8 A. I went to the hospital to check / on the victim.  
9 He was sleeping but was stable. I saw his wife there and  
10 gave her my card, requested her to telephone me the / next  
11 day so I could speak with her.

12 Q. Did she comply with that request?

13 A. She did. I spoke to her and interviewed her  
14 about what / she had seen that night.

15 Q. Just to clarify your earlier testimony. You  
16 testified Mr. Gomez was still at the scene when you  
17 arrived; is that / correct?

18 A. Yes, it is.

19 Q. Did you notice what his injuries were when you  
20 arrived?

21 A. He was sitting on the pavement in the middle of  
22 the / parking lot and holding his ear. I saw blood, and  
23 it appeared he had some substantial injuries to the side  
24 of his head.

25 Q. When you / spoke with Mrs. Gomez initially that  
26 evening, what did she tell you she observed?

1           A.     She was returning downstairs to meet her husband  
2 in the parking / lot.   He was waiting for her.

3           They were planning to go to dinner, but she had  
4 forgotten something upstairs and went back to retrieve  
5 it.\*/  
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1 START TYPING

2 Q. BY MS. HOPE: How long was she upstairs?

3 A. She reported she only was absent for as much time  
4 as it would take to quickly walk to her apartment / from  
5 the parking lot. The children remained in the pickup with  
6 their father so she could make the trip faster.

7 Q. Did you ever observe the / children when you  
8 arrived at the scene?

9 A. Eventually, I did. They were with their mother  
10 while I was speaking with her.

11 Q. What ages are the / children?

12 A. I understood at that time they were 13 and 15.

13 Q. And I don't believe we asked you previously, but  
14 did you interview the children / that night?

15 A. No, I did not. I got the information I needed  
16 from the adults who were there.

17 Q. All right. What did Mrs. Gomez observe / when  
18 she returned back to the pickup?

19 A. She was hurrying back to the parking lot, and as  
20 she came around the corner she heard two / loud pops. She  
21 wasn't sure initially what they were when she heard them.  
22 But as she approached her husband on the pavement and  
23 discovered he / was bleeding, she realized they were  
24 gunshots.

25 Q. Where were the children when she came around the  
26 corner?

1 A. She related to me that she didn't see \*/ her  
2 children until after the car was driving away. She  
3 thought they were inside the truck, but they were not.

4 Q. Did she also inquire where / they ran off to?

5 MS. CARLSON: Objection. Calls for hearsay.

6 THE COURT: Sustained.

7 MS. CARLSON: Also assumes facts not in evidence.

8 THE COURT: Sustained.

9 Q. BY MS. HOPE: Officer, I'll come back to that.

10 You testified previously / that Mrs. Gomez saw their  
11 pickup being driven out of the parking lot. Did she see  
12 in which direction the pickup drove off?

13 A. She said / that it traveled left out of the  
14 parking lot, and she lost sight of it after a few seconds.

15 Q. Did she observe who was driving / the truck?

16 A. No. She only saw two people in the cab of the  
17 pickup but said she did not recognize them.

18 Q. Did she ask her / husband who they were?

19 MS. CARLSON: Objection. Calls for hearsay, your  
20 Honor.

21 THE COURT: Sustained.

22 MS. HOPE: I'm not asking for the truth of the matter  
23 asserted, but just for her / state of mind.

24 THE COURT: It is sustained.

25 Next question.

26 Q. BY MS. HOPE: Let me proceed to your interview



1 with Mr. Gomez in May of 2012. When you / eventually  
2 spoke to him last year, did he provide any more  
3 information than what he had in your initial interview  
4 with him?

5 A. Not very much \*/ more, no. He said that he had  
6 been thinking about it and --

7 MS. CARLSON: Objection. No question pending.

8 THE COURT: Overruled.

9 You may finish your answer.

10 THE WITNESS: Mr. Gomez said / he didn't really have  
11 too much more to add to his description. He did say,  
12 however, that he felt the people looked familiar, but he /  
13 couldn't place them.

14 Q. BY MS. HOPE: On the night of the incident or  
15 shortly thereafter, did he tell anyone from the police  
16 department that he knew who had / shot at him and stolen  
17 his car?

18 A. No. He reported that he didn't know who they  
19 were and didn't know why they would be trying / to hurt  
20 him or his family.

21 Q. Did you ask him where he thought he possibly knew  
22 these people from when you interviewed him again in / May?

23 A. Yes, I did.

24 Q. What was his response?

25 A. He said he believed he had previously seen two of  
26 the men around the neighborhood and that / they were

1 friends of Mr. Cable.

2 Q. Officer, did he identify Mr. Cable for you?

3 A. Yes. He said that Mr. Cable was a coworker and  
4 that / Mr. Cable did not like him. He said they had many  
5 disagreements over the many years they had known each  
6 other.

7 Q. And did you later \*/ ask Mrs. Gomez about a  
8 gentleman named Aaron Cable?

9 A. I did. She told me that she did not know who  
10 that person was and had / never met him or anyone by that  
11 name.

12 MS. HOPE: Thank you. Nothing further.

13 THE COURT: You may proceed when you are ready.

14 MS. CARLSON: Thank you, your Honor. If I / could  
15 have just one moment. Thank you.

16 THE COURT: Sure.

17 CROSS-EXAMINATION

18 Q. BY MS. CARLSON: Now, I just had a few questions  
19 for you regarding your interview with Mr. Warner. Do you  
20 / remember questioning an individual by the name of Tom  
21 Warner?

22 A. Yes, I do.

23 Q. When you interviewed Mr. Warner, did he identify  
24 for you how he / was involved in the incident that  
25 evening?

26 A. Well, I asked him those questions. I was given

1 his name and contact information from one of the /  
2 officers at the scene. I later telephoned Mr. Warner and  
3 then scheduled a convenient time to interview him.

4 Q. Were you informed that Mr. Warner was / a witness  
5 to the events of that evening?

6 A. The information I had was that he was one of the  
7 people who was across the street / at the gas station when  
8 this happened and that he had called 911.

9 Q. Did Mr. Warner verify that information for you,  
10 that he \*/ had called 911 that night?

11 A. Yes. He said there were several people on the  
12 corner when he called 911. When he / realized that other  
13 people were also talking to 911, he hung up.

14 Q. Did Mr. Warner explain to you how he knew Mr.  
15 Gomez? /

16 MS. HOPE: Objection, your Honor. I'm sorry,  
17 withdrawn.

18 THE COURT: Okay.

19 Q. BY MS. CARLSON: Let me lay some background on  
20 that first.

21 A. Okay.

22 Q. In addition to my client, you know that there /  
23 were other people arrested that night in connection with  
24 this offense, correct?

25 A. That's correct.

26 Q. Were you the arresting officer for those other

1 people?

2 A. Not all / of them. I did arrest Mr. Warner,  
3 however.

4 Q. All right. Did you arrest him before you spoke  
5 with him that first time?

6 A. No.

7 Q. All right. / What was the time lapse there, if  
8 you recall?

9 A. I was given his contact information, and I spoke  
10 to him within a day or two / after the incident. He  
11 wasn't arrested until probably three or four months later  
12 when our investigation was wrapping up.

13 Q. And you said that you were / the person who  
14 arrested Mr. Warner?

15 A. Yes. I was in the team that executed a search  
16 warrant at his home. He was arrested at the \*/ conclusion  
17 of that search.

18 Q. And who made the call to arrest Mr. Warner?

19 A. "Made the call?"

20 Q. Whose decision was it to make that arrest?

21 A. It / was mine.

22 Q. All right. I should tell you that we have  
23 previously stipulated that Mr. Warner's case is separate  
24 from this case. Were you aware / of that?

25 A. Yes, I was.

26 Q. And how did you become aware of that information?

1           A.     I believe the D.A. told me that Mr. Warner would  
2 / be tried separately.

3           Q.     And did she tell you why?

4           MS. HOPE:  Objection.  Irrelevant.

5           MS. CARLSON:  I believe it is very relevant that there  
6 are other defendants charged in this / incident, your  
7 Honor.

8           MS. HOPE:  Your Honor, we have already dealt with this  
9 issue in our motions.  It is irrelevant and should not be  
10 addressed at this / time.

11          THE COURT:  Sustained.

12          Next question, please.

13          MS. CARLSON:  Your Honor, am I prohibited from  
14 questioning in that area?

15          THE COURT:  We will discuss it at the recess.

16          Next question, please.  /

17          MS. CARLSON:  All right.  Thank you, your Honor.  I  
18 would like to reserve that issue, if there is no  
19 objection, and come back to it after we / have discussed  
20 it further.

21          THE COURT:  All right.  That's fine.  Do you have  
22 other questions, or are you finished for now?

23          MS. CARLSON:  No.  I have other questions.  I \*/ just  
24 want to be able to discuss that later.

25          MS. HOPE:  No objection.

26          THE COURT:  Let's proceed.

1 Q. BY MS. CARLSON: Sir, you also interviewed my  
2 client; is that correct?

3 A. I have interviewed / your client about five times  
4 regarding this case.

5 Q. All right. And did my client voluntarily speak  
6 to you?

7 A. Yes, he did.

8 Q. Well, I should have / asked you something first.  
9 Was he in custody when you first interviewed him?

10 A. No, he was not.

11 Q. Were you the arresting officer for my client? /

12 A. Yes, I was.

13 Q. Okay.

14 A. I should clarify. I was in the team of officers  
15 who were present when he was arrested.

16 Q. All right. Do you / recall if you were the one  
17 who placed the cuffs on my client and took him into  
18 custody?

19 A. No, I wasn't. Officer Crabtree took him / into  
20 custody and then transported him down to the station.

21 Q. After my client was in custody and you questioned  
22 him -- well, how long was that / interview once my client  
23 was arrested?

24 A. I would guess about two hours, maybe two and a  
25 half.

26 Q. And did you conduct that interview alone?

1           A.    I / was the lead investigator, and therefore I  
2 did the interview.  There were other people in and out of  
3 that room at different times.

4           Q.    Okay.  Now, \*/ does anyone keep a log of who  
5 enters and leaves?

6           A.    I usually keep track in my notepad.  Also, it is  
7 recorded, so they would appear / on videotape if they were  
8 present for any length of time.

9           Q.    Did you ask my client if he knew Mr. Warner?

10          A.    That's correct.

11          Q.    Officer, did / you show my client any photographs  
12 that night?

13          A.    Yes, I did.

14          MS. CARLSON:  Your Honor, I would like to mark some  
15 more exhibits.

16          THE COURT:  All right.

17          MS. CARLSON:  I have / five photographs that I would  
18 like to mark next in order.

19          THE COURT:  Counsel, have you examined the  
20 photographs?

21          MS. HOPE:  I have.  Thank you.  In fact, I provided /  
22 those copies of the booking photos.

23          THE COURT:  All right.  The request is to mark them  
24 for identification at this time?

25          MS. CARLSON:  Yes, your Honor, to mark them / as  
26 Exhibits F through J.

1 THE COURT: They are so marked.

2 MS. CARLSON: May I approach the witness?

3 THE COURT: You may.

4 Q. BY MS. CARLSON: Sir, I want to show you these  
5 photos and / see if you recognize who these men are.

6 A. All right.

7 Q. Do any of these men look familiar?

8 A. They all do.

9 Q. Who are they?

10 A. Tom Warner, / Jason Perez, Michael Blackburn,  
11 your client, and Mr. Gomez.

12 Q. You interviewed all these people; is that  
13 correct?

14 A. Yes.

15 MS. HOPE: Objection. Irrelevant.

16 MS. CARLSON: I wanted on the record \*/ how it is he  
17 recognized them, but I can go through them individually.

18 THE COURT: Do you still object?

19 MS. HOPE: No, sir. I'm sorry. The objection is  
20 withdrawn. /

21 THE COURT: All right.

22 MS. HOPE: Your Honor, we will stipulate to the names.

23 MS. CARLSON: That's fine.

24 THE COURT: All right. Stipulation is accepted.

25 MS. CARLSON: Nothing further. But I'll have some  
26 questions for / after the break.



1 THE COURT: Any redirect?

2 MS. HOPE: Yes, your Honor.

3 THE COURT: Proceed.

4 REDIRECT EXAMINATION

5 Q. BY MS. HOPE: When you interviewed Jason Perez,  
6 did he admit to you that he was involved in the / shooting  
7 of Mr. Gomez that evening?

8 A. Yes, he did.

9 Q. Did he explain to you how he became involved?

10 A. Yes, he did.

11 Q. Please tell us how. /

12 A. Mr. Warner had called him and asked if he was  
13 available for some work. He agreed and was then given  
14 directions on where to meet / later that evening.

15 Q. And where was that?

16 A. It was at the gas station located on the corner  
17 of Broadway and Main.

18 Q. Is that the gas / station that's across the  
19 street from where Mr. Gomez was shot?

20 A. Correct.

21 Q. Is that also the gas station where Mr. Warner was  
22 that evening after / the shooting?

23 A. Yes.

24 Q. Briefly tell us what Mr. Perez believed was going  
25 to happen that night.

26 MS. CARLSON: Objection. Hearsay.

1 THE COURT: Overruled.

2 You may answer the question with \*/ what Mr. Perez  
3 told you, not what someone told him.

4 THE WITNESS: Okay. I understand completely.

5 He directly reported to me they were waiting for Mr.  
6 Gomez / to arrive home and that they were going to take  
7 his pickup and beat him up.

8 Q. BY MS. HOPE: Did Mr. Perez explain to you how  
9 many people / were to be involved in this attack?

10 A. There were six people who were at the gas  
11 station. He explained that two of them left, but / the  
12 rest of them drove across the street and waited in the  
13 parking lot for Mr. Gomez to arrive.

14 Q. Was there any discussion about how / they were  
15 going to perform the attack on Mr. Gomez?

16 MS. CARLSON: Objection. Argumentative.

17 THE COURT: Sustained.

18 Q. BY MS. HOPE: Was there any mention of a weapon?

19 A. No, ma'am. They were just / supposed to beat him  
20 up and take his truck.

21 Q. Did he tell you if he knew Mr. Gomez before that  
22 day?

23 A. He said that he / did not.

24 Q. Did he tell you if the defendant here knew Mr.  
25 Gomez before that night?

26 MS. CARLSON: Objection. Calls for hearsay.

1 THE COURT: Overruled.

2 Q. BY MS. HOPE: Did the defendant know / Mr. Gomez  
3 before that night?

4 A. They knew each other from work. Also, both men  
5 had dated the same woman at one time many years ago. \*/

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***\*\*\*EACH EXAM VARIES. THE ACTUAL TEST GIVEN MAY BE  
12 SLIGHTLY DIFFERENT\*\*\****

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