

1 THE GRAND JURY OF THE COUNTY OF LOS ANGELES  
2 STATE OF CALIFORNIA  
3

4 THE PEOPLE OF THE STATE OF CALIFORNIA, )

5 PLAINTIFF, )

6 VS. )

7 01 ERIC RONALD HOLDER JR., )

8 DEFENDANT. )

NO. BA475908

9  
10  
11 REPORTER'S TRANSCRIPT OF GRAND JURY PROCEEDINGS  
12 MAY 8 & 9, 2019  
13  
14

15 APPEARANCES:

16 JOHN MC KINNEY, DEPUTY DISTRICT ATTORNEY OF THE  
17 COUNTY OF LOS ANGELES, REPRESENTING THE OFFICE  
OF THE DISTRICT ATTORNEY.

18 VALERIE AENLLE-ROCHA, DEPUTY DISTRICT ATTORNEY  
19 OF LOS ANGELES COUNTY AND LOS ANGELES COUNTY  
GRAND JURY ADVISOR.

20 RENE' MARIE EVANKO, CSR #6404, DULY APPOINTED  
21 AND SWORN AS THE OFFICIAL STENOGRAPHIC REPORTER  
OF THE LOS ANGELES COUNTY GRAND JURY.  
22  
23  
24  
25

26 VOLUME 3 OF 3 VOLUMES  
27 PAGES 338 THROUGH 515, INCL.  
28

**COPY**

RENE' MARIE EVANKO, CSR #6404  
OFFICIAL REPORTER

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27 AT PAGE 484.)

28

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, MAY 8, 2019

2 9:30 A.M.

3 -000-

4  
5 (AT THE BEGINNING OF THE PROCEEDINGS,  
6 23 GRAND JURORS WERE PRESENT.)  
7

8 MS. AENLLE-ROCHA: GOOD MORNING, MADAM FOREPERSON.

9 THE FOREPERSON: GOOD MORNING.

10 MS. AENLLE-ROCHA: WOULD YOU PLEASE CALL THIS GRAND  
11 JURY HEARING TO ORDER. SO ORDERED?

12 THE FOREPERSON: SO ORDERED.

13 MS. AENLLE-ROCHA: THANK YOU.

14 WOULD THE SECRETARY PLEASE CALL THE ROLL.  
15

16 (THE SECRETARY CALLED THE ROLL.)  
17

18 MS. AENLLE-ROCHA: THANK YOU.

19 PLEASE LET THE RECORD REFLECT THAT THERE  
20 ARE 23 GRAND JURORS PRESENT. ALSO PRESENT IS DEPUTY  
21 DISTRICT ATTORNEY JOHN MC KINNEY AND MYSELF, THE GRAND  
22 JURY LEGAL ADVISOR.

23 AND LET'S PLEASE RECALL WITNESS #1.  
24

25 (THE WITNESS ENTERED THE GRAND JURY  
26 HEARING ROOM.)  
27

28 MS. AENLLE-ROCHA: GOOD MORNING.

1 THE WITNESS: GOOD MORNING.

2 MS. AENLLE-ROCHA: GO AHEAD AND SIT DOWN.

3 THE WITNESS: ALL RIGHT.

4 MS. AENLLE-ROCHA: AND THE FOREPERSON'S GOING TO  
5 REMIND YOU OF YOUR OATH.

6

7

8 WITNESS #1,

9 CALLED AS A WITNESS BEFORE THE GRAND JURY  
10 OF THE COUNTY OF LOS ANGELES, HAVING BEEN  
11 PREVIOUSLY SWORN, RESUMED THE STAND AND  
12 TESTIFIED FURTHER AS FOLLOWS:

13

14 THE FOREPERSON: YOU WILL RECALL THAT YOU HAVE  
15 PREVIOUSLY BEEN SWORN AND ARE STILL UNDER OATH.

16 THE WITNESS: YES.

17 MS. AENLLE-ROCHA: THANK YOU. AND THIS IS WITNESS  
18 #1, CORRECT?

19 THE WITNESS: CORRECT.

20 MS. AENLLE-ROCHA: ALL RIGHT.

21 DO YOU REMEMBER ALL THE ADMONITIONS I  
22 ADVISED YOU OF AND EVERYTHING I SAID ABOUT YOUR LAWYER,  
23 YOUR ABILITY TO LEAVE IF YOU NEED TO SPEAK WITH HIM IF YOU  
24 HAVE ANY QUESTIONS?

25 THE WITNESS: YES.

26 MS. AENLLE-ROCHA: OKAY. AND YOU DIDN'T BRING YOUR  
27 CELL PHONE IN, RIGHT?

28 THE WITNESS: NO.

1 MS. AENLLE-ROCHA: AND YOU DON'T HAVE A RECORDING  
2 DEVICE ON YOU, CORRECT?

3 THE WITNESS: CORRECT.

4 MS. AENLLE-ROCHA: ALL RIGHT.

5 MADAM FOREPERSON, WITH YOUR PERMISSION, MAY  
6 MR. MC KINNEY PROCEED?

7 THE FOREPERSON: YES.  
8  
9

10 EXAMINATION

11 (RESUMED)  
12

13 BY MR. MC KINNEY:

14 Q ALL RIGHT. GOOD MORNING.

15 A GOOD MORNING.

16 Q CAN YOU TAKE A LOOK AT GRAND JURY EXHIBIT  
17 NUMBER 21?

18 A YES.

19 Q DO YOU RECOGNIZE --

20 MS. AENLLE-ROCHA: IF IT'S STRAIGHT UP -- OKAY.

21 THE WITNESS: OKAY.

22 MS. AENLLE-ROCHA: PERFECT, MADAM FOREPERSON.

23 THANK YOU.

24 BY MR. MC KINNEY:

25 Q DO YOU RECOGNIZE WHAT'S SHOWN IN THIS  
26 PHOTOGRAPH?

27 A YES.

28 Q OKAY. DOES THIS PHOTOGRAPH SHOW WHERE YOUR

1 CAR WAS WHEN YOU PULLED INTO THE PARKING LOT OF THE FAT  
2 BURGER WHERE YOU TESTIFIED YOU INITIALLY STOPPED WHILE  
3 ERIC HOLDER STARTED EATING SOME FOOD?

4 A YES.

5 Q CAN YOU POINT THAT OUT FOR US USING THAT  
6 POINTER IN FRONT OF YOU?

7 OKAY. YOU'RE POINTING TO A PARKING LOT ON  
8 THE RIGHT SIDE OF THE ALLEY, APPEARS TO BE THE PARKING LOT  
9 FOR THE BUSINESS MARKED "FAT BURGER," AND YOU'RE POINTING  
10 TO AN AREA JUST SORT OF NORTH OF THE MIDDLE OF THE PARKING  
11 LOT AND JUST ABOUT THE MIDDLE OF THE PARKING LOT EAST AND  
12 WEST.

13 OKAY. WERE YOU IN A PARKING STALL THERE?

14 A I KIND OF JUST REMEMBER LIKE THIS PART  
15 RIGHT HERE. I KNOW I WASN'T TOO CLOSE RIGHT HERE, BUT I  
16 KNOW I WAS LIKE SOMEWHERE RIGHT UP IN HERE.

17 Q WHEN YOU SAY, "I KNOW I WASN'T TOO CLOSE  
18 RIGHT HERE," YOU MEAN YOU WEREN'T TOO CLOSE TO THE WINDOW  
19 WHERE FOOD IS PASSED OUT OF THE FAT BURGER, CORRECT?

20 A CORRECT.

21 Q SO YOU WERE SOMEWHERE SOUTH OF THAT  
22 LOCATION.

23 APPROXIMATELY HOW MANY CAR LENGTHS AWAY  
24 FROM THE BUILDING WERE YOU?

25 A WHAT DO YOU MEAN WHEN YOU ASK ME THAT?

26 Q HOW ABOUT FEET?

27 CAN YOU POINT TO SOMETHING IN THIS ROOM OR  
28 CAN YOU TELL US ABOUT HOW MANY FEET AWAY YOU WERE FROM THE

1 BUILDING?

2 A ONE FEET.

3 Q OKAY.

4 MS. AENLLE-ROCHA: ONE -- ONE FOOT'S ABOUT THIS.  
5 THIS IS ONE FOOT.

6 THE WITNESS: OKAY.

7 MS. AENLLE-ROCHA: AND I'M SHOWING YOU A RULER.

8 BY MR. MC KINNEY:

9 Q YOU HAVE A HARD TIME WITH DISTANCES?

10 A YES.

11 Q OKAY. SO LET ME TELL YOU WHAT A CAR LENGTH  
12 IS AND SEE IF THAT HELPS.

13 DO YOU SEE THE CARS IN THOSE PARKING STALLS  
14 DOWN AT THE BOTTOM OF THE PARKING LOT? DO YOU SEE HOW  
15 THEY'RE PARKED?

16 A YES.

17 Q YES. SO IF THAT CAR WAS IN THE SAME  
18 POSITION, BUT IT WAS UP AGAINST THE BUILDING OF THE FAT  
19 BURGER -- LET ME SHOW YOU WITH THE POINTER.

20 SO A CAR LENGTH IS THE LENGTH OF ONE CAR  
21 FROM THE HOOD TO THE TRUNK. THAT'S A CAR LENGTH. DO YOU  
22 UNDERSTAND THAT?

23 A I UNDERSTAND THAT.

24 Q SO WHEN I ASK YOU HOW FAR YOU WERE AWAY  
25 FROM THE BUILDING, I'M ASKING YOU IF CARS WERE LEANED UP  
26 FROM TRUNK TO HOOD, HOW MANY CARS AWAY FROM THE BUILDING  
27 WERE YOU?

28 DO YOU UNDERSTAND THE QUESTION?

1           A           LIKE HOW MANY CARS WAS LIKE IN THAT -- IN  
2           THAT AREA WHERE I WAS AT PARKED?

3           Q           NO. I'M ASKING YOU DISTANCE. IF -- FROM  
4           WHERE YOU WERE STOPPED, I'M TRYING TO FIND OUT HOW CLOSE  
5           YOU WERE TO THE BUILDING OF THE FAT BURGER.

6                        SO FROM WHERE YOU WERE STOPPED, IF CARS  
7           WERE LINED UP BETWEEN WHERE YOU WERE AND THE BUILDING, HOW  
8           MANY CARS WOULD IT TAKE TO GET THERE?

9                        DO YOU UNDERSTAND THE QUESTION?

10          A           NO.

11          Q           ALL RIGHT. FORGET THE QUESTION.

12                       YOUR TESTIMONY IS YOU WERE APPROXIMATELY  
13          STOPPED IN THE MIDDLE OF THIS PARKING LOT EAST TO WEST AND  
14          A LITTLE BIT NORTH OF THE MIDLINE, SO IN FRONT OF THIS  
15          GRAY LINE OR DRAINAGE LINE THAT RUNS THROUGH THE PARKING  
16          LOT. YOU WERE SOMEWHERE ON THIS SIDE OF THAT, CORRECT?

17          A           CORRECT.

18          Q           MEANING CLOSER TO THE FAT BURGER; IS THAT  
19          RIGHT?

20          A           RIGHT.

21          Q           YOU TESTIFIED THAT HE STARTED EATING FOOD  
22          THERE; IS THAT RIGHT?

23          A           THAT'S RIGHT.

24          Q           AND THEN YOU MOVED YOUR CAR THROUGH THE  
25          PARKING LOT INTO THIS ALLEY TOWARD 58TH PLACE, CORRECT?

26          A           CORRECT.

27          Q           WHEN DID HE GET OUT OF YOUR CAR?

28          A           HE GOT OUT OF MY CAR WHEN -- WHEN I



1 STOPPED. HE WAS TALKING TO ME AT THE TIME TELLING ME THAT  
2 HE WANTED TO GO GET SOMETHING --

3 Q LET ME STOP YOU. JUST LISTEN TO THE  
4 QUESTION.

5 A ALL RIGHT.

6 Q OKAY?

7 WHERE WAS YOUR CAR WHEN HE GOT OUT OF IT?

8 A IT WAS LIKE RIGHT THERE BEFORE THE  
9 DRIVEWAY. LIKE I WAS ABOUT TO GET READY TO LEAVE, BUT I  
10 WAS RIGHT THERE LIKE --

11 Q IS IT RIGHT WHERE I HAVE THE CURSOR?

12 A UP A LITTLE BIT.

13 Q RIGHT THERE?

14 A YES.

15 Q OKAY. SO YOU WERE IN FRONT OF THE DRIVEWAY  
16 THAT LEADS TO 58TH PLACE, A FEW FEET IN FRONT OF THAT,  
17 CORRECT?

18 A CORRECT.

19 Q IS THAT WHERE HE GOT OUT OF YOUR CAR?

20 A YES.

21 Q IS THAT WHERE YOU TESTIFIED HE SAID, "WAIT  
22 HERE. I'LL BE RIGHT BACK"?

23 A RIGHT.

24 Q AND DID YOU SEE HIM WALK OFF NORTHBOUND,  
25 THAT WOULD BE TOWARD THE TOP OF THIS PHOTO, WITH HIS FOOD  
26 CONTAINER IN HIS HAND?

27 A YES.

28 Q DID YOU SEE ANY GUNS AT THAT POINT?

1 A NO.

2 Q DID YOU SEE WHAT HE DID WITH THE GUN THAT  
3 YOU HAD SEEN HIM MANIPULATING EARLIER?

4 A WHEN HE GOT OUT THE CAR?

5 Q YES.

6 A NO, I DIDN'T SEE IT.

7 MS. AENLLE-ROCHA: DID YOU SEE ANY GUNS LEFT IN  
8 YOUR CAR WHEN HE GOT OUT WHERE HE WAS SITTING?

9 THE WITNESS: NO.

10 BY MR. MC KINNEY:

11 Q WHEN HE SAID, "I'LL BE RIGHT BACK," DID HE  
12 GIVE YOU ANY OTHER EXPLANATION FOR WHY HE WAS WALKING AWAY  
13 FROM THE CAR OR WHY HE WANTED YOU TO WAIT THERE?

14 A NO.

15 Q DID YOU KNOW WHAT HE WAS GOING TO DO?

16 A NO.

17 Q DID YOU ASK HIM WHAT HE WAS GOING TO DO?

18 A NO.

19 Q WHY NOT?

20 A 'CAUSE HE ALWAYS JUST LEAVE. HE TOLD ME  
21 HE'LL BE RIGHT BACK, SO I JUST -- I JUST DIDN'T ASK HIM  
22 WHERE HE WAS GOING. I JUST ASSUMED THAT MAYBE HE WANTED  
23 TO GO GET SOMETHING FROM THE PLAZA OR SOMETHING LIKE THAT.

24 Q WAS THAT THE FIRST TIME HE EVER TOLD YOU TO  
25 WAIT SOMEWHERE WITHOUT ANY EXPLANATION?

26 A NO.

27 Q HAD HE DONE THAT BEFORE?

28 A YES.

1 Q SO ON THIS OCCASION IS IT YOUR TESTIMONY  
2 THAT THAT DIDN'T SEEM ODD OR STRANGE TO YOU?

3 A YES, IT DIDN'T SEEM ODD AT ALL.

4 Q NOW, AFTER HE WALKED OFF, SOME MINUTES  
5 PASSED AND THEN YOU HEARD GUNSHOTS AND HE CAME RUNNING  
6 BACK, CORRECT?

7 A CORRECT.

8 Q AND THE FIRST PERSON YOU SAW AFTER THE  
9 GUNSHOTS WAS SOME MAN YOU DIDN'T KNOW RUNNING, CORRECT?

10 A CORRECT.

11 Q AND THEN AFTER THAT, HE, ERIC, CAME RUNNING  
12 BACK TO YOUR CAR, CORRECT?

13 A CORRECT.

14 Q NOW, BEFORE HE -- OKAY. YOU TESTIFIED  
15 THAT -- WHEN HE GOT OUT OF YOUR CAR AND WALKED AWAY FROM  
16 YOUR CAR, YOU TESTIFIED THAT YOU DIDN'T KNOW WHY HE WAS  
17 GOING BACK TO THE PLAZA; IS THAT CORRECT?

18 A THAT'S CORRECT.

19 Q DID YOU KNOW HE WAS GOING BACK TO THE  
20 PLAZA?

21 A NO. I JUST WATCHED HIM. WHEN HE GOT OUT  
22 THE CAR, I SEEN HIM WALKING THAT WAY.

23 Q OKAY. AND SO THEN YOU -- WHEN YOU  
24 TESTIFIED THAT HE WAS GOING BACK TO THE PLAZA, THAT WAS  
25 WHAT, AN ASSUMPTION OR JUST BASED ON EVERYTHING YOU KNOW  
26 AFTER THE FACT?

27 A JUST BASED THAT WE WAS THERE SO I WAS JUST  
28 ASSUMING HE WAS GOING BACK THERE.

1 Q OKAY. SO EVEN AT THE TIME YOU ASSUMED HE  
2 WAS GOING BACK THERE?

3 A YES.

4 Q SO HE -- YOU TESTIFIED -- AND I WANT TO GET  
5 BACK TO WHERE WE WERE YESTERDAY -- THAT HE CAME BACK, HE  
6 JUMPED IN THE CAR, AND HE TOLD YOU TO DRIVE, DRIVE,  
7 CORRECT?

8 A CORRECT.

9 Q WAS HE ANGRY AT ALL WHEN HE GOT BACK IN THE  
10 CAR?

11 DID HE SEEM ANGRY TO YOU?

12 A YES. HE SEEMED LIKE HE HAD AN ATTITUDE.

13 Q WAS THAT THE FIRST TIME THAT DAY THAT HE  
14 SEEMED ANGRY OR SEEMED LIKE HE HAD AN ATTITUDE TO YOU?

15 A ON MY WAY GOING HE DIDN'T WANT ME TO TOUCH  
16 HIM ON HIS STOMACH. HE DIDN'T WANT ME TO TOUCH HIM ON OUR  
17 WAY GOING THERE.

18 Q WHAT DO YOU MEAN BY THAT?

19 A I WAS JUST LIKE, "OH," YOU KNOW, "YOU  
20 HUNGRY," YOU KNOW, TOUCH HIS STOMACH, AND THEN HE WAS JUST  
21 LIKE, "DON'T TOUCH ME. YOU BETTER TOUCH ONE OF THEM  
22 DISNEYLAND DUDES," OR WHATEVER. HE MADE A COMMENT ON OUR  
23 WAY GOING.

24 Q OKAY. AND LET ME JUST CLARIFY THAT.  
25 BEFORE YOU PICKED HIM UP THAT DAY YOU TESTIFIED THAT YOU  
26 WERE WORKING. PART OF YOUR WORK HAD TO DO WITH  
27 TRANSPORTING SOMEONE TO DISNEYLAND, CORRECT?

28 A CORRECT.

1 Q ALL RIGHT. AND SO WHEN HE MADE THAT  
2 COMMENT TO YOU ABOUT TOUCHING ONE OF THOSE DISNEYLAND  
3 DUDES, DID IT APPEAR TO YOU THAT HE WAS EXPRESSING SOME --  
4 MAYBE SOME JEALOUSY ABOUT YOU GOING TO DISNEYLAND?

5 A YEAH, MAYBE, 'CAUSE I WENT TO WORK AND THEN  
6 LIKE DIDN'T CHILL WITH HIM THAT DAY BEFORE I WENT TO WORK.

7 Q OKAY. SO YOU TRIED TO TOUCH HIS STOMACH AT  
8 SOME POINT PLAYFULLY AND HE WOULDN'T LET YOU TOUCH HIS  
9 STOMACH?

10 A CORRECT.

11 Q ALL RIGHT. I DON'T REALLY WANT TO GO OFF  
12 IN THAT DIRECTION. I WANT TO GET BACK TO WHAT WAS  
13 HAPPENING AT THIS PLAZA.

14 A ALL RIGHT.

15 Q SO HE GETS BACK IN THE CAR, HE TELLS YOU TO  
16 DRIVE, YOU'VE HEARD THE GUNSHOTS, YOU START TO DRIVE RIGHT  
17 AWAY, CORRECT?

18 A CORRECT.

19 Q WHAT WERE YOU THINKING AT THAT POINT?

20 A I WAS JUST LIKE, "OH, MY GOD," LIKE "WHAT'S  
21 GOING ON? WHAT HAPPENED?" YOU KNOW, "WHAT'S GOING ON?"

22 Q WERE YOU SAYING THAT TO YOURSELF OR WERE  
23 YOU SAYING THAT OUT LOUD TO HIM?

24 A I SAID IT OUT LOUD TO HIM WHEN HE GOT IN  
25 THE CAR, BUT THEN I STARTED TALKING TO MYSELF, LIKE I WANT  
26 TO KNOW WHAT'S GOING ON, YOU KNOW.

27 Q SO WHEN YOU ASKED HIM, "WHAT'S GOING ON?  
28 WHAT HAPPENED?" WHAT WAS HIS RESPONSE?

1           A           HE WAS JUST LIKE, "SHUT UP, YOU TALK TOO  
2 MUCH, BEFORE I SLAP YOU," JUST LIKE THAT. SO AFTER HE  
3 SAID THAT TO ME, I JUST THOUGHT TO MYSELF LIKE I WANT TO  
4 KNOW LIKE WHAT'S GOING ON.

5           Q           OKAY. SO OBVIOUSLY YOU FELT -- OR DID YOU  
6 NOT FEEL THAT WAS VERY STRANGE BEHAVIOR ON HIS PART?

7           A           YES, I FELT IT WAS STRANGE, AND THEN I WAS  
8 SCARED, TOO, 'CAUSE I DIDN'T KNOW WHAT WAS GOING ON.

9           Q           WERE YOU AFRAID OF HIM AT THAT POINT?

10          A           YES.

11          Q           WHY WERE YOU SCARED OF HIM?

12          A           BECAUSE HE WASN'T TALKING TO ME. HE WASN'T  
13 ANSWERING MY QUESTION.

14          Q           OKAY. DID HE ALSO HAVE A GUN?

15          A           YES.

16          Q           AND DID HE ALSO THREATEN TO HIT YOU FOR THE  
17 FIRST TIME SINCE YOU'VE KNOWN HIM?

18          A           YES.

19          Q           SO WAS IT FOR ALL THOSE REASONS AND THE  
20 FACT THAT YOU HAD HEARD GUNSHOTS THAT YOU WERE AFRAID?

21          A           YES.

22          Q           I DON'T WANT TO PUT WORDS IN YOUR MOUTH.  
23 IF YOU DON'T AGREE WITH WHAT I'M SAYING, THEN TELL US YOU  
24 DON'T AGREE.

25          A           ALL RIGHT.

26          Q           WERE YOU AFRAID OF HIM?

27          A           YES.

28          Q           WHY WERE YOU AFRAID OF HIM?

1           A           BECAUSE HE HAD THE GUN AND EVERYTHING AND I  
2 DIDN'T WANT HIM TO HIT ME WITH IT, HIT ME WITH THE GUN  
3 WHEN HE SAID HE WAS GONNA SLAP ME.

4           Q           OKAY. WHEN -- WHEN YOU TALKED TO  
5 INVESTIGATORS ABOUT THIS FOR THE FIRST TIME, DID THEY TALK  
6 TO YOU ABOUT WHAT HAPPENED WHEN HE FIRST GOT BACK INTO THE  
7 CAR?

8           A           YES.

9           Q           OKAY. DID YOU TELL THEM THAT AFTER HE  
10 THREATENED TO HIT YOU THAT HAD AN EFFECT ON YOU BECAUSE OF  
11 SOMETHING THAT HAPPENED TO YOU IN THE PAST?

12          A           CORRECT.

13          Q           JUST TELL US BRIEFLY WHAT WENT THROUGH YOUR  
14 MIND WHEN HE THREATENED TO HIT YOU.

15          A           I JUST FELT AFRAID AND SCARED JUST BECAUSE  
16 I WAS IN A SITUATION BEFORE AND I HAD TO GO TO A TRAUMA  
17 ROOM BECAUSE MY FACE GOT MESSED UP BY BEING WITH ANOTHER  
18 GUY LIKE THAT.

19          Q           OKAY. SO WHAT YOU TOLD INVESTIGATORS IS  
20 YOU GOT INTO AN ARGUMENT WITH SOMEONE IN THE PAST, ANOTHER  
21 MAN WHILE DRIVING, CORRECT?

22          A           CORRECT.

23          Q           AND THE ARGUMENT LED TO A REALLY BAD  
24 ACCIDENT; IS THAT CORRECT?

25          A           CORRECT.

26          Q           AND DID THAT CROSS YOUR MIND DURING THIS  
27 TIME WHEN HE TOLD YOU TO DRIVE OR I'LL SLAP YOU?

28          A           YES.

1 MS. AENLLE-ROCHA: SO WHEN YOU SAID YOU WENT TO A  
2 TRAUMA ROOM, YOU WENT TO A HOSPITAL?

3 THE WITNESS: CORRECT.

4 MS. AENLLE-ROCHA: OKAY. AND YOU HAD FACIAL  
5 INJURIES?

6 THE WITNESS: YES, AND ARM AND FOOT.

7 MS. AENLLE-ROCHA: OKAY.

8 BY MR. MC KINNEY:

9 Q DID YOU -- YOU KNEW SOMETHING BAD HAPPENED  
10 IN THAT PARKING LOT AT THAT POINT, DIDN'T YOU?

11 A YES.

12 Q WHAT DID YOU THINK HAPPENED IN THE PLAZA  
13 PARKING LOT?

14 A I JUST FELT LIKE I KNOW THERE WAS SHOOTING  
15 GOING ON. I DIDN'T KNOW IF HE WAS THE SHOOTER. I DIDN'T  
16 KNOW IF HE WAS GETTING SHOT AT. I JUST KNOW SOMETHING HAD  
17 HAPPENED.

18 Q YOU WERE IN CONTROL OF THE CAR THAT YOU  
19 WERE IN AS YOU WERE DRIVING AWAY FROM THE LOCATION,  
20 CORRECT?

21 A CORRECT.

22 Q YOU COULD HAVE PULLED THE CAR OVER, PARKED,  
23 AND SAID TO HIM, "I'M NOT MOVING UNTIL YOU TELL ME WHAT  
24 HAPPENED." YOU COULD HAVE DONE THAT, CORRECT?

25 A I WAS AFRAID TO DO THAT, TO STOP THE CAR.

26 Q WHY?

27 A BECAUSE HE HAD A GUN. HE ALREADY TALKED TO  
28 ME ABOUT SLAPPING ME AND LIKE I JUST SAID BEFORE ABOUT THE



1 ACCIDENT. I'VE BEEN THROUGH THAT BEFORE SO I DIDN'T WANT  
2 TO KEEP QUESTIONING HIM ABOUT IT.

3 Q DID YOU SEE ANY INJURIES ON HIS BODY WHEN  
4 HE RETURNED TO THE CAR?

5 A NO. I DIDN'T NOTICE ANY.

6 Q OKAY. WHERE DID YOU GO IMMEDIATELY AFTER  
7 LEAVING THE ALLEY AT 58TH PLACE?

8 A HE TOLD ME TO TAKE HIM TO HIS COUSIN HOUSE,  
9 HAROLD.

10 Q WERE YOU DRIVING FAST AS YOU LEFT THAT  
11 LOCATION?

12 A YES.

13 Q DID YOU DRIVE FROM THAT LOCATION DIRECTLY  
14 TO A FREEWAY?

15 A YES.

16 Q WHICH FREEWAY DID YOU DRIVE TO?

17 A THE ONE THAT'S -- THE 405 BY LA CIENEGA.

18 Q LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER  
19 23. IT'S AN AERIAL PHOTO. IT IS LABELED A PATH FROM 3420  
20 SLAUSON TO THE 405 FREEWAY. YOU RECOGNIZE THE EXHIBIT?

21 A YES.

22 Q OKAY. NOW, YOU TESTIFIED THAT WHEN YOU  
23 LEFT 58TH PLACE YOU WENT DIRECTLY TO THE 405 FREEWAY,  
24 CORRECT?

25 A CORRECT.

26 Q NOW, THIS HAS A PATH HIGHLIGHTED ALONG  
27 SLAUSON. SLAUSON RUNS EAST/WEST TO THE 405 FREEWAY. IS  
28 THAT THE ROUTE YOU TOOK OR DID YOU TAKE SOME OTHER ROUTE?

1           A           CAN YOU REPEAT THE QUESTION?

2           Q           FROM 58TH PLACE DID THE TWO OF YOU  
3 IMMEDIATELY GO TO SLAUSON AND THEN TAKE SLAUSON ALL THE  
4 WAY TO THE FREEWAY OR WERE YOU TURNING UP AND DOWN VARIOUS  
5 STREETS TO GET THERE?

6           A           NO. WHEN I LEFT 58TH STREET, I KEPT  
7 STRAIGHT SO I CAN'T -- SO I COULDN'T -- I WOULDN'T BE ABLE  
8 TO GO NO MORE. IT WAS JUST LIKE STRAIGHT. AND THEN IT  
9 WAS CONSTRUCTION. A CONSTRUCTION ENDED. IT WAS LIKE  
10 ON -- I THINK THAT WAS LA BREA. SO ON 58 IT WAS LIKE IT'S  
11 STRAIGHT OUT -- I TURNED TO THE LEFT. I DON'T KNOW WHAT  
12 STREET. I THINK IT WAS LA BREA BECAUSE IT WAS CLOSE BY  
13 LA CIENEGA AND THERE'S A RALPHS.

14          Q           OKAY. LET ME STOP YOU THERE. YOU DIDN'T  
15 TAKE THE ROUTE THAT'S HIGHLIGHTED ON THIS EXHIBIT,  
16 CORRECT?

17          A           CORRECT.

18          Q           NEVERTHELESS, YOU WENT FROM THE LOCATION AT  
19 3420 TO THE 405 FREEWAY THAT'S SHOWN ON THIS EXHIBIT,  
20 CORRECT?

21          A           CORRECT.

22          Q           AND THEN YOU GOT ON THE 405 FREEWAY AND  
23 DROVE SOUTH; IS THAT CORRECT?

24          A           CORRECT.

25          Q           DID YOU DRIVE DIRECTLY TO ANOTHER PLACE, TO  
26 ONE PLACE WHERE YOU LET HIM OUT OF THE CAR?

27          A           WHEN I DROPPED HIM OFF. WHEN I GOT ON THE  
28 FREEWAY AND ON OUR WAY TAKING HIM -- WHEN I WAS ON MY WAY

1 TAKING HIM, IT WAS ON THE FREEWAY. THAT'S THE ONLY TIME I  
2 DROPPED HIM OFF.

3 Q OKAY. I ASKED A POOR QUESTION.

4 WAS YOUR NEXT STOP -- AFTER LEAVING THE  
5 ALLEY AT 58TH PLACE, WAS YOUR NEXT STOP SOMEPLACE WHERE  
6 YOU DROPPED HIM OFF?

7 A YES.

8 Q OKAY. AND WHERE DID YOU DROP HIM OFF AT,  
9 MEANING WHOSE HOUSE, IF YOU KNOW?

10 A HAROLD.

11 Q WAS THAT HIS COUSIN THAT YOU TESTIFIED  
12 ABOUT EARLIER?

13 A YES.

14 Q DID YOU DRIVE DIRECTLY TO HAROLD'S HOUSE  
15 FROM THE ALLEY AT 58TH PLACE?

16 A YES.

17 Q TELL US ABOUT ANY OF THE CONVERSATION THAT  
18 HAPPENED IN THE CAR BETWEEN THE TWO OF YOU FROM THE TIME  
19 YOU LEFT TO THE TIME YOU GOT TO HAROLD'S HOUSE.

20 A ONLY CONVERSATION WAS I WAS ASKING HIM  
21 WHERE DID HE WANT TO GO, DID HE WANT ME TO TAKE HIM TO HIS  
22 HOUSE AND WHERE HE WANTED ME TO DROP HIM OFF AT, AND THAT  
23 WAS IT. AND HE TOLD ME CUT ON SOME MUSIC.

24 Q CUT ON MUSIC ON THE WAY THERE?

25 A YES.

26 Q DID YOU TURN ON THE RADIO?

27 A YES.

28 Q WHEN THE RADIO WAS TURNED ON, DID YOU HEAR

1 ANY REPORTS ABOUT A SHOOTING AT 3420 SLAUSON?

2 A NO.

3 Q DID YOU HEAR ANY NEWS REPORTS ABOUT A  
4 SHOOTING AT 3420 SLAUSON?

5 A NO.

6 Q DID HE AT SOME POINT TELL YOU TO TURN OFF  
7 THE RADIO?

8 A NO.

9 Q DID YOU HAVE ANY CONVERSATION ABOUT WHAT  
10 JUST HAPPENED?

11 A NO.

12 Q DID HE GIVE YOU ANY INSTRUCTIONS OR  
13 DIRECTIONS TELLING YOU, YOU KNOW, EITHER -- AND THESE ARE  
14 JUST EXAMPLES, TELLING YOU THINGS LIKE DON'T TELL ANYBODY  
15 ABOUT WHAT HAPPENED?

16 DID HE TELL YOU DON'T CALL ANYBODY, DON'T  
17 POST ANYTHING ON THE INTERNET?

18 DID HE TELL YOU ANYTHING AT ALL?

19 A NO.

20 Q IT'S YOUR TESTIMONY THAT HE DIDN'T EVEN  
21 TALK ABOUT IT; IS THAT CORRECT?

22 A CORRECT.

23 Q WHAT ABOUT GUNS?

24 AFTER HE GOT BACK IN THE CAR YOU TESTIFIED  
25 THAT YOU SAW -- WHICH GUN?

26 A I SAW THE -- THE NINE MILLIMETER --

27 Q THE BLACK GUN?

28 A CORRECT.

1 Q WE'LL CALL THAT THE BLACK GUN.

2 A YES.

3 Q AND DID YOU SEE ANY OTHER GUN?

4 A YES, THE REVOLVER.

5 Q OKAY. YOU SAW THAT ONCE HE GOT BACK IN THE

6 CAR HE HAD BOTH GUNS?

7 A YES.

8 Q WHAT, IF ANYTHING, DID YOU SEE HIM DO WITH

9 THOSE GUNS AS YOU WERE DRIVING TO WHERE YOU DROPPED HIM

10 OFF?

11 A I SAW HIM PUT THE -- THE NINE MILLIMETER IN

12 THE BAG WHERE HE GOT THE FOOD FROM. I DIDN'T SEE WHERE HE

13 PUT THE REVOLVER AT.

14 Q AND WHEN YOU GOT TO HAROLD'S HOUSE DID YOU

15 STOP AND LET HIM OUT OF THE CAR OR DID YOU PARK AND GET

16 OUT WITH HIM?

17 A I STOPPED AND I LET HIM GET OUT THE CAR.

18 Q SO IS IT YOUR TESTIMONY THAT HE GOT OUT OF

19 THE CAR, WALKED AWAY FROM YOUR CAR, AND THEN YOU LEFT?

20 A RIGHT.

21 Q WHEN HE GOT OUT OF THE CAR, DID HE TAKE THE

22 FOOD BAG THAT YOU SAW HIM PUT THE GUN IN WITH HIM?

23 A YES.

24 Q DID YOU HAVE ANY CONVERSATION WITH HIM WHEN

25 HE GOT OUT OF THE CAR AT HAROLD'S HOUSE?

26 A NO. HE WAS JUST LIKE, "YOU FUNNY STYLE."

27 HE JUST SAID THAT TO ME.

28 Q WHAT DOES THAT MEAN?

1           A           I DON'T EVEN KNOW. I WAS JUST LIKE  
2           WHATEVER. I JUST REPEATED IT BACK TO HIM. I WAS LIKE,  
3           "YOU FUNNY STYLE."

4           Q           AND SO WHEN YOU GOT TO HAROLD'S HOUSE NOW  
5           AND HE GOT OUT OF THE CAR AND WALKED AWAY FROM THE CAR,  
6           WERE YOU -- WERE YOU REFLECTING, WERE YOU THINKING BACK ON  
7           WHAT JUST HAPPENED?

8           A           YEAH. LIKE WHEN HE SAID THAT, LIKE I WAS  
9           JUST FEELING LIKE HE WAS TRYING TO BE FUNNY BECAUSE HE SAY  
10          HE WAS GONNA SLAP ME BY SAYING IT TO ME.

11          Q           OKAY. REGARDLESS OF THAT COMMENT --  
12          BECAUSE YOU DON'T KNOW WHAT THAT MEANS, CORRECT?

13          A           CORRECT.

14          Q           JUST IN TERMS OF EVERYTHING YOU JUST  
15          EXPERIENCED FROM THE TIME YOU GOT TO THE PLAZA UNTIL THE  
16          TIME HE WALKED AWAY FROM YOUR CAR, WERE YOU THINKING ABOUT  
17          WHAT JUST HAPPENED?

18          A           YEAH. I WAS JUST STILL LIKE, YOU KNOW,  
19          WHAT'S GOING ON, YOU KNOW. I WANTED TO KNOW WHAT  
20          HAPPENED, YOU KNOW, WITH THE SHOOTING, WHAT WAS GOING ON.

21          Q           WHERE DID YOU GO AFTER YOU DROPPED HIM OFF?

22          A           I WENT TO MY MOM'S HOUSE.

23          Q           DID YOU TALK TO YOUR MOTHER WHEN YOU GOT  
24          HOME ABOUT WHAT OCCURRED?

25          A           YES.

26          Q           AND YOU TOLD HER WHAT YOU TESTIFIED TO HERE  
27          ESSENTIALLY?

28          A           YES.

1           Q           APPROXIMATELY WHAT TIME DID YOU GET HOME,  
2 IF YOU RECALL?

3           A           AROUND 4:00. 4:00 SOMETHING.

4           Q           HOW LONG DID IT TAKE TO DRIVE FROM 58TH  
5 PLACE TO HAROLD'S HOUSE?

6                       APPROXIMATELY.

7           A           THIRTY MINUTES.

8           Q           THIS ALL HAPPENED ON A SUNDAY AFTERNOON,  
9 CORRECT?

10          A           CORRECT.

11          Q           AFTER GETTING TO YOUR MOTHER'S HOUSE, AT  
12 SOME POINT THAT AFTERNOON DID YOU LEARN THAT NIPSEY HUSSLE  
13 HAD BEEN SHOT?

14          A           YES.

15          Q           HOW DID YOU GET THAT INFORMATION?

16          A           WHEN I GOT HOME, I PUT MY CLOTHES IN THE  
17 WASHING MACHINE AND I SAT ON MY BED AND I WENT THROUGH  
18 LOOKING AT MY SOCIAL MEDIA AND THEN THAT'S WHEN I SEEN  
19 LIKE EVERYBODY WAS LIKE POSTING ON MY -- MY PICTURE AND  
20 STUFF SAYING LIKE, "OH, WE THINK THAT NIPSEY HUSSLE BEEN  
21 SHOT. WE TRYING TO MAKE SURE IF HE'S" -- "IF HE'S STILL  
22 ALIVE OR HE'S NOT." AND THEN THEY PRONOUNCED THAT HE WAS  
23 DEAD.

24          Q           WHAT DID YOU DO AFTER SEEING INFORMATION ON  
25 SOCIAL MEDIA ABOUT NIPSEY HUSSLE BEING SHOT?

26          A           MY HEART HAD DROPPED. I HURRY UP AND RAN  
27 IN MY MOM ROOM AND TOLD HER LIKE, "MOM, I WAS JUST THERE  
28 AND I TOOK A PICTURE WITH HIM" SHOWING HER EVERYTHING ON

1 MY PHONE AND STUFF, AND SHE WAS JUST LIKE, "CALM DOWN,"  
2 YOU KNOW. "I KNOW HOW YOU FEEL. YOU JUST SAW HIM," YOU  
3 KNOW. "JUST GO RELAX."

4 Q OKAY. DID IT CROSS YOUR MIND THAT  
5 NIPSEY HUSSLE GOT SHOT WHILE YOU WERE SITTING IN THE ALLEY  
6 AT 58TH PLACE?

7 A LIKE -- LIKE, NO, I WASN'T SURE, BUT I KNOW  
8 LIKE HE WAS A STAR, SO I DIDN'T KNOW LIKE IF IT DID HAVE  
9 SOMETHING TO DO WITH HIM. MAYBE IT DID KIND OF CROSS MY  
10 MIND.

11 Q DID IT CROSS YOUR MIND THAT ERIC HOLDER  
12 MIGHT HAVE BEEN THE PERSON WHO SHOT NIPSEY HUSSLE?  
13 DID THAT CROSS YOUR MIND?

14 A YEAH, BUT I WASN'T LIKE TOO SURE JUST  
15 BECAUSE I KNEW HE HAD THE GUNS.

16 Q OKAY.

17 MS. AENLLE-ROCHA: REMEMBER WHEN YOU ANSWER  
18 QUESTIONS TO SAY "YES," NOT JUST "YEAH." OKAY?

19 THE WITNESS: OKAY.

20 MS. AENLLE-ROCHA: THANK YOU.

21 BY MR. MC KINNEY:

22 Q ALL RIGHT. SO WHEN YOU GOT THAT  
23 INFORMATION THAT NIPSEY HUSSLE HAD BEEN SHOT UNDER --  
24 BASED ON EVERYTHING YOU KNEW UP TO THAT POINT, DID YOU GET  
25 ON THE PHONE AND CALL ERIC HOLDER AND TELL HIM, "HEY, I  
26 JUST HEARD NIPSEY HUSSLE GOT SHOT. CAN YOU BELIEVE THAT"?

27 DID YOU REACH OUT TO HIM TO SEE IF HE HAD  
28 HEARD THE SAME NEWS?



1 A NO.

2 Q WHY NOT?

3 A I JUST WENT TO MY MOM TO LIKE TALK TO HER.  
4 I DIDN'T WANT TO TALK TO HIM NO MORE AFTER HE GOT AN  
5 ATTITUDE WITH ME.

6 Q SO YOUR TESTIMONY IS YOU DIDN'T CALL HIM OR  
7 TEXT HIM THAT NIGHT?

8 A CORRECT.

9 Q DID YOU HAVE ANY CONVERSATION WITH HIM THAT  
10 NIGHT?

11 A HE CALLED ME.

12 Q AT WHAT TIME DID HE CALL YOU?

13 A AROUND EIGHT O'CLOCK.

14 Q AND WHEN HE CALLED YOU WHAT WAS THAT  
15 CONVERSATION?

16 A COULD I COME PICK HIM UP.

17 Q DID HE TELL YOU WHY HE WANTED YOU TO COME  
18 PICK HIM UP?

19 A NO.

20 Q DID YOU GO PICK HIM UP?

21 A YES.

22 Q WHERE DID YOU PICK HIM UP FROM?

23 A PICKED HIM UP FROM HAROLD'S HOUSE.

24 Q WHEN YOU PICKED HIM UP, HOW WAS HE DRESSED?

25 A HE HAD ON -- I THINK HE CHANGED -- WELL, HE  
26 HAD ON A JACKET. I WANT TO SAY HE CHANGED HIS SHIRT. I  
27 THINK HE CHANGED HIS SHIRT.

28 Q I DON'T WANT YOU GUESSING.

1 A OKAY.

2 Q DO YOU KNOW -- DO YOU REMEMBER HOW HE WAS  
3 DRESSED OR YOU DON'T?

4 A I DON'T.

5 Q OKAY. YOU SAID HE HAD ON A JACKET?

6 A YES.

7 Q WHAT COLOR WAS IT?

8 A IT WAS LIKE THE ARMY KIND, BUT IT WAS THE  
9 BLACK AND WHITE HOODIE KIND OF JACKET.

10 Q OKAY. SO A BLACK AND WHITE HOODIE JACKET  
11 IN THE CAMOUFLAGE PRINT?

12 A YES.

13 Q AND WHEN YOU PICKED HIM UP AT HAROLD'S DID  
14 HE HAVE -- DID YOU SEE ANY GUNS WITH HIM AT THAT TIME?

15 A NO.

16 Q DID YOU SEE ANY BAGS OR ANYTHING THAT A GUN  
17 COULD HAVE BEEN INSIDE OF?

18 A NO.

19 Q OKAY. OBVIOUSLY, YOU DIDN'T PAT HIM DOWN  
20 AND CHECK HIS POCKETS, CORRECT?

21 A CORRECT.

22 Q HE GOT IN YOUR CAR. WHERE DID THE TWO OF  
23 YOU GO?

24 A TO MY MOM'S HOUSE.

25 Q WHY DID YOU TAKE HIM TO YOUR MOM'S HOUSE?

26 A HE WANTED TO SPEND THE NIGHT, AND THEN AT  
27 THE TIME I WAS IN THE PROCESS OF MOVING INTO MY PLACE SO I  
28 DIDN'T HAVE ANY FURNITURE.

1 Q WHY DID YOU LET HIM SPEND THE NIGHT AT YOUR  
2 MOTHER'S HOUSE?

3 A IT WAS JUST LIKE A PARTICULAR THING. LIKE  
4 HE SPENT THE NIGHT BEFORE, SO -- AND THEN I WAS THINKING  
5 MAYBE HE WOULD TALK TO ME OR MAYBE SOMETHING, YOU KNOW,  
6 ABOUT WHAT'S GOING ON, BUT HE NEVER DID TALK TO ME.

7 Q DID YOU ASK HIM QUESTIONS ABOUT WHAT  
8 HAPPENED?

9 DID YOU TELL HIM WHAT YOU HAD SEEN ON  
10 SOCIAL MEDIA ABOUT NIPSEY HUSSLE BEING SHOT?

11 A NO.

12 Q WHY NOT?

13 A I DIDN'T WANT TO BRING IT UP NO MORE TO  
14 HIM.

15 Q WHY NOT?

16 A JUST BECAUSE LIKE I DIDN'T WANT HIM TO TRY  
17 TO THREATEN ME AGAIN OR SAY ANYTHING TO ME ABOUT IT.

18 Q WELL, YOU HAD THE OPTION OF TELLING HIM NO  
19 WHEN HE ASKED YOU TO PICK HIM UP, DIDN'T YOU?

20 A YEAH, I DID.

21 MS. AENLLE-ROCHA: IS THAT A "YES"?

22 THE WITNESS: YES.

23 BY MR. MC KINNEY:

24 Q BUT YOU CHOSE TO GO OVER AND PICK HIM UP  
25 AND BRING HIM BACK TO YOUR MOTHER'S HOUSE TO SPEND THE  
26 NIGHT WITH YOU, CORRECT?

27 A CORRECT.

28 Q SO IF YOU WERE OF THE STATE OF MIND TO DO

1 THAT, WHY DIDN'T YOU FEEL FREE TO ASK HIM QUESTIONS ABOUT  
2 WHAT HAPPENED?

3 A I WANTED HIM TO KIND OF COME TO ME AND TALK  
4 TO ME ABOUT IT, LIKE -- BY ME DOING THAT, LIKE I WAS  
5 TRYING TO BE NICE, LIKE LET HIM COME, MAYBE HE'LL TALK TO  
6 ME ABOUT IT, BUT HE DIDN'T. BUT I DIDN'T WANT TO ASK HIM  
7 NO MORE QUESTIONS ABOUT IT.

8 Q DID HE TELL YOU WHY HE WANTED TO STAY WITH  
9 YOU THAT NIGHT AS OPPOSED TO GOING TO HIS OWN PLACE?

10 A NO.

11 Q DID HE TELL YOU THAT HE WANTED TO GO TO  
12 YOUR HOUSE BECAUSE HIS HOUSE WAS DIRTY?

13 A YEAH. LIKE HE WAS TELLING ME LIKE -- HE  
14 TOLD ME LIKE HE DIDN'T WANT TO GO TO HIS HOUSE. THAT WAS  
15 THE NEXT DAY. THAT MONDAY HE DIDN'T WANT TO GO TO HIS  
16 HOUSE BECAUSE HIS HOUSE WAS DIRTY. THAT WAS MONDAY HE  
17 TOLD ME THAT.

18 Q OKAY. SO YOUR TESTIMONY IS ON THAT NIGHT  
19 HE JUST ASKED IF HE COULD STAY WITH YOU. YOU PICKED HIM  
20 UP AND BROUGHT HIM TO YOUR MOTHER'S HOUSE FOR THE NIGHT?

21 IS THAT YOUR TESTIMONY?

22 A RIGHT.

23 Q AND YOUR TESTIMONY IS YOU HAD NO  
24 CONVERSATION WITH HIM ABOUT WHAT HAPPENED AT THE MARATHON  
25 STORE PARKING LOT, THE GUNSHOTS OR ANYTHING RELATED TO  
26 THAT FOR THE REST OF THAT NIGHT?

27 A CORRECT.

28 Q OTHER THAN YOUR MOM, DID YOU TALK TO

1 ANYBODY ELSE ABOUT WHAT HAPPENED THAT DAY?

2 A NO.

3 Q SO THE TWO OF YOU STAYED AT YOUR MOTHER'S  
4 HOUSE THAT NIGHT. WHAT HAPPENED THE NEXT MORNING?

5 A THE NEXT MORNING HE WAS JUST LIKE OH, HE  
6 WANTS TO GO TO MY PLACE AND STAY OR WHATEVER AND HE'LL  
7 GIVE ME SOME MONEY TO STAY, AND I WAS JUST LIKE, "NO, I  
8 GOT TO GO TO WORK," YOU KNOW. "YOU CAN'T STAY AT MY  
9 PLACE."

10 Q ALL RIGHT. SO MONDAY MORNING HE'S ASKING  
11 IF HE COULD GO STAY AT YOUR HOUSE. DID YOU FIND THAT  
12 STRANGE SINCE HE HAS AN APARTMENT VERY CLOSE TO YOURS?

13 A YES, A LITTLE. WELL, NOT REALLY BECAUSE  
14 HE'D BEEN TRYING TO STAY AT MY PLACE EVER SINCE I GOT IT.

15 MS. AENLLE-ROCHA: HAD HE EVER BEEN THERE?

16 THE WITNESS: YES, HE HAVE. I ONLY HAD A TABLE AT  
17 THE TIME SO -- WE ONLY LIKE -- HE BEEN THERE -- LIKE WE  
18 ATE TOGETHER THERE, LIKE I COOKED, BUT HE NEVER SPENT THE  
19 NIGHT.

20 BY MR. MC KINNEY:

21 Q SO AFTER YOU TOLD HIM HE COULDN'T STAY AT  
22 YOUR HOUSE, HE COULDN'T STAY AT YOUR MOTHER'S HOUSE WHILE  
23 YOU WEREN'T THERE, AND YOU NEEDED TO GO TO WORK, WHAT  
24 HAPPENED NEXT?

25 A HE WANTED TO -- WE STARTED LOOKING FOR A  
26 ROOM. SO HE WANTED TO GET A ROOM. HE ASKED ME COULD I  
27 GET HIM A ROOM BECAUSE HIS LICENSE, HIS I.D. WAS EXPIRED.

28 Q HE WANTED TO GET A ROOM WHERE?

1           A           AT MOTEL 6.

2           Q           DID YOU ASK HIM, "WHY DO YOU WANT TO GO TO  
3 A MOTEL"?

4           A           NO, I DIDN'T.

5           Q           WHY WOULDN'T YOU ASK THAT?

6           A           NO, I TAKE THAT BACK. I DID -- THAT'S WHEN  
7 HE WAS TELLING ME THAT HIS PLACE WAS DIRTY AND STUFF. AT  
8 THE TIME HE WANTED TO COME TO MY PLACE, HE WANTED TO COME  
9 TO MY PLACE, BUT I TOLD HIM NO, AND THAT'S WHEN HE WANTED  
10 TO GET A ROOM.

11          Q           OKAY. SO HE TOLD YOU HE WANTED TO GET A  
12 ROOM AT A MOTEL 'CAUSE HIS PLACE WAS DIRTY?

13          A           YES.

14          Q           OKAY. DID YOU FIND THAT TO BE A VERY ODD  
15 REASON FOR HIM TO WANT TO GET A MOTEL ROOM?

16          A           YES, I DID.

17          Q           DID IT CROSS YOUR MIND THAT THE REASON HE  
18 WANTED TO STAY WITH YOU SUNDAY NIGHT AND THE REASON HE  
19 WANTED YOU TO HELP HIM GET A MOTEL ROOM ON MONDAY WAS  
20 BECAUSE HE WAS TRYING TO HIDE OUT --

21          A           NO.

22          Q           -- BECAUSE OF SOMETHING THAT HAPPENED AT  
23 THE MARATHON PARKING LOT?

24          A           NO.

25          Q           IT NEVER CROSSED YOUR MIND?

26          A           NO.

27          Q           AT THAT POINT WERE YOU SUSPICIOUS THAT HE  
28 WAS INVOLVED IN SOME CRIMINAL ACTIVITY AT THAT PARKING

1 LOT?

2 A YEAH, A LITTLE.

3 Q EXPLAIN THAT.

4 A BECAUSE I KNEW HE HAD THE GUNS AND STUFF  
5 LIKE THAT AND HE WASN'T TALKING TO ME. HE WASN'T LIKE  
6 GIVING ME NO RESPONSE OR NOTHING LIKE THAT. SO I DID FEEL  
7 A LITTLE SUSPICIOUS ABOUT IT.

8 Q WHAT, IF ANYTHING, DID YOU DO TO HELP HIM  
9 GET A ROOM AT MOTEL 6?

10 A WHAT DO YOU MEAN?

11 Q DID YOU PAY FOR THE ROOM?

12 A NO, I DIDN'T PAY FOR THE ROOM. I TOLD HIM  
13 I WASN'T PAYING FOR NO ROOM.

14 Q DID YOU DO ANYTHING TO ASSIST HIM IN  
15 GETTING A ROOM THERE?

16 A JUST SHOWED MY I.D.

17 Q OKAY. WELL, THAT'S ASSISTANCE, RIGHT?

18 A RIGHT.

19 Q BECAUSE DID THE MOTEL REQUIRE I.D. BEFORE  
20 THEY RENTED A ROOM?

21 A YES.

22 Q AND YOU ALLOWED THE MOTEL TO USE YOUR I.D.  
23 FOR THAT ROOM, CORRECT?

24 A CORRECT.

25 Q AND IT'S YOUR TESTIMONY THAT WHEN YOU DID  
26 THAT YOU DID IT BECAUSE HE TOLD YOU HE DIDN'T WANT TO GO  
27 HOME?

28 A RIGHT.

1 Q DID YOU DO IT KNOWING THAT HE WAS A  
2 FUGITIVE BASED ON THE SHOOTING THAT HAPPENED AT THE  
3 MARATHON STORE?

4 A NO.

5 Q HAD YOU HEARD ANYTHING ON THE NEWS AT THAT  
6 POINT THAT THE POLICE WERE LOOKING FOR HIM OR LOOKING FOR  
7 YOU?

8 A NO.

9 Q DID YOU SEE ANYTHING ON SOCIAL MEDIA AT  
10 THAT POINT THAT CONNECTED HIM TO THAT SHOOTING?

11 A NO.

12 Q SO YOU HELPED HIM GET A ROOM AT MOTEL 6.  
13 AFTER THAT DID YOU GO TO WORK?

14 A YES.

15 Q AT SOME POINT DURING THE DAY WHILE YOU WERE  
16 AT WORK DID YOU START TO GET MORE INFORMATION ABOUT THE  
17 SHOOTING AT THE PARKING LOT?

18 A YES.

19 Q TELL US ABOUT THAT.

20 A I STARTED GOING ON MY FACEBOOK PAGE AND  
21 STARTED SEEING PEOPLE TALK ABOUT HIM, CALLING HIM "SHITTY  
22 CUZ" AND HE PROBABLY THE ONE THAT DID IT, AND THEY WAS  
23 TALKING ABOUT OH, IT WOULD ALWAYS BE THE ONE FROM THE HOOD  
24 THAT BE -- WANT TO DO STUFF TO OTHER PEOPLE AND THINGS  
25 LIKE THAT. SO WHEN I'M SEEING THE POSTS, I'M LIKE OH, MY  
26 GOD, THESE ARE POSTS FROM INSTAGRAM SCREENSHOTTED ON  
27 FACEBOOK, AND I'M JUST LIKE THIS BOY, HE -- YOU KNOW, THEY  
28 GOT HIS NAME, YOU KNOW, I'M THINKING NOW LIKE OH, HE DID



1 IT, YOU KNOW, AND STUFF LIKE BECAUSE PEOPLE ARE SAYING IT.

2 Q SO THROUGH THAT INFORMATION NOW DID YOU  
3 LEARN THAT PEOPLE WERE REFERRING TO HIM BY A NICKNAME,  
4 "SHITTY"?

5 A YES.

6 Q HAD HE EVER TOLD YOU THAT THAT WAS HIS  
7 NICKNAME?

8 A NO.

9 Q DID YOU KNOW THAT BEFORE?

10 A NO.

11 Q DID YOU ALSO SEE INFORMATION THAT SAID HE  
12 WAS A ROLLIN 60'S GANG MEMBER?

13 A YES.

14 Q DID YOU KNOW THAT BEFORE?

15 A NO.

16 MS. AENLLE-ROCHA: EXCUSE ME.

17 IF YOU DIDN'T KNOW THAT HE WAS SHITTY, WHY  
18 WOULD YOU THINK IF THEY'RE REFERRING TO SOMEONE AS SHITTY  
19 THAT IT'S HIM?

20 THE WITNESS: IT HAD HIS NAME, ERIC HOLDER. IT  
21 HAD -- IT HAD ON THE POSTS AND IT HAD LIKE "AKA SHITTY."  
22 "SHITTY CUZ."

23 MS. AENLLE-ROCHA: OKAY.

24 BY MR. MC KINNEY:

25 Q OKAY. DID YOU ALSO SEE PHOTOGRAPHS OF HIM  
26 ON SOCIAL MEDIA THAT DAY?

27 A YES, I DID.

28 Q OKAY. SO THERE'S NO DOUBT IN YOUR MIND AT

1 THAT POINT THAT THERE ARE SOME PEOPLE OUT THERE WHO  
2 BELIEVES THAT HE SHOT NIPSEY HUSSLE, CORRECT?

3 A CORRECT.

4 Q NOW YOU GOT THAT INFORMATION. WHAT, IF  
5 ANYTHING, DID YOU DO?

6 A I WAS JUST LIKE WHEN I GET OFF FROM WORK,  
7 YOU KNOW, I'M GONNA GO TALK TO HIM AND SHOW HIM THESE  
8 POSTS AND STUFF LIKE THAT BECAUSE IT'S LIKE I WASN'T SURE,  
9 BUT THEN IT WAS JUST LIKE I SEE THESE POSTS LIKE NOW IN MY  
10 MIND. LIKE I DIDN'T WANT TO BE AROUND HIM NO MORE.

11 Q WHY DIDN'T YOU WANT TO BE AROUND HIM AT  
12 THAT POINT?

13 A BECAUSE PEOPLE WAS POSTING THAT SAYING, YOU  
14 KNOW, THAT HE DID IT.

15 Q AND NOT JUST THAT, BUT YOU WERE ACTUALLY  
16 THERE WHEN HE HAD GUNS, YOU KNOW HE WAS THERE, YOU HEARD  
17 GUNSHOTS, CORRECT?

18 A CORRECT.

19 Q THAT COMBINED WITH THE POSTS HAD TO MAKE  
20 YOU VERY SUSPICIOUS, TRUE OR NOT?

21 A TRUE.

22 Q ALL RIGHT. SO YOU GOT OFF WORK. WHAT DID  
23 YOU DO?

24 A WHEN I GOT OFF WORK, I HAD DID MY  
25 TRANSPORTATION AND THEN I WENT TO GO SEE HIM AROUND 4:00  
26 SOMETHING.

27 Q WHERE WAS HE WHEN YOU WENT TO SEE HIM?

28 A HE WAS AT MOTEL 6.

1 Q AND TELL US ABOUT THAT CONVERSATION.

2 A WELL, I --

3 MS. AENLLE-ROCHA: WAIT. I'M SORRY. WHY DID YOU  
4 GO TO SEE HIM IF YOU THOUGHT HE WAS THE SHOOTER?

5 THE WITNESS: AT THE TIME I HAD TO MAKE MY MONEY.  
6 I HAD TO GO WORK AND STUFF --

7 MS. AENLLE-ROCHA: NO. NO. NO.

8 THE WITNESS: OH.

9 MS. AENLLE-ROCHA: YOU WENT TO WORK.

10 THE WITNESS: YES, I WENT TO WORK.

11 MS. AENLLE-ROCHA: YOU DID YOUR TWO JOBS THAT DAY.

12 THE WITNESS: YES.

13 MS. AENLLE-ROCHA: WHY DID YOU GO SEE HIM  
14 AFTERWARDS?

15 THE WITNESS: I DID AFTER I DID THE TRANSPORTATION.

16 MS. AENLLE-ROCHA: WHY? WHY DID YOU GO TO SEE HIM?

17 THE WITNESS: OH, BECAUSE I WANTED TO SHOW -- LIKE  
18 I WAS ASKING HIM THE QUESTIONS WHEN HE GOT IN THE CAR AT  
19 THE TIME LIKE WHAT WAS GOING ON AND EVERYTHING LIKE THAT.  
20 I WANTED TO SHOW HIM PROOF, LIKE PEOPLE ARE SAYING THAT  
21 YOU SHOT NIPSEY HUSSLE.

22 MS. AENLLE-ROCHA: DID YOU THINK HE HAD SHOT HIM AT  
23 THAT TIME?

24 THE WITNESS: AT THE TIME I WAS SHOWING HIM?

25 MS. AENLLE-ROCHA: NO. NO. WHEN YOU SAW HIS NAME  
26 AND HIS PHOTO, DID IT OCCUR TO YOU HE'S THE -- AND HE HAD  
27 THE GUNS AND HE WENT BACK, DID IT OCCUR TO YOU THAT HE WAS  
28 THE ONE WHO SHOT HIM?

1 THE WITNESS: I WAS SUSPICIOUS.

2 MS. AENLLE-ROCHA: AND YOU WEREN'T AFRAID TO GO  
3 TALK TO HIM?

4 THE WITNESS: NO, BECAUSE I WANTED TO SHOW HIM  
5 LIKE --

6 MS. AENLLE-ROCHA: NO. NO. NO. NO. NO. YOU  
7 WEREN'T AFRAID TO GO TALK TO HIM?

8 THE WITNESS: NO.

9 MS. AENLLE-ROCHA: OKAY.

10 BY MR. MC KINNEY:

11 Q ALL RIGHT. SO YOU WANTED TO CONFRONT HIM  
12 WITH WHAT YOU SAW ON SOCIAL MEDIA, CORRECT?

13 A CORRECT.

14 Q YOU TESTIFIED THAT YOU WENT TO THE MOTEL 6  
15 TO CONFRONT HIM TO SEE WHAT HIS RESPONSE WOULD BE,  
16 CORRECT?

17 A CORRECT.

18 Q AND TELL US ABOUT THAT CONVERSATION.

19 A SO I'M SHOWING HIM. I'M SAYING PEOPLE IS  
20 ACCUSING HIM OF SHOOTING NIPSEY HUSSLE AND SHOWING HIM THE  
21 STUFF FROM ON MY PHONE AND EVERYTHING, AND HE DIDN'T SAY  
22 NOTHING BUT JUST WANTED ME TO JUST GO TAKE HIM SOMEWHERE,  
23 TAKE HIM TO GO GET LIKE SOMETHING TO EAT, CIGARETTES,  
24 STUFF LIKE THAT.

25 Q DID HE AT LEAST LOOK AT WHAT YOU WERE  
26 SHOWING HIM?

27 A YES. I EVEN POINTED TO WHO SHOWED IT, WHO  
28 WAS SAYING IT, AND I TOLD HIM WHO WAS SAYING IT.

1 Q WHAT WAS HIS RESPONSE?

2 A IT WAS JUST LIKE QUIET, LIKE BREATHING A  
3 LITTLE HARD.

4 MS. AENLLE-ROCHA: I'M SORRY, WHAT?

5 THE WITNESS: QUIET AND BREATHING HARD, LIKE --

6 MS. AENLLE-ROCHA: OKAY.

7 BY MR. MC KINNEY:

8 Q WHAT DID HE SAY TO YOU WHEN YOU WERE  
9 SHOWING HIM THIS STUFF?

10 A HE DIDN'T SAY NOTHING.

11 Q DID YOU ASK HIM, "DID YOU DO IT? DID YOU  
12 SHOOT HIM"? DID YOU ASK THOSE QUESTIONS?

13 A NO, I DIDN'T ASK HIM.

14 MS. AENLLE-ROCHA: WELL, YOU TOLD US THAT'S WHY YOU  
15 WENT BACK THERE, TO ASK HIM THOSE QUESTIONS.

16 THE WITNESS: YES, I DID. LIKE I'M SHOWING HIM,  
17 YOU KNOW WHAT I'M SAYING, DID HE DO THIS. I'M ASKING HIM  
18 AS I'M SHOWING HIM. HE'S NOT SAYING ANYTHING.

19 BY MR. MC KINNEY:

20 Q OKAY. SO YOU DID ASK HIM, "DID YOU DO IT"?

21 A YES.

22 Q AND IS IT YOUR TESTIMONY HE DIDN'T RESPOND  
23 TO THE QUESTIONS?

24 A CORRECT.

25 Q AND WHAT DID YOU THINK NOW WHERE YOU'RE  
26 SHOWING HIM THIS EVIDENCE THAT HE COULD -- HE SHOT  
27 NIPSEY HUSSLE AND HE'S NOT RESPONDING?

28 WHAT DID YOU THINK?

1           A           I WAS JUST LIKE I'M NOT GONNA TALK TO HIM  
2 NO MORE, I'M NOT GONNA SAY ANYTHING ELSE TO HIM.

3           Q           WERE YOU CONVINCED THAT HE DID IT?

4           A           BY LOOKING AT THE -- THE POSTS, YEAH.

5           Q           OKAY. SO AT THAT POINT YOU'RE WITH HIM, HE  
6 HAS NO RESPONSE TO THE ACCUSATIONS BEING MADE ON SOCIAL  
7 MEDIA THAT HE KILLED NIPSEY HUSSLE, AND BASED ON THAT AND  
8 EVERYTHING ELSE YOU KNEW AT THAT POINT -- YOU BELIEVED HE  
9 DID IT; IS THAT YOUR TESTIMONY?

10          A           YES.

11          Q           SO WHAT HAPPENED AFTER THAT?

12                    YOU SAID HE ASKED YOU TO TAKE HIM  
13 SOMEPLACE.

14          A           YEAH. HE ASKED ME TO TAKE HIM TO GO GET A  
15 CHARGER FOR HIS PHONE, TO GET SOME CIGARETTES, AND TO  
16 JACK IN THE BOX.

17          Q           DID YOU TAKE HIM TO THOSE PLACES?

18          A           YES.

19          Q           WHY?

20          A           I JUST -- I JUST TOOK HIM, YOU KNOW, KIND  
21 OF LIKE TRYING TO LIKE GET AWAY FROM HIM, YOU KNOW, JUST  
22 LET HIM LIKE -- THAT WAS LIKE MY LAST TIME EVEN LIKE  
23 WANTING TO TALK TO HIM. I JUST WENT AHEAD AND JUST DID  
24 THAT, TOOK HIM TO THOSE PLACES.

25          Q           OKAY. HOW LONG DID THAT TAKE TO  
26 ACCOMPLISH?

27          A           IT DIDN'T TAKE THAT LONG. EVERYTHING WAS  
28 IN THE AREA.

1 Q AND AFTER YOU TOOK HIM TO THOSE PLACES  
2 WHERE DID THE TWO OF YOU GO?

3 A I TOOK HIM BACK TO THE ROOM AND THEN I LEFT  
4 AFTER THAT.

5 Q OKAY. WHEN YOU TOOK HIM BACK TO THE ROOM,  
6 WAS IT YOUR UNDERSTANDING THAT HE HAD THAT ROOM FOR THE  
7 NIGHT, MEANING HE RENTED THAT ROOM ON MONDAY MORNING AND  
8 HE WAS GONNA BE THERE UNTIL TUESDAY?

9 A CORRECT.

10 Q DID HE ASK YOU -- AFTER YOU CONFRONTED HIM  
11 WITH THE FACEBOOK OR SOCIAL MEDIA INFORMATION, DID HE ASK  
12 YOU IF HE COULD STAY AT YOUR PLACE NOTWITHSTANDING THE  
13 FACT THAT HE HAD A ROOM?

14 A YES, HE DID ASK ME CAN HE STAY WITH ME.

15 Q AND WHAT DID YOU SAY?

16 A I SAID, "NO, YOU'RE NOT GONNA STAY WITH ME  
17 UNTIL I FIND OUT WHAT'S GOING ON. YOU NEED TO TAKE CARE  
18 OF THIS, WHAT'S GOING ON THAT'S ON SOCIAL MEDIA."

19 Q OKAY. AND AFTER YOU TOOK HIM TO THOSE  
20 PLACES WHERE DID YOU GO?

21 A I WENT BACK HOME.

22 Q OKAY. AND DID YOU STAY HOME THEN -- THAT'S  
23 MONDAY NIGHT. DID YOU STAY AT HOME THE REST OF THE NIGHT?

24 A YES. I WAS AT MY MOM'S HOUSE THAT NIGHT.

25 Q MONDAY NIGHT AFTER YOU GOT HOME DID YOU SEE  
26 ANY NEWS REPORTS ABOUT THE SHOOTING OF NIPSEY HUSSLE?

27 A YES, I DID.

28 Q TELL US ABOUT THAT.

1           A           THAT'S WHEN THEY WAS LIKE OH, WE CAPTURED  
2 THE DRIVER AND THE LICENSE PLATES, AND THEN THEY HAD MY  
3 CAR AND THEN THEY HAD HIM ON THE SIDE OF IT.

4           Q           OKAY. SO NOW THIS ISN'T JUST SOCIAL MEDIA,  
5 THIS IS ON A MAJOR TELEVISION NEWS NETWORK REPORTING THAT  
6 YOUR CAR AND ERIC HOLDER WERE WANTED IN CONNECTION WITH  
7 THE KILLING OF NIPSEY HUSSLE, CORRECT?

8           A           CORRECT.

9           Q           WHAT WERE YOU THINKING WHEN YOU SAW THAT?

10          A           I RAN AND TOLD MY MOM. I WAS LIKE, "OH, MY  
11 GOD, MOM." I'M LIKE, "MY CAR IS ON HERE AND EVERYTHING  
12 AND I DIDN'T DO ANYTHING. I DIDN'T KNOW THIS BOY WAS  
13 GONNA DO THIS." AND THEN SHE'S LIKE, "OKAY. WE GOT TO  
14 CALL THE POLICE. WE GOT TO CALL DETECTIVES AND EVERYTHING  
15 SO WE CAN GO DOWN THERE AND YOU CAN TELL THEM."

16          Q           DID YOU CALL THE POLICE THAT NIGHT, MONDAY  
17 NIGHT, AFTER SEEING ON THE NEWS THAT YOUR CAR AND HE WERE  
18 WANTED?

19          A           MY MOM DID.

20          Q           WERE YOU THERE WITH HER WHEN SHE PICKED UP  
21 THE PHONE AND CALLED THE POLICE?

22          A           YES.

23          Q           AND YOU DID -- AND THAT WAS DONE MONDAY  
24 NIGHT, CORRECT?

25          A           CORRECT.

26          Q           AND AFTER THAT PHONE CALL WAS COMPLETED  
27 WHAT, IF ANYTHING, DID YOUR MOTHER TELL YOU THAT YOU  
28 NEEDED TO DO?



1           A           SHE TOLD ME I NEED TO TELL DETECTIVES AND  
2 THE POLICE THE TRUTH.

3           Q           OKAY. DID YOU GO INTO THE POLICE STATION  
4 THAT NIGHT?

5           A           NO, I WENT EARLY THAT MORNING.

6           Q           WHY DID YOU GO THE NEXT MORNING?

7           A           BECAUSE THEY SAID DETECTIVES WON'T BE IN  
8 UNTIL SIX O'CLOCK.

9           Q           IN THE MORNING?

10          A           IN THE MORNING.

11          Q           OKAY. SO YOU WENT TO SLEEP AT YOUR MOM'S  
12 HOUSE, CORRECT?

13          A           CORRECT.

14          Q           DID YOU HAVE ANY OTHER CONVERSATIONS WITH  
15 ERIC HOLDER AFTER SEEING THOSE REPORTS ON THE NEWS?

16          A           NO.

17          Q           AND BY "CONVERSATIONS," I DON'T JUST MEAN  
18 TALKING ON THE PHONE. I MEAN TEXT MESSAGES, DIRECT  
19 MESSAGES, ANY KIND OF CONVERSATION.

20          A           YES, I DID. I CALLED HIM AND I ASKED HIM,  
21 I SAID, "IS YOU GOOD?" LIKE WHAT I MEAN LIKE "IS YOU  
22 GOOD," LIKE DID YOU -- LIKE TRYING TO ASK HIM LIKE DID HE  
23 REALLY DO THIS, WHAT'S GOING ON. HE JUST SAID, "YEAH,"  
24 LIKE THAT.

25          Q           "YEAH" WHAT? "I'M GOOD" OR "YEAH, I DID  
26 THIS"?

27          A           I GUESS LIKE, "YEAH, I'M GOOD," BECAUSE HE  
28 DIDN'T -- THAT'S WHAT I ASKED HIM, BUT HE DIDN'T SPECIFY.

1 Q OKAY. USUALLY WHEN PEOPLE USE THE  
2 EXPRESSION "ARE YOU GOOD?" IT USUALLY MEANS, "ARE YOU  
3 OKAY?" RIGHT?

4 A RIGHT.

5 Q SO WHEN SOMEBODY SAYS, "HEY, MAN, ARE YOU  
6 GOOD?" AT LEAST THE MOST COMMON INTERPRETATION THAT I KNOW  
7 OF IS THEY'RE ASKING ARE YOU OKAY. IS THAT YOUR  
8 UNDERSTANDING?

9 A YES, THAT'S MY UNDERSTANDING.

10 Q SO WHY WOULD YOU CALL HIM AND ASK HIM IS HE  
11 OKAY?

12 A BECAUSE I'M TRYING TO GET AN ANSWER FROM  
13 HIM LIKE SEEING WOULD HE TELL ME LIKE DID HE DO IT, IS HE  
14 GONNA TRY TO LIKE KIND OF TALK TO ME, LIKE CONSOLING ME  
15 LIKE, AT LEAST LET ME KNOW LIKE DID HE REALLY DO IT.

16 Q OKAY. WELL, WHY DIDN'T YOU JUST ASK THAT  
17 QUESTION, "DID YOU DO THIS? I JUST SAW THE NEWS. YOUR  
18 FACE IS ON THE NEWS. THE POLICE SAID THEY WANT YOU"?

19 A THIS IS BEFORE I WATCHED THE NEWS. IT WAS  
20 LIKE THE MIDDLE OF THE NIGHT. LIKE I DIDN'T SEE THE NEWS  
21 UNTIL ABOUT 11:00 WHEN IT CAME ON SO IT WAS LIKE THE  
22 MIDDLE OF THE NIGHT. LIKE AROUND 7:00, MAYBE 8:00 I  
23 CALLED HIM AND ASKED HIM THAT.

24 Q OKAY. WELL, THAT'S AN IMPORTANT FACT,  
25 THAT -- THIS CONVERSATION WHERE YOU ASKED HIM IF HE'S GOOD  
26 OR ASKING HIM IF HE WAS OKAY WAS BEFORE YOU SAW THE NEWS  
27 REPORT; IS THAT CORRECT?

28 A CORRECT.

1 Q DID YOU -- THE QUESTION WAS DID YOU HAVE  
2 ANY CONVERSATION WITH HIM AFTER YOU SAW THE NEWS REPORT.

3 A NO.

4 Q WHY NOT?

5 A I DIDN'T WANT TO TALK TO HIM NO MORE. I  
6 WAS JUST LIKE, YOU KNOW, I GOT TO LIKE TELL THE TRUTH,  
7 TELL WHAT I KNOW. LIKE MY CAR IS UP THERE. LIKE -- IT  
8 WAS LIKE FORGET HIM. LIKE I DIDN'T WANT TO TALK TO HIM NO  
9 MORE.

10 Q OKAY. THE NEXT MORNING, TUESDAY MORNING,  
11 DID YOU GO TO THE POLICE STATION?

12 A YES, I DID.

13 Q WHICH STATION DID YOU GO TO?

14 A THE 76 STATION.

15 Q 77TH?

16 A OH, 77, YES.

17 Q OKAY. WHY DID YOU GO TO THAT STATION?

18 A THEY HAD THE INFORMATION ON THE NEWS WHEN  
19 THEY WAS TALKING ABOUT MY CAR. THEY HAD LIKE WHERE TO  
20 REPORT IT, YOU KNOW, IF YOU SEE IT.

21 Q SO DID YOU GO THERE ALONE OR WITH SOMEONE?

22 A MY MOM TOOK ME.

23 Q OKAY. DID THEY -- DID SHE TAKE YOU IN YOUR  
24 CAR?

25 A NO.

26 Q IN HER CAR?

27 A YES.

28 Q WHAT HAPPENED WHEN THE TWO OF YOU GOT TO

1 THE STATION?

2 A WHEN WE GOT TO THE STATION, THE POLICE  
3 OFFICER IN THE LITTLE CIRCLE THING WHERE YOU GO IN AT,  
4 LIKE THE RECEPTION PART, I WAS EXPLAINING TO THEM THAT MY  
5 CAR WAS ON THE NEWS AND IT'S BEEN INVOLVED IN A MURDER AND  
6 EVERYTHING, AND I WAS TRYING TO, YOU KNOW, TALK TO SOMEONE  
7 ABOUT IT AND I SEEN IT.

8 AND THEN ONE OF THE POLICE OFFICERS IS  
9 LIKE, "WELL, DON'T WORRY ABOUT IT," YOU KNOW, "DON'T  
10 LISTEN TO THE NEWS," YOU KNOW. AND THEN MY MOM SAID,  
11 "WELL, SHE NEEDS TO TALK TO SOMEBODY." BUT HE SAID,  
12 "DON'T WORRY ABOUT IT." SO WE JUST LEFT.

13 AND WHEN I WENT TO WORK -- MY MOM, SHE TOOK  
14 ME TO WORK AND -- NO, I WENT TO WORK. SHE DIDN'T TAKE ME  
15 TO WORK. SHE TOOK ME BACK TO MY CAR. I DROVE MY CAR.  
16 AND MY MOM, SHE CALLED ME AT WORK. SHE WAS LIKE, "THEY  
17 STILL GOT YOUR CAR ON THE NEWS." SHE WAS LIKE, "YOU NEED  
18 TO TALK WITH SOMEBODY." SO THEN SHE CALLED AGAIN AND A  
19 LADY NAMED MS. MOHAMMED, SHE HAD TALKED TO MY MOM AND TOLD  
20 HER I NEED TO COME DOWN THERE.

21 Q OKAY. SO YOU AND YOUR MOM WENT TO THE  
22 STATION THAT MORNING, TALKED TO A DESK SERGEANT, EXPLAINED  
23 WHY YOU WERE THERE, CORRECT?

24 A CORRECT.

25 Q AND HE TOLD YOU, "AH, DON'T WORRY ABOUT  
26 IT"?

27 A YES.

28 Q AND TOLD YOU BASICALLY YOU COULD LEAVE,

1 CORRECT?

2 A CORRECT.

3 MS. AENLLE-ROCHA: SO YOU GOT OUT OF THE CAR AND  
4 YOU WENT INTO THE STATION?

5 THE WITNESS: YES.

6 BY MR. MC KINNEY:

7 Q AND THEN LATER YOUR MOM FOLLOWED UP, WAS  
8 STILL CONCERNED THAT YOU WERE ACTUALLY -- YOUR CAR AT  
9 LEAST WAS STILL WANTED, AND TOLD YOU, YOU KNOW, WHATEVER  
10 THAT GUY SAID, YOU NEED TO GO BACK AND TALK TO SOMEBODY?

11 A YES, BECAUSE IT WAS AT WORK, MY CAR.

12 Q DID YOU GO BACK?

13 A TO THE POLICE STATION?

14 Q YES.

15 A YES. I CALLED THEM WHILE I WAS AT WORK.

16 Q OKAY. YOU CALLED -- THAT'S TUESDAY MORNING  
17 STILL, CORRECT?

18 A CORRECT.

19 Q WHEN YOU CALLED, WHAT DID THEY TELL YOU TO  
20 DO?

21 A THEY TOLD ME TO COME DOWN THERE NOW JUST  
22 BECAUSE MY CAR IS OUT THERE, THEY DIDN'T WANT THE POLICE  
23 TO STOP ME.

24 Q OKAY. DID YOU GO BACK TO THE STATION?

25 A YES.

26 Q WHEN YOU GOT TO THE STATION, WERE YOU  
27 INTERVIEWED BY SOME DETECTIVES?

28 A YES.

1 Q WERE YOU INTERVIEWED FOR ABOUT FIVE HOURS?

2 A YES.

3 Q DURING THE INTERVIEW, WERE YOU GIVEN YOUR  
4 RIGHTS?

5 WERE YOU TOLD THAT YOU HAVE THE RIGHT TO  
6 REMAIN SILENT; ANYTHING YOU SAY WILL BE USED AGAINST YOU;  
7 YOU HAD THE RIGHT TO AN ATTORNEY; IF YOU COULDN'T AFFORD  
8 ONE, ONE WOULD BE PROVIDED FOR YOU?

9 WERE THOSE RIGHTS EXPLAINED TO YOU?

10 A YES.

11 Q DID YOU AGREE TO WAIVE THOSE RIGHTS AND  
12 TALK TO THE DETECTIVES?

13 A WHAT DO YOU MEAN?

14 Q DID YOU SAY, "I UNDERSTAND THOSE RIGHTS. I  
15 CAN TALK TO YOU WITHOUT AN ATTORNEY"?

16 A YES.

17 Q AND DID YOU PROCEED TO HAVE A  
18 FIVE-HOUR-LONG INTERVIEW?

19 A YES.

20 Q DURING THAT INTERVIEW, DID YOU TELL THEM  
21 THAT YOU TOOK A SELFIE WITH NIPSEY HUSSLE?

22 A YES.

23 Q DID YOU HAVE THAT PICTURE ON YOUR PHONE?

24 A YES.

25 Q DID YOU SHOW THE DETECTIVES THE PICTURE?

26 A YES.

27 Q AND DID YOU SEND THAT PICTURE FROM YOUR  
28 PHONE TO THE DETECTIVES?

1 A YES.

2 Q DID YOU ALSO CONSENT TO A SEARCH OF YOUR  
3 CELL PHONE?

4 A YES.

5 Q DID YOU ALSO CONSENT TO A SEARCH OF YOUR  
6 CAR?

7 A YES.

8 Q DURING THAT INTERVIEW, DID YOU AGREE TO  
9 CALL ERIC HOLDER ON YOUR PHONE WHILE THE DETECTIVES WERE  
10 IN THE INTERVIEW ROOM WITH YOU?

11 A YES.

12 Q AND DID YOU END UP GETTING ERIC HOLDER ON  
13 THE PHONE WHILE YOU WERE IN THE INTERVIEW ROOM WITH THE  
14 DETECTIVES?

15 A YES.

16 Q SUBSEQUENT TO THAT INTERVIEW, DID YOU  
17 CONSENT TO A SEARCH OF YOUR APARTMENT?

18 A YES.

19 Q DID YOU CONSENT TO A SEARCH OF YOUR  
20 MOTHER'S APARTMENT?

21 A YES.

22 Q DID YOU EXPLAIN TO THE DETECTIVES WHERE YOU  
23 DROPPED ERIC HOLDER OFF AFTER THE SHOOTING?

24 A YES.

25 Q EXPLAINED TO THEM WHERE HAROLD LIVED?

26 A CORRECT.

27 Q WERE YOU TRYING TO BE AS COOPERATIVE AS YOU  
28 COULD BE IN PROVIDING INFORMATION ABOUT WHAT HAPPENED?

1 A YES.

2 Q AFTER THE INTERVIEW, DID THE OFFICERS TAKE  
3 YOU INTO CUSTODY OR DID THEY ALLOW YOU TO LEAVE?

4 A THEY JUST HOLD MY CAR FOR ME. THEY HOLD  
5 IT, BUT THEY LET ME LEAVE.

6 Q THEY LET YOU LEAVE, BUT THEY HELD ONTO YOUR  
7 CAR FOR A WHILE, CORRECT?

8 A FOR A DAY, YES.

9 Q AT SOME POINT THEY RETURNED IT?

10 A YES.

11 Q AND SOME WEEKS AFTER THAT YOU CAME TO THE  
12 DISTRICT ATTORNEY'S OFFICE AND MET WITH ME AND I  
13 INTERVIEWED YOU PROBABLY FOR WHAT, OVER AN HOUR, CLOSE TO  
14 TWO HOURS?

15 A YES.

16 Q HAVE YOU HEARD FROM MR. HOLDER SINCE THAT  
17 LAST TIME YOU TALKED TO HIM ON MONDAY NIGHT?

18 A NO.

19 Q HAS HE TRIED TO REACH OUT TO YOU DIRECTLY  
20 OR INDIRECTLY IN ANY WAY, MEANING THROUGH FRIENDS, THROUGH  
21 MESSAGES, THROUGH MAIL, ANYTHING?

22 A NO.

23 Q HAVE YOU TRIED TO COMMUNICATE WITH HIM IN  
24 ANYWAY?

25 HAVE YOU DONE ANYTHING TO TRY TO TALK TO  
26 HIM?

27 A NO.

28 MS. AENLLE-ROCHA: HAVE YOU TRIED TO TALK WITH



1 ANYONE WHO IS ASSOCIATED WITH HIM?

2 THE WITNESS: NO.

3 BY MR. MC KINNEY:

4 Q DO YOU KNOW WHAT HAPPENED TO THE TWO GUNS  
5 THAT YOU SAW HIM GET INTO THE CAR WITH AFTER THE SHOOTING?

6 A NO.

7 MS. AENLLE-ROCHA: MADAM FOREPERSON, WE'RE GOING TO  
8 BREAK RIGHT NOW. IF YOU WOULD PLEASE REMIND THE WITNESS  
9 OF HER ADMONITION.

10 THE FOREPERSON: YES.

11 MS. AENLLE-ROCHA: WE'RE GOING TO TAKE ANOTHER  
12 BREAK. OKAY?

13 THE WITNESS: OKAY.

14 MS. AENLLE-ROCHA: HOLD ON ONE SECOND. WE'RE  
15 ALMOST FINISHED.

16 THE WITNESS: ALL RIGHT.

17 THE FOREPERSON: YOU WILL RECALL THAT YOU HAVE  
18 PREVIOUSLY BEEN ADMONISHED REGARDING THE SECRECY OF THESE  
19 PROCEEDINGS AND MUST HEED THAT ADMONISHMENT.

20 MS. AENLLE-ROCHA: EXCEPT THAT YOU CAN SPEAK WITH  
21 YOUR LAWYER.

22 THE FOREPERSON: EXCEPT THAT YOU CAN SPEAK WITH  
23 YOUR LAWYER.

24 THE WITNESS: YES.

25 MS. AENLLE-ROCHA: AND YOU KNOW THAT, RIGHT?

26 THE WITNESS: RIGHT.

27 MS. AENLLE-ROCHA: OKAY. THANK YOU.

28 WE'RE GOING TO TAKE A 15-MINUTE BREAK. SO

1 WE'LL COME BACK AT 10:40. OKAY?

2 THE WITNESS: OKAY.

3 MS. AENLLE-ROCHA: THANK YOU. THE SERGEANT-AT-ARMS  
4 WILL ESCORT YOU.

5  
6 (THE WITNESS EXITED THE GRAND JURY  
7 HEARING ROOM.)

8  
9 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
10 PLEASE RECESS THIS HEARING AND ORDER THE GRAND JURORS TO  
11 RETURN AT 10:40.

12 THE FOREPERSON: SO ORDERED.

13 MS. AENLLE-ROCHA: THANK YOU.

14 GRAND JURORS ARE ADMONISHED AND ADVISED NOT  
15 TO DISCUSS THIS MATTER OR FORM ANY OPINION UNTIL SUCH TIME  
16 AS IT IS GIVEN TO YOU FOR DELIBERATIONS.

17 THANK YOU. WE ARE IN RECESS.

18 PLEASE ESCORT THE D.A. FROM THE HEARING  
19 ROOM.

20  
21 (DEPUTY DISTRICT ATTORNEY MC KINNEY  
22 EXITED THE GRAND JURY HEARING ROOM.)

23  
24 (RECESS.)

25  
26 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
27 PLEASE CALL THIS CRIMINAL GRAND JURY HEARING TO ORDER.

28 THE FOREPERSON: SO ORDERED.

1 MS. AENLLE-ROCHA: THANK YOU.

2 PLEASE LET THE RECORD REFLECT THAT THE SAME  
3 NUMBER AS WELL AS THE SAME GRAND JURORS PRESENT AT  
4 MORNING'S ROLL CALL ARE PRESENT. ALSO PRESENT IS DEPUTY  
5 DISTRICT ATTORNEY JOHN MC KINNEY AND MYSELF, THE GRAND  
6 JURY LEGAL ADVISOR.

7 PLEASE, LET'S RECALL WITNESS #1.

8  
9 (THE WITNESS ENTERED THE GRAND JURY  
10 HEARING ROOM.)

11  
12 MS. AENLLE-ROCHA: THANK YOU.

13 MADAM FOREPERSON, PLEASE REMIND THE WITNESS  
14 OF HER OATH.

15 THE FOREPERSON: YOU WILL RECALL THAT YOU HAVE  
16 PREVIOUSLY BEEN SWORN AND ARE STILL UNDER OATH.

17 THE WITNESS: YES.

18 MS. AENLLE-ROCHA: THANK YOU.

19 AND WITH YOUR PERMISSION, MAY MR. MC KINNEY  
20 PROCEED?

21 THE FOREPERSON: YES.

22 MS. AENLLE-ROCHA: THANK YOU.

23 THE FOREPERSON: I DIDN'T WANT THAT TO FALL.

24 MS. AENLLE-ROCHA: THANK YOU VERY MUCH.

25 BY MR. MC KINNEY:

26 Q OKAY. WITNESS #1, I WANT TO SHOW YOU A  
27 ZOOMED-IN CLIP FROM GRAND JURY EXHIBIT NUMBER 11, CAM 6.  
28 DO YOU RECOGNIZE THAT THIS ZOOMED-IN IMAGE SHOWS A PORTION

1 OF THE MARATHON PARKING LOT?

2 A MY MONITOR IS NOT ON. I CAN'T REALLY  
3 SEE --

4 MS. AENLLE-ROCHA: I'M SORRY.

5 THE WITNESS: THANK YOU.

6 BY MR. MC KINNEY:

7 Q ALL RIGHT. DO YOU RECOGNIZE THE FIRST  
8 FRAME OF THIS CROPPED IMAGE FROM CAM 6?

9 A YES.

10 Q IS THAT A PORTION OF THE LOT THAT SHOWS THE  
11 GROUP OF MEN THAT MR. HOLDER WAS TALKING TO, INCLUDING  
12 NIPSEY HUSSLE?

13 A YES.

14 Q I WANT TO PLAY A FEW SECONDS OF THIS CLIP  
15 FOR YOU.

16 A ALL RIGHT.

17 MS. AENLLE-ROCHA: AND WHERE ARE YOU STARTING IT?

18 MR. MC KINNEY: WELL, THIS ONE DOESN'T HAVE THE --

19 MS. AENLLE-ROCHA: OKAY. OKAY.

20

21 (EXHIBIT 11, CAM 6, PLAYED.)

22

23 BY MR. MC KINNEY:

24 Q DO YOU SEE THAT PERSON WALKING IN FROM THE  
25 RIGHT SHAKING HANDS WITHOUT THE SHIRT ON?

26 A YES.

27 Q OKAY. IS THAT ERIC?

28 A IT LOOK LIKE IT.

1 Q OKAY.

2

3 (EXHIBIT 11, CAM 6, PLAYED.)

4

5 BY MR. MC KINNEY:

6 Q THIRTY SECONDS INTO THIS CLIP WHO IS THAT  
7 PERSON WALKING TOWARD THE GROUP?

8 A THAT'S ME.

9 Q AND IS THIS WHEN YOU TESTIFIED YOU WALKED  
10 UP TO GET A SELFIE WITH NIPSEY?

11 A YES.

12

13 (EXHIBIT 11, CAM 6, PLAYED.)

14

15 BY MR. MC KINNEY:

16 Q AND WE SEE YOU SORT OF WALKING IN CLOSER TO  
17 NIPSEY; IS THAT CORRECT?

18 A CORRECT.

19 Q NIPSEY'S THE PERSON WITH THE WHITE CLOTH ON  
20 HIS HEAD?

21 A CORRECT.

22 Q AND AS WE WATCH THE VIDEO, IS IT DURING  
23 THIS TIME THAT YOU HEARD THE CONVERSATION THAT YOU  
24 TESTIFIED ABOUT?

25 A YES.

26 Q NOW, IT LOOKS LIKE YOU JUST STEPPED IN  
27 FRONT OF HIM AND HE'S LEANING DOWN. IS THAT WHEN YOU'RE  
28 TAKING THE PICTURE?

1 A YES.

2 Q AND THEN IT APPEARS RIGHT AFTER THE PICTURE  
3 YOU GO RIGHT BACK IN THE DIRECTION OF YOUR CAR; IS THAT  
4 CORRECT?

5 A CORRECT.

6 MS. AENLLE-ROCHA: CAN YOU MOVE YOUR MICROPHONE  
7 DOWN A LITTLE SO IT'S MORE COMFORTABLE FOR YOU?

8 THE WITNESS: THANK YOU.

9 MS. AENLLE-ROCHA: YOU'RE WELCOME.  
10 BY MR. MC KINNEY:

11 Q I DON'T KNOW IF I SHOWED YOU THIS EXHIBIT.  
12 THIS IS GRAND JURY EXHIBIT NUMBER 22. DO YOU RECOGNIZE  
13 WHAT'S SHOWN HERE?

14 A THE REVOLVER IS IN ERIC HAND.

15 Q OKAY. SO YOU'RE LOOKING AT AN EXHIBIT THAT  
16 SHOWS A STILL PHOTOGRAPH FROM THE MASTER BURGER CAMERA AND  
17 THERE'S A PHOTO OVERLAYING THE STILL IMAGE THAT SHOWS A  
18 CLOSE-UP.

19 WHEN YOU SAID THE REVOLVER IN ERIC'S HAND,  
20 ARE YOU REFERRING TO THIS SMALL PHOTOGRAPH THAT HAS A RED  
21 CIRCLE AROUND THE RIGHT HAND OF A PERSON WITH A GUN IN IT?  
22 APPEARS TO BE A GUN IN IT.

23 A YES.

24 Q AND IS IT YOUR TESTIMONY THAT YOU BELIEVE  
25 THAT THIS IS ERIC HOLDER HOLDING A GUN IN HIS RIGHT HAND?

26 A YES.

27 Q AND WHEN YOU DESCRIBED SEEING THE PISTOL,  
28 THE SMALLER OF THE GUNS, I KNOW THIS IS NOT A VERY CLEAR

1 IMAGE, BUT DOES THIS LOOK LIKE THE GUN THAT YOU SAW HIM  
2 WITH BOTH THAT DAY AND ON A PRIOR OCCASION AT HIS  
3 APARTMENT?

4 A YES.

5 Q AND TO THE RIGHT OF THE IMAGE IS ACTUALLY A  
6 PICTURE OF SOMEONE. DO YOU RECOGNIZE THIS PERSON?

7 A YES.

8 Q WHO IS THAT?

9 A ERIC.

10 Q IS THAT HOW HE WAS DRESSED WHEN HE WALKED  
11 AWAY FROM YOUR CAR?

12 A YES.

13 Q IS THAT HOW HE WAS DRESSED WHEN HE RAN BACK  
14 TO YOUR CAR?

15 A YES.

16 MS. AENLLE-ROCHA: AND THOSE QUESTIONS WERE AFTER  
17 HE HAD -- AFTER YOU PARKED SO HE COULD EAT HIS MEAL?

18 THEN HE LEFT THE CAR AND CAME RUNNING BACK,  
19 RIGHT?

20 THE WITNESS: RIGHT.

21 MS. AENLLE-ROCHA: OKAY. AND THAT'S HOW HE LOOKED  
22 THEN?

23 THE WITNESS: YES. THAT WAS THE JACKET.

24 MS. AENLLE-ROCHA: WELL --

25 THE WITNESS: NOT WHEN HE CAME INTO THE CAR, BUT  
26 WHEN I PICKED HIM UP.

27 MS. AENLLE-ROCHA: WELL, MR. MC KINNEY JUST PUT  
28 EXHIBIT 38 UP. BUT I WAS TALKING ABOUT THE PRIOR ONE JUST

1 TO GET A LITTLE CLARIFICATION, THAT THAT LARGER PHOTO WITH  
2 THE SMALL ONE, THIS ONE, EXHIBIT 22, THAT'S MR. HOLDER AS  
3 YOU SAW HIM AFTER HE FINISHED EATING WHEN HE LEFT YOUR CAR  
4 AND THEN WHEN HE CAME RUNNING BACK?

5 THE WITNESS: YES.

6 MS. AENLLE-ROCHA: OKAY.

7 BY MR. MC KINNEY:

8 Q ALL RIGHT. I'M GOING TO SHOW YOU GRAND  
9 JURY EXHIBIT NUMBER 38. AND I BELIEVE YOU COMMENTED ON  
10 THIS EXHIBIT BEFORE I HAD A CHANCE TO INTRODUCE IT TO YOU.  
11 DO YOU RECOGNIZE WHAT'S SHOWN HERE?

12 A YES.

13 Q WHAT DOES IT SHOW?

14 A IT SHOW A HOODIE, A REVERSE HOODIE JACKET.

15 Q WHAT DO YOU MEAN BY "REVERSE HOODIE"?

16 A YOU CAN WEAR IT WITH THE BLACK SHOWING; YOU  
17 CAN WEAR IT ON THE OUTSIDE WHERE THE CAMOUFLAGE IS  
18 SHOWING.

19 Q OKAY. AND DID YOU SEE HIM WEARING THIS  
20 JACKET AT SOME POINT?

21 A YES, INSIDE OUT. THE OTHER SIDE.

22 Q OKAY. YOU SAW HIM WEARING THE CAMOUFLAGE  
23 SIDE --

24 A YES.

25 Q -- ON THE EXTERIOR?

26 A YES.

27 Q OKAY. WHEN DID YOU SEE HIM WEARING THIS?

28 A WHEN I PICKED HIM UP FROM HAROLD HOUSE.



1 Q ON SUNDAY NIGHT?

2 A YES.

3 Q OKAY.

4 ALL RIGHT. NOW, I JUST WANT TO ASK YOU  
5 SOME QUESTIONS ABOUT SOME OF THE STATEMENTS YOU MADE IN  
6 YOUR INITIAL INTERVIEW WITH THE DETECTIVES.

7 MS. AENLLE-ROCHA: THIS IS BEING PRESENTED TO THE  
8 GRAND JURORS AS POTENTIALLY EXCULPATORY EVIDENCE.  
9 CONSIDER IT AS YOU WOULD ANY OTHER EVIDENCE PURSUANT TO  
10 *PEOPLE VS. JOHNSON*.

11 BY MR. MC KINNEY:

12 Q ALL RIGHT. YOU TESTIFIED THAT YOU SPOKE TO  
13 THE DETECTIVES FOR ABOUT FIVE HOURS THE FIRST TIME YOU MET  
14 WITH THEM, CORRECT?

15 A CORRECT.

16 Q AND IS IT TRUE THAT WHEN YOU ANSWERED THEIR  
17 QUESTIONS FOR MORE THAN HALF THAT INTERVIEW THAT YOU TOLD  
18 THEM THAT YOU DID NOT SEE ERIC HOLDER WITH A GUN UNTIL HE  
19 CAME BACK TO YOUR CAR AFTER HEARING GUNSHOTS?

20 A YES.

21 Q SO THE FIRST PART OF THAT INTERVIEW, THE  
22 FIRST HALF OF IT YOU TOLD THEM THAT AT NO TIME DID YOU SEE  
23 HIM WITH A GUN UNTIL HE RETURNED TO THE CAR, CORRECT?

24 A CORRECT.

25 Q LATER IN THAT INTERVIEW AFTER ONE OF THE  
26 DETECTIVES TOOK SOME TIME TO REALLY IMPRESS HOW SERIOUS  
27 THIS MATTER WAS AND THAT YOU COULD HAVE SOME LIABILITY,  
28 MEANING YOU COULD BE INVOLVED IN A CRIME AND THAT IT WAS

1 VERY IMPORTANT THAT YOU TELL THE WHOLE TRUTH ABOUT WHAT  
2 YOU SAW AND HEARD, DID YOU THEN TELL THEM WHAT YOU  
3 TESTIFIED HERE, WHICH IS YOU ACTUALLY SAW HIM TAKE OUT A  
4 GUN AND START MANIPULATING IT BEFORE HE GOT OUT OF THE CAR  
5 TO WALK AWAY BACK TOWARD THE PLAZA?

6 A YES.

7 Q WHY DIDN'T YOU TELL THEM THAT THE FIRST  
8 TIME YOU TOLD THE STORY?

9 A IT WAS JUST THE WAY THE QUESTIONS -- THE  
10 WAY THE DETECTIVE WAS ASKING ME THE QUESTIONS. HE  
11 DIDN'T -- I WAS JUST LIKE GOING OFF OF WHAT HE WAS SAYING  
12 WHEN HE WAS ASKING ME THE QUESTIONS, GOING IN THE ORDER HE  
13 WAS ASKING THE QUESTIONS. THAT'S WHY. LIKE WHATEVER HE  
14 ASKED ME, I WAS JUST ANSWERING HIS QUESTIONS.

15 Q OKAY. SO HE -- IS IT YOUR TESTIMONY THAT  
16 HE DIDN'T SAY START AT THE BEGINNING AND TELL US STEP BY  
17 STEP WHAT HAPPENED ALL THE WAY TO THE END, HE WAS KIND OF  
18 JUMPING AROUND A LITTLE BIT?

19 A YEAH. IT WAS JUST -- WE WERE KIND OF LIKE  
20 TALKING. HE WAS TRYING TO GET TO KNOW ME, TOO. SO HE WAS  
21 JUST KIND OF LIKE YOU SAY, JUMPING AROUND WITH THE  
22 QUESTIONS.

23 MS. AENLLE-ROCHA: REMEMBER, YOU HAVE TO ANSWER  
24 WITH A "YES." YOU SAID "YEAH" AGAIN. DID YOU MEAN "YES"?

25 THE WITNESS: YES.

26 MS. AENLLE-ROCHA: OKAY.

27 BY MR. MC KINNEY:

28 Q WELL, IT IS -- IT IS TRUE THAT THE

1 DETECTIVE VERY CLEARLY ASKED YOU IF YOU HAD SEEN A GUN  
2 BEFORE HE GOT OUT OF THE CAR AND YOU SAID NO SEVERAL  
3 DIFFERENT TIMES IN THE INTERVIEW; IS THAT CORRECT?

4 A DID I SEE HIM WHEN HE GOT OUT THE CAR? NO,  
5 I DIDN'T SEE IT WHEN HE GOT OUT THE CAR.

6 Q NO, BUT DID YOU SEE A GUN ANY TIME BEFORE  
7 HE GOT OUT OF THE CAR.

8 A YES.

9 Q YOU WERE ASKED THOSE QUESTIONS, CORRECT?

10 A I THINK SO, YEAH. I THINK I REMEMBER THAT.

11 Q LET ME ASK THE QUESTION A LITTLE MORE  
12 DIRECTLY.

13 WHEN YOU TALKED TO THE DETECTIVES THE FIRST  
14 TIME, WERE YOU TRYING TO NOT TELL THEM -- WERE YOU TRYING  
15 TO AVOID TELLING THEM THAT YOU KNEW ERIC HAD A GUN BEFORE  
16 HE GOT OUT OF THE CAR?

17 A NO.

18 Q DO YOU AGREE THAT FOR THE FIRST HALF OF  
19 THAT INTERVIEW YOU NEVER MENTIONED THAT YOU SAW HIM  
20 MANIPULATING A GUN BEFORE HE GOT OUT OF THE CAR?

21 A DO I -- WHAT DO YOU MEAN? LIKE -- COULD  
22 YOU EXPLAIN IT AGAIN TO ME?

23 Q OKAY. WHAT I'M ASKING YOU IS DO YOU AGREE  
24 THAT YOU DIDN'T BRING UP THE FACT THAT ERIC WAS PLAYING  
25 WITH A GUN NEAR THE PASSENGER WINDOW?

26 YOU DIDN'T MENTION THAT, WHETHER YOU WERE  
27 ASKED OR -- YOU NEVER MENTIONED THAT YOU SAW HIM WITH A  
28 GUN UNTIL THE LAST PART OF THE INTERVIEW WHEN THE

1 DETECTIVE REALLY STARTED TO TELL YOU HOW SERIOUS THIS WAS.

2 A CORRECT.

3 Q NOW, THE QUESTION I HAVE FOR YOU IS WHY  
4 DIDN'T YOU MENTION THAT?

5 WHETHER YOU WERE ASKED A SPECIFIC QUESTION  
6 OR NOT, WHY DIDN'T THAT COME OUT?

7 A I DON'T REALLY KNOW WHY. I WAS JUST KIND  
8 OF LIKE -- THEY WERE JUST ASKING ME THE QUESTIONS AND  
9 STUFF. I DIDN'T KNOW WHY THAT DIDN'T COME OUT FIRST.

10 Q WHEN YOU TALKED TO THE DETECTIVES AND AFTER  
11 YOU STARTED TO TELL THEM THAT PART OF THE STORY, DID YOU  
12 TELL THEM THAT YOU BELIEVED ERIC WANTED TO DO A DRIVE-BY?

13 A I SAID -- I TOLD THEM THAT I DON'T WANT HIM  
14 DOING NO DRIVE-BY IN MY CAR. I DIDN'T SAY HE SAID IT,  
15 THAT HE WANTED TO DO A DRIVE-BY.

16 Q OKAY. SO YOUR TESTIMONY IS YOU NEVER TOLD  
17 THE DETECTIVES THAT ERIC HOLDER SAID TO YOU THE WORDS, "I  
18 WANT TO DO A DRIVE-BY"?

19 A YES.

20 Q AND THAT'S YOUR TESTIMONY HERE, CORRECT?

21 A CORRECT.

22 Q DID YOU AND THE DETECTIVES HAVE A  
23 CONVERSATION ABOUT ERIC HOLDER DOING THE DRIVE-BY?

24 DID YOU HAVE THAT CONVERSATION WITH THEM?  
25 DID THAT SUBJECT COME UP?

26 A YES.

27 Q TELL US WHAT YOU TOLD THE DETECTIVES ABOUT  
28 THAT ISSUE, THAT SUBJECT.

1           A           I JUST TOLD THEM THAT I SEEN HIM LIKE  
2 MESSING WITH THE GUN, PLAYING WITH THE GUN, AND I JUST  
3 TOLD HIM THAT HE'S NOT GONNA DO NO DRIVE-BY IN MY CAR.

4           MS. AENLLE-ROCHA: DIDN'T YOU ALSO SAY YESTERDAY HE  
5 WAS LOADING THE GUN?

6           THE WITNESS: YES.

7           MS. AENLLE-ROCHA: SO YOUR TESTIMONY RIGHT NOW IS  
8 ERIC NEVER SAID HE WAS GOING TO DO A DRIVE-BY, "GO AROUND  
9 HERE BECAUSE I NEED TO DO A DRIVE-BY"?

10          THE WITNESS: CORRECT.

11          MS. AENLLE-ROCHA: OKAY. AND IF YOUR RECORDED  
12 STATEMENT TO THE POLICE YOU SAY IN THAT STATEMENT THAT HE  
13 SAID THAT, THAT HE WANTED TO DO A DRIVE-BY, HOW CAN YOU  
14 EXPLAIN THE DISCREPANCY?

15          THE WITNESS: I WASN'T TRYING TO SAY HE SAID IT,  
16 LIKE -- I SAID IT, THOUGH, THAT HE'S NOT GONNA DO A --

17          MS. AENLLE-ROCHA: I KNOW. I KNOW. BUT HERE'S MY  
18 QUESTION: YOUR PRIOR RECORDED STATEMENT STATES THAT YOU  
19 SAID TO THE DETECTIVES THAT HE SAID HE WANTED TO DO A  
20 DRIVE-BY.

21                   HOLD ON JUST A SECOND.

22 BY MR. MC KINNEY:

23           Q           ALL RIGHT. I'M GONNA GO TO A TRANSCRIPT OF  
24 YOUR STATEMENT. OKAY?

25           A           ALL RIGHT.

26           Q           AND THEN I'LL READ IT AND THEN I'LL ASK YOU  
27 SOME QUESTIONS ABOUT IT.

28           A           ALL RIGHT.

1 Q SO YOU TESTIFIED YOU HAD THIS LONG  
2 CONVERSATION WITH THEM, YOU WERE TELLING THEM WHAT  
3 HAPPENED, THE DETECTIVE BASICALLY TOLD YOU THAT HE DIDN'T  
4 BELIEVE THAT YOU AND ERIC NEVER HAD A CONVERSATION AFTER  
5 THE SHOOTING ABOUT WHAT HAPPENED. HE DIDN'T BELIEVE THAT.  
6 HE WAS LEANING ON YOU TO TELL HIM WHETHER A CONVERSATION  
7 TOOK PLACE, CORRECT?

8 A CORRECT.

9 Q AND HE WAS ALSO IMPRESSING UPON YOU THAT  
10 THIS WAS VERY, VERY SERIOUS AND THAT YOU NEEDED TO TELL  
11 EVERYTHING THAT YOU KNEW, CORRECT?

12 A CORRECT.

13 Q NOW, UP TO THAT POINT YOU TOLD THE  
14 DETECTIVES THAT AFTER YOU DROVE OUT OF THE PLAZA YOU DROVE  
15 THROUGH THE SHELL STATION AND STOPPED BEHIND THE FAT  
16 BURGER, CORRECT?

17 A CORRECT.

18 Q UP TO THAT POINT, YOU DIDN'T TELL THEM THAT  
19 WHEN YOU LEFT THE PLAZA THE FIRST TIME ERIC HAD YOU GO  
20 AROUND THE BLOCK. UP TO THAT POINT YOU DIDN'T MENTION  
21 GOING AROUND THE BLOCK AND THEN COMING BACK TO THE FAT  
22 BURGER, CORRECT?

23 A CORRECT.

24 Q OKAY. AFTER HE IMPRESSED UPON YOU THE  
25 IMPORTANCE OF TELLING THE TRUTH, DID YOU SAY, QUOTE, "ARE  
26 YOU GOING TO PROTECT ME"?

27 A YES.

28 Q AND THEN YOU HAD A CONVERSATION WITH THEM

1 IN WHICH YOU TOLD THEM, QUOTE, "I NEED TO BE PROTECTED"?

2 A YES.

3 Q OKAY. WHY DID YOU MENTION YOUR CONCERNS  
4 FOR YOUR SAFETY AT THAT POINT BEFORE ANSWERING ADDITIONAL  
5 QUESTIONS?

6 WHAT MADE YOU SAY THAT TO THE DETECTIVES?

7 A JUST BECAUSE I WAS JUST AFRAID FOR MY LIFE.  
8 I DIDN'T WANT LIKE NOTHING -- TO GET HURT OR GET KILLED,  
9 TO -- ANYTHING ABOUT THE SITUATION. THAT'S WHY.

10 Q DID YOU FEEL THAT IF YOU TALKED ABOUT  
11 DRIVING AROUND THE CORNER, IF YOU TALKED ABOUT SEEING ERIC  
12 MANIPULATING THE GUN OR LOADING THE GUN, THAT THAT SOMEHOW  
13 WAS GONNA JEOPARDIZE YOUR SAFETY, THAT YOU WOULD BE A  
14 SNITCH AND THAT WOULD SOMEHOW JEOPARDIZE YOUR SAFETY?

15 A NO.

16 Q OKAY. BECAUSE YOU HAD ALREADY TOLD THEM A  
17 LOT OF INCRIMINATING OR BAD INFORMATION ABOUT ERIC, RIGHT?

18 A RIGHT.

19 Q SO WHY DID YOU -- WHY DID YOU FEEL THE NEED  
20 AT THAT POINT IN THE INTERVIEW TO ASK FOR PROTECTION?

21 A JUST BECAUSE THEY WAS TALKING TO ME ABOUT  
22 LIKE OH, HOW SERIOUS IT IS, AND THEN THAT'S WHEN LIKE I  
23 START KIND OF REMEMBERING LIKE WHAT HAPPENED. LIKE I KNEW  
24 WHAT WAS HAPPENED, BUT A LOT OF STUFF WAS STILL A LITTLE  
25 BLURRY TO ME OR WHATEVER. SO BY THEM TALKING TO ME IT  
26 HELPED ME GET OUT WHAT I NEEDED TO EXPLAIN AND TALK ABOUT  
27 THE SITUATION.

28 Q OKAY. I WANT TO READ FROM THIS TRANSCRIPT.

1 AND THIS IS, JUST FOR THE RECORD, AT PAGE  
2 98.

3 THE WITNESS:

4 I NEED TO BE PROTECTED.

5 DETECTIVE:

6 SO, TELL US THE TRUTH.

7 WITNESS:

8 ALL RIGHT. HE DID HAVE ME GO  
9 AROUND, AFTER WE GOT THE FOOD, HE DID  
10 HAVE ME GO AROUND THE, UHM, -- THE  
11 LITTLE PLAZA THING. HE DID PULL OUT THE  
12 GUN. HE WANTED TO DO A DRIVE-BY. THAT'S  
13 WHEN I PULLED IN THE ALLEY AND SET THERE.  
14 AND, THEN, HE GOT OUT THE CAR AND WALKED  
15 UP THERE.

16 DETECTIVE:

17 SO, WHEN YOU SAY HE WANTED TO DO A  
18 DRIVE-BY, EXPLAIN TO ME WHAT THAT MEANS TO  
19 YOU? OR WHAT HE MEANT BY THAT. WHAT DID  
20 HE -- GIVE ME THE -- I NEED THE RAW WORDS  
21 THAT HE SAID. SO, IF IT'S CUSS WORDS, IF --  
22 WHATEVER, I DON'T CARE HOW HE SAID IT, SAY  
23 EXACTLY -- REPEAT EXACTLY WHAT YOU REMEMBER  
24 HIM SAYING.

25 WITNESS:

26 HE SAID, "DRIVE AROUND HERE." HE  
27 STARTED PULLING OUT THE GUN, DOING ALL  
28 THAT AND STUFF. AND, I WAS LIKE "NO, YOU



1           IS NOT FITTIN' UP TO BE DOING NO DRIVE-BY  
2           IN MY CAR." HE SAID "PULL AROUND BACK,  
3           THEN."

4                    OKAY. DO YOU REMEMBER THOSE QUESTIONS AND  
5           GIVING THOSE ANSWERS?

6           A           YES.

7           Q           NOW, IN THAT EXCHANGE, IF THIS IS ACCURATE,  
8           YOU'RE THE FIRST PERSON TO SAY TO THE DETECTIVE -- YOU  
9           SAID, "HE WANTED TO DO A DRIVE-BY."

10                    YOU SAID THAT, "HE WANTED TO DO A  
11           DRIVE-BY." WHY DID YOU TELL THE DETECTIVE THAT HE WANTED  
12           TO DO A DRIVE-BY?

13           A           LIKE I'M FROM THE SOUTH. I WASN'T TRYING  
14           TO LIKE -- MAYBE I SAID THE WRONG WORD, LIKE "HE," 'CAUSE  
15           I WAS USING "HE." LIKE HE TOLD ME TO DRIVE AROUND. HE  
16           TOLD ME, YOU KNOW, THAT. SO I WASN'T TRYING TO SAY LIKE  
17           HE TOLD ME TO DO A DRIVE-BY. I JUST PROBABLY SAID THE  
18           WRONG WORD, LIKE HE -- I SAID HE'S NOT GONNA DO A DRIVE-BY  
19           IN MY CAR. I WASN'T TRYING TO SAY HE SAID IT.

20           Q           OKAY. SO IF I UNDERSTAND YOU CORRECTLY,  
21           YOUR TESTIMONY TODAY IS YOU TOLD THE DETECTIVE HE WANTED  
22           TO DO A DRIVE-BY, BUT THAT'S SOMETHING -- THAT'S NOT  
23           SOMETHING HE SAID TO YOU?

24           A           RIGHT.

25           Q           HE DIDN'T SAY WITNESS 1, DRIVE AROUND THE  
26           CORNER, I'M GONNA DO A DRIVE-BY, CORRECT?

27           A           CORRECT.

28           Q           NEVERTHELESS, YOU MUST HAVE SEEN SOMETHING

1 TO THINK THAT HE WANTED TO DO A DRIVE-BY, WHETHER HE SAID  
2 IT OR NOT, CORRECT?

3 A CORRECT.

4 Q SO WHAT DID YOU SEE OR HEAR THAT MADE YOU  
5 TELL THE DETECTIVES THAT YOU THOUGHT HE WANTED TO DO A  
6 DRIVE-BY?

7 A WHEN HE WAS LOADING THE GUN UP WITH -- IN  
8 THE NINE MILLIMETER. HE WAS LOADING IT IN THE MAGAZINE.

9 MS. AENLLE-ROCHA: DID -- SO LET ME ASK YOU SOME  
10 QUESTIONS.

11 DID HE ROLL DOWN THE WINDOW AND -- THE  
12 PASSENGER WINDOW AND PUT THE GUN UP TO THE WINDOW? DID HE  
13 DO THAT?

14 THE WITNESS: NO. THE WINDOW WAS ALREADY KIND OF  
15 HALFWAY DOWN, BUT AS HE WAS LIKE PUTTING IT IN, THE GUN  
16 KIND OF WAS LIKE MOVING A LITTLE BIT. SO IT WAS KIND OF  
17 LIKE POINTING TO THE WINDOW, BUT NOT ACTUALLY ON. IT WAS  
18 KIND OF -- WHAT I MEAN LIKE HE WAS PLAYING -- THE GUN WAS  
19 MOVING AS HE WAS PUTTING THE BULLETS IN THERE.

20 MS. AENLLE-ROCHA: DID HE AT ANY TIME LOOK -- AS  
21 YOU WERE DRIVING BY THAT OPENING, LOOK TOWARDS WHERE  
22 NIPSEY HAD BEEN OR WAS STANDING WITH THE GUN POINTED?

23 THE WITNESS: NO.

24 MS. AENLLE-ROCHA: OKAY.

25 GO AHEAD.

26 MR. MC KINNEY: OKAY.

27 Q SO IS IT YOUR TESTIMONY THAT WHEN YOU TOLD  
28 THE OFFICER THAT HE WANTED TO DO A DRIVE-BY, THE OFFICER

1 THROUGH HIS SUBSEQUENT QUESTIONS ASSUMED IN HIS  
2 QUESTIONING THAT ERIC TOLD YOU HE WANTED TO DO A DRIVE-BY?

3 IS THAT WHAT YOU'RE EXPLAINING?

4 A YES.

5 Q AT PAGE 104, AFTER THAT EXCHANGE THAT I  
6 JUST READ, THERE WAS THIS EXCHANGE:

7 THE DETECTIVE SAYS:

8 SO, AT WHAT POINT, WHEN HE GOT IN  
9 THE CAR, WITH THAT FOOD, HE TOLD YOU HE  
10 WANTED TO DO A DRIVE-BY?

11 YOUR ANSWER:

12 WHEN I -- WHEN HE TOLD ME TO GO  
13 AROUND. AND I WAS LIKE "YOU NOT FITTIN'  
14 TO DO A DRIVE-BY IN MY CAR." AND, THEN,  
15 THAT'S WHEN HE TOLD ME TO PULL AROUND  
16 BACK.

17 DO YOU RECALL THOSE QUESTIONS?

18 A YES.

19 MS. AENLLE-ROCHA: AND THOSE ANSWERS?

20 THE WITNESS: YES.

21 BY MR. MC KINNEY:

22 Q SO CLEARLY THE DETECTIVE IN HIS QUESTION  
23 SAYS, "AT WHAT POINT WHEN HE GOT IN THE CAR DID HE TELL  
24 YOU HE WANTED TO DO A DRIVE-BY?"

25 YOU HAD AN OPPORTUNITY THERE TO TELL THE  
26 DETECTIVE, "WELL, HE NEVER ACTUALLY SAID HE WANTED TO DO A  
27 DRIVE-BY. THAT WAS JUST SOMETHING THAT I SAID BECAUSE OF  
28 HOW HE WAS BEHAVING."

1                   YOU HAD A CHANCE TO POINT THAT OUT THERE,  
2 DID YOU NOT?

3           A           YEAH, I DID, BUT HOW THE QUESTION -- HOW  
4 THE TRANSCRIPT IS, LIKE YOU READING IT TO ME, IT WASN'T  
5 LIKE THAT. SEEMED LIKE IN THE INTERVIEW THAT THEY WAS  
6 GIVING ME BECAUSE THEY -- LIKE THEY -- HE IS -- LIKE I'M  
7 NOT SAYING HE SAID IT.

8           Q           OKAY.

9           MS. AENLLE-ROCHA: BUT YOU NEVER TOLD THE  
10 DETECTIVES THAT HE DIDN'T SAY IT, CORRECT?

11           THE WITNESS: CORRECT.

12 BY MR. MC KINNEY:

13           Q           I WANT TO READ ANOTHER PASSAGE TO YOU ON  
14 PAGE 105.

15                   AGAIN, THIS IS THE DETECTIVE ASKING YOU A  
16 QUESTION:

17                   DID HE SAY WHO HE WAS GOING TO DO

18           A DRIVE-BY ON?

19                   ANSWER:

20                   NO.

21                   DETECTIVE:

22                   NO?

23                   ANSWER:

24                   HE JUST SAID -- OH, I'M SORRY.

25                   DETECTIVE:

26                   HE JUST SAID "LET'S DO A

27           DRIVE-BY?

28                   QUESTION MARK.

1 (NO AUDIBLE RESPONSE.)

2 DETECTIVE:

3 DID HE SAY WHERE?

4 ANSWER:

5 RIGHT THERE. YOU KNOW, RIGHT

6 WHERE -- WHERE WE WAS AT DRIVING.

7 QUESTION:

8 IS HE LIKE POINTING? OR IS HE

9 SAYING --

10 ANSWER:

11 HE DIDN'T POINT. HE HAD THE GUN

12 DOWN.

13 AND, THEN, HE --

14 'CAUSE I WAS TALKING TO HIM. I

15 WAS LIKE "YOU NOT FITTIN' TO DO NOTHING

16 RIGHT HERE." YOU KNOW, I WAS TALKING TO

17 HIM AND STUFF. SO, HE HAD IT LOW.

18 DO YOU RECALL THAT EXCHANGE TALKING TO THE  
19 DETECTIVES AGAIN ABOUT WHEN OR WHO HE SAID HE WAS GONNA DO  
20 A DRIVE-BY ON?

21 A NO.

22 Q IT APPEARS, YOU CORRECT ME IF I'M WRONG,  
23 THAT FROM THE QUESTIONS THAT WERE ASKED TO YOU HERE THE  
24 DETECTIVE IS ASSUMING, BASED ON WHAT YOU TOLD HIM, THAT  
25 ERIC TOLD YOU HE WANTED TO DO A DRIVE-BY, AND IN THESE  
26 QUESTIONS YOU AREN'T CORRECTING HIM BY SAYING, "NO, HE  
27 NEVER ACTUALLY SAID HE WANTED TO DO IT. I SAID, 'YOU'RE  
28 NOT GONNA DO IT' BECAUSE OF THE CONDUCT, WHAT I SAW IN THE

1 CAR."

2 A CORRECT.

3 Q LATER ON ON PAGE 106 THE DETECTIVE ASKS --  
4 AND HE'S TALKING TO YOU HERE ABOUT HEARING THE GUNSHOTS  
5 AND YOU PULLING -- MOVING YOUR CAR FROM THE ALLEY ONTO THE  
6 STREET AFTER HEARING THE GUNSHOTS. HE'S ASKING YOU ABOUT  
7 THAT.

8 A ALL RIGHT.

9 Q QUESTION:

10 BUT, YOU KNEW HE WAS ABOUT TO  
11 GO SHOOT SOMEBODY?

12 ANSWER:

13 I DIDN'T KNOW WHO HE WAS GONNA  
14 GO SHOOT.

15 DETECTIVE, QUESTION:

16 BUT YOU KNEW HE WAS GONNA GO  
17 SHOOT SOMEBODY?

18 ANSWER:

19 YES, 'CAUSE I SEEN THE GUN.

20 WERE THOSE QUESTIONS ASKED AND WERE THOSE  
21 ANSWERS GIVEN?

22 A YES.

23 Q SO WERE YOU TELLING THE DETECTIVE HERE THAT  
24 WHEN YOU SAW THE GUN AND SAW ERIC LEAVE YOUR CAR THAT YOU  
25 KNEW HE WAS GOING TO GO SHOOT SOMEBODY?

26 A AT THE TIME, THAT'S WHEN HE WAS KIND OF  
27 ASKING ME DO I THINK, YOU KNOW, HE WOULD HAVE DID  
28 SOMETHING LIKE THAT, AND THAT'S WHEN I WAS SAYING LIKE,

1 YEAH, HE MIGHT. I WASN'T SURE. THAT'S WHEN THOSE  
2 QUESTIONS -- WHEN I ANSWERED THAT QUESTION.

3 Q SO WHAT IS YOUR TESTIMONY ABOUT THAT?

4 WHEN YOU SAW HIM WITH THE GUN, YOU SAW HIM  
5 GET OUT OF THE CAR, SAY, "WAIT RIGHT HERE, I'LL BE BACK,"  
6 AND HE WALKED OFF BACK TOWARD THE PLAZA, DID YOU BELIEVE  
7 HE WAS GOING BACK THERE TO SHOOT SOMEBODY?

8 A NO, I DIDN'T BELIEVE HE WAS.

9 Q OKAY. IN THE QUESTIONS AND ANSWERS THAT I  
10 JUST READ, IT APPEARS THAT YOU SAID, "I DIDN'T KNOW WHO HE  
11 WAS GONNA GO SHOOT, BUT I KNEW HE WAS GONNA GO SHOOT  
12 SOMEBODY 'CAUSE I SAW THE GUN."

13 A I DON'T RECALL THAT.

14 Q OKAY. ARE YOU SAYING THAT YOU DID NOT  
15 BELIEVE HE WAS GONNA GO SHOOT SOMEBODY?

16 IS THAT YOUR TESTIMONY HERE?

17 A YES.

18 Q I WANT TO SHOW YOU JUST A FEW MORE THINGS  
19 BEFORE THE LUNCH BREAK AND HOPEFULLY BE DONE.

20 I WANT TO SHOW YOU A VIDEO THAT WE SAW  
21 EARLIER. THIS WILL BE GRAND JURY EXHIBIT NUMBER 12, I  
22 BELIEVE. LET ME JUST VERIFY.

23 YES. I'M GOING TO SHOW YOU GRAND JURY  
24 EXHIBIT NUMBER 12.

25 THIS WILL BE CHANNEL 4 OF THE 58TH PLACE  
26 VIDEO. AND I'LL FAST FORWARD TO -- TO ABOUT SIX MINUTES  
27 AND 20 SECONDS INTO THE CLIP AND ASK YOU TO LOOK AT THE  
28 VERY TOP OF THE SCREEN.

(EXHIBIT 12, CHANNEL 4, PLAYED.)

BY MR. MC KINNEY:

Q DO YOU RECOGNIZE THE AREA THAT'S SHOWN  
THERE AT THE TOP OF THE SCREEN?

A YES, THE ALLEYWAY OF THE PLAZA.

Q DO YOU SEE THAT CAR SITTING THERE IN THE  
ALLEY FACING 58TH PLACE?

A YES.

Q IS THAT YOUR VEHICLE?

A YES.

Q IS THAT WHERE YOU INITIALLY CAME TO STOP  
AND WHERE YOU LET -- WHERE ERIC HOLDER GOT OUT OF YOUR  
CAR?

A YES.

Q NOW, AS WE WATCHED THIS VIDEO EARLIER, IT  
APPEARED THAT YOUR PASSENGER DOOR OPENED AND CLOSED TWICE.  
DID HE GET OUT OF THE PASSENGER SIDE OF YOUR CAR?

THERE WE SEE AN OPENING AND CLOSING FOR THE  
FIRST TIME.

A YES, I SEE THAT.

Q OKAY. CONTINUE TO LOOK AT THE VIDEO FOR A  
FEW MOMENTS.

(EXHIBIT 12, CHANNEL 4, PLAYED.)

BY MR. MC KINNEY:

Q RIGHT AT ABOUT 8:23 IT LOOKS LIKE YOU MOVE



1 THE CAR FORWARD AND THEN SOMEONE RUNS DOWN THE ALLEY PAST  
2 YOUR CAR. DO YOU SEE YOURSELF MOVE THE CAR UP FORWARD  
3 ONTO 58TH PLACE RIGHT THERE?

4 A YES.

5 Q AND THEN YOU STOP, RIGHT?

6 A RIGHT.

7 Q WHY DID YOU MOVE THE CAR?

8 A I SEEN -- WHEN I SEEN THE MAN RUNNING, I  
9 HEARD GUNSHOTS, MY INSTINCT WAS JUST LIKE -- I'M LIKE I  
10 NEED TO GET UP OUT OF HERE.

11 Q OKAY. WHY DID YOU THINK YOU NEED TO GET  
12 OUT OF THERE?

13 A BECAUSE I HEARD GUNSHOTS.

14 Q WERE YOU AFRAID WHEN YOU HEARD THE  
15 GUNSHOTS?

16 A YES.

17 Q DID YOU BELIEVE AT THAT POINT ERIC WAS  
18 SHOOTING?

19 A NO.

20 Q WHY DIDN'T YOU JUST LEAVE?

21 A BECAUSE, YOU KNOW, HE TOLD ME TO WAIT. I  
22 DIDN'T KNOW LIKE IF HE'D BEEN HURT OR WHAT WAS GOING ON SO  
23 I JUST WAITED ON HIM BECAUSE I DIDN'T KNOW LIKE, YOU KNOW,  
24 IF HE WAS HURT OR ANYTHING.

25 Q AT THE TIME THIS HAPPENED, YOU TESTIFIED  
26 THAT YOU HAD A NEW APARTMENT, RIGHT?

27 A RIGHT.

28 Q YOU WERE LIVING BY YOURSELF?

1 A YES.

2 Q DID HE LIVE VERY CLOSE TO WHERE YOU LIVE?

3 A YES.

4 Q SO OBVIOUSLY IF YOU HAD LEFT HIM THERE HE  
5 WOULD KNOW HOW TO GET TO YOU IF HE GOT OUT OF THERE,  
6 CORRECT?

7 A CORRECT.

8 Q WERE YOU AT ALL CONCERNED ABOUT THAT, THE  
9 FACT THAT HE KNEW WHERE YOU LIVED, KNEW WHERE YOUR MOTHER  
10 LIVED?

11 DID THAT PLAY ANY PART IN YOUR  
12 DECISION-MAKING THAT DAY?

13 A NO, BECAUSE I DIDN'T KNOW THAT HE DID IT.  
14 IT WAS MORE SO I DIDN'T KNOW IF HE GOT HURT OR WHATEVER,  
15 WHAT WAS GOING ON THAT DAY WHEN I HEARD THE GUNSHOTS.

16 Q OKAY. SO YOU DIDN'T STAY THERE BECAUSE OF  
17 FEAR OF HIM, YOU STAYED THERE BECAUSE YOU REALLY -- YOUR  
18 TESTIMONY IS YOU DIDN'T BELIEVE THAT HE HAD DONE ANYTHING  
19 WRONG?

20 A RIGHT.

21 Q AND IN YOUR MIND HE COULD HAVE JUST AS WELL  
22 BEEN BEING SHOT AT AS OPPOSED TO SHOOTING SOMEBODY; IS  
23 THAT YOUR TESTIMONY?

24 A YES.

25 Q HAS EVERYTHING YOU TESTIFIED BEFORE THE  
26 GRAND JURY TRUE?

27 A YES.

28 Q YOU KNOW YOU'RE TESTIFYING UNDER AN

1 IMMUNITY AGREEMENT, WHICH MEANS NOTHING YOU SAY HERE CAN  
2 BE USED AGAINST YOU ON ANY FUTURE PROSECUTION, CORRECT?

3 A CORRECT.

4 Q AND DID I EXPLAIN THAT AGREEMENT TO YOU AS  
5 WELL AS YOUR LAWYER?

6 A YES.

7 Q WHEN I EXPLAINED THAT AGREEMENT TO YOU, DID  
8 I TELL YOU THAT ONE OF THE REASONS YOU WERE BEING GIVEN  
9 USE IMMUNITY IS SO YOU WOULD BE FREE TO TELL THE WHOLE  
10 TRUTH, EVEN IF IT DIDN'T REFLECT WELL UPON YOU?

11 DID I TELL YOU THAT?

12 A YES.

13 Q YOU'RE FREE TO TELL THE WHOLE TRUTH BECAUSE  
14 YOU DON'T HAVE TO BE CONCERNED THAT ANYTHING THAT YOU SAY  
15 HERE WILL BE USED AGAINST YOU IN A FUTURE PROSECUTION,  
16 CORRECT?

17 A CORRECT.

18 Q AND YOU UNDERSTOOD THAT, CORRECT?

19 A UNDERSTOOD IT.

20 Q WHEN YOU ANSWERED QUESTIONS HERE, DID YOU  
21 ANSWER THE QUESTIONS AS TRUTHFULLY AS YOU POSSIBLY COULD?

22 A YES.

23 Q DID I EXPLAIN TO YOU THAT ANY STATEMENTS  
24 YOU MADE -- AND YOU MADE STATEMENTS TO THE POLICE AFTER  
25 BEING ADVISED OF YOUR RIGHTS. YOU MADE A STATEMENT TO ME  
26 AGAIN AFTER BEING ADVISED OF YOUR RIGHTS WHERE YOU TALKED  
27 ABOUT WHAT HAPPENED, CORRECT?

28 A CORRECT.

1 Q AND YOU UNDERSTAND THAT THOSE STATEMENTS  
2 COULD BE USED AGAINST YOU IN A PROSECUTION IF THE DISTRICT  
3 ATTORNEY'S OFFICE DECIDED TO PROSECUTE YOU FOR SOMETHING  
4 RELATED TO THIS CASE. DO YOU UNDERSTAND THAT?

5 A I UNDERSTAND.

6 Q ALL RIGHT. WELL, THANK YOU.

7 MR. MC KINNEY: NO FURTHER QUESTIONS.

8 MS. AENLLE-ROCHA: AND ONE THING ADDITIONAL, THAT  
9 IF YOU -- YOU'RE REQUIRED TO TELL THE TRUTH, AND IF YOU  
10 DON'T TELL THE TRUTH, THEN YOU CAN BE PROSECUTED USING THE  
11 STATEMENTS HERE BEFORE THE GRAND JURY. YOU UNDERSTOOD  
12 THAT AS WELL, CORRECT?

13 THE WITNESS: CORRECT.

14 MS. AENLLE-ROCHA: YOUR LAWYER TOLD YOU THAT?

15 THE WITNESS: YES.

16 MS. AENLLE-ROCHA: OKAY. I DON'T KNOW IF  
17 MR. MC KINNEY SAID THAT AS WELL, BUT YOU DO UNDERSTAND  
18 THAT?

19 THE WITNESS: YES.

20 MS. AENLLE-ROCHA: BECAUSE YOUR LAWYER TOLD YOU  
21 THAT?

22 THE WITNESS: YES.

23 MS. AENLLE-ROCHA: AND I TOLD YOU THAT BEFORE WE  
24 STARTED, CORRECT?

25 THE WITNESS: CORRECT.

26 MS. AENLLE-ROCHA: OKAY.

27 ARE THERE ANY JURORS WITH ANY QUESTIONS FOR  
28 THIS WITNESS?

1 RAISE YOUR HANDS, PLEASE.

2 AND YOU UNDERSTOOD ME WHEN I TOLD YOU THAT,  
3 CORRECT?

4 THE WITNESS: CORRECT.

5

6 (PAUSE IN PROCEEDINGS.)

7

8 BY MR. MC KINNEY:

9 Q THIS IS A QUESTION FROM THE GRAND JURY:  
10 WHAT WAS YOUR STATE OF MIND WHEN YOU WERE SPEAKING TO THE  
11 DETECTIVES IN THAT FIRST INTERVIEW?

12 A LIKE SCARED, LIKE TRYING TO LIKE EXPLAIN  
13 MYSELF TO HIM ABOUT WHAT WAS GOING ON. LIKE I SEEN MY CAR  
14 SO I WANTED TO LIKE TELL THE TRUTH WHAT WAS GOING ON.

15 Q DID YOU FEEL ANY UNDUE PRESSURE TO TELL THE  
16 STORY IN ANY PARTICULAR WAY OTHER THAN THE TRUTH?

17 MS. AENLLE-ROCHA: D.A. FOLLOW-UP.

18 MR. MC KINNEY: D.A. FOLLOW-UP.

19 Q DID YOU FEEL ANY PRESSURE DURING THAT  
20 INTERVIEW?

21 A YEAH, I FELT A LITTLE PRESSURE, BUT NOT  
22 LIKE -- I FELT PRESSURE, BUT I WAS LIKE MORE SO LIKE  
23 SCARED, TOO.

24 Q SCARED OF WHAT?

25 D.A. FOLLOW-UP.

26 A JUST SCARED, JUST TALKING ABOUT IT BECAUSE  
27 I WAS ALREADY LIKE SHOOK UP ABOUT THE SITUATION.

28 Q QUESTION FROM THE GRAND JURY: HOW MUCH

1 SLEEP DID YOU HAVE BETWEEN MONDAY NIGHT AND TUESDAY  
2 MORNING WHEN YOU MET WITH THE DETECTIVES?

3 SO AFTER LEARNING WHAT YOU LEARNED MONDAY  
4 NIGHT, HOW MUCH SLEEP DID YOU GET THAT NIGHT BEFORE GOING  
5 TO THE STATION TO TALK TO DETECTIVES?

6 A I REALLY DIDN'T SLEEP.

7 Q DID NOT SLEEPING AFFECT YOUR ABILITY TO  
8 UNDERSTAND OR ANSWER QUESTIONS ON THAT TUESDAY MORNING?

9 MS. AENLLE-ROCHA: D.A. FOLLOW-UP.

10 MR. MC KINNEY: D.A. FOLLOW-UP.

11 THE WITNESS: YES.

12 BY MR. MC KINNEY:

13 Q IN WHAT WAY?

14 A LIKE IN A WAY LIKE MY BODY WAS JUST TIRED  
15 LIKE TO BE ABLE TO LIKE ANSWER QUESTIONS AND STUFF. MY  
16 BODY -- IT WASN'T ITSELF.

17 Q WAS THE INTERVIEW CONDUCTED IN AN INTERVIEW  
18 ROOM AT THE POLICE STATION?

19 A YES.

20 Q HOW MANY DETECTIVES WERE IN THE ROOM WITH  
21 YOU?

22 A TWO.

23 Q WAS IT A SMALL ROOM?

24 A YES.

25 Q DID YOU TAKE ANY BREAKS DURING THAT  
26 FIVE-HOUR INTERVIEW, MEANING DID YOU GET UP AND LEAVE THE  
27 ROOM, STRETCH, TALK TO YOUR MOM, GET SOMETHING TO EAT,  
28 ANYTHING LIKE THAT?

1           A           NO, JUST USED THE RESTROOM.

2           Q           DID YOU -- DO YOU BELIEVE THAT YOU WERE  
3           FOCUSED ON WHAT THE QUESTIONS WERE OR DID YOU FEEL RUSHED  
4           IN ANY -- THAT'S A COMPOUND QUESTION.

5                       WERE YOU FOCUSED ON THE QUESTIONS THAT WERE  
6           BEING ASKED?

7           A           YES, I WAS FOCUSED TRYING TO GIVE MY  
8           STATEMENT, YOU KNOW, AS BEST AS I REMEMBER EVERYTHING.

9           Q           DID THE DETECTIVES MAKE YOU FEEL RUSHED AT  
10          ALL IN THE WAY THEY ASKED THE QUESTIONS?

11          A           NOT SO RUSHED, JUST LIKE -- JUST KIND OF  
12          LIKE THE WAY THEY WAS ASKING ME, LIKE TRYING TO LIKE MAKE  
13          ME FEEL LIKE I DID IT, THAT TYPE OF QUESTIONING.

14          Q           OKAY. WELL, IS IT TRUE THAT BASICALLY  
15          THERE WERE TWO DETECTIVES THERE, BUT ONE ASKED 95 PERCENT  
16          OF THE QUESTIONS, CORRECT?

17          A           CORRECT.

18          Q           AND IS IT TRUE THAT THEY WERE VERY POLITE  
19          AND CORDIAL TO YOU AND RESPECTFUL TO YOU DURING THE  
20          INTERVIEW?

21          A           YES.

22          Q           YOU HAVE NO COMPLAINTS ABOUT THE WAY YOU  
23          WERE TREATED, CORRECT?

24          A           NO, JUST THE WAY THE QUESTIONS WAS  
25          ANSWERED.

26          Q           OKAY. SO AT SOME POINT THE DETECTIVE WHO  
27          WAS ASKING MOST OF THE QUESTIONS BECAME MORE ACCUSATORY IN  
28          HIS QUESTIONING AND DOUBTFUL OF SOME OF YOUR ANSWERS,

1 CORRECT?

2 A CORRECT.

3 Q IS THAT WHAT YOU MEAN --

4 A RIGHT.

5 Q -- WHEN YOU SAY THAT?

6 A YES.

7 Q ALL RIGHT. QUESTION FROM THE GRAND JURY:

8 WHO PAID FOR THE MOTEL?

9 A HE DID.

10 Q DID HE -- D.A. FOLLOW UP: DID HE ASK YOU  
11 TO PAY FOR THE MOTEL?

12 A NO.

13 Q DID YOU OFFER TO PAY FOR THE MOTEL?

14 A NO.

15 MS. AENLLE-ROCHA: THOSE ARE D.A. FOLLOW-UP  
16 QUESTIONS.

17 MR. MC KINNEY: D.A. FOLLOW-UP.

18 Q WHEN YOU TALKED TO THE DETECTIVES, DID YOU  
19 TELL THEM ABOUT THE MOTEL?

20 A YES.

21 Q DID YOU TELL THEM WHERE THE MOTEL WAS  
22 LOCATED?

23 A I GAVE THEM THE CARD.

24 Q THE CARD FROM THE MOTEL?

25 A YES.

26 Q QUESTION FROM THE GRAND JURY: PRIOR TO THE  
27 SHOOTING, WERE YOU IN LOVE WITH ERIC HOLDER?

28 A NO.



1 Q DID YOU -- D.A. FOLLOW-UP: DID YOU HAVE A  
2 STRONG EMOTIONAL ATTACHMENT TO HIM?

3 A NO.

4 Q WHEN YOU WERE ANSWERING QUESTIONS TO THE  
5 DETECTIVES AND TO MYSELF, DID YOU FEEL A DESIRE TO TRY TO  
6 PROTECT HIM?

7 A NO.

8 Q GRAND JURY QUESTION: WHEN YOU HEARD THE  
9 GUNSHOTS, DID YOU THINK ABOUT CALLING 911?

10 A NO.

11 MS. AENLLE-ROCHA: WHY NOT?

12 THE WITNESS: I JUST -- I JUST DIDN'T THINK ABOUT  
13 CALLING IT. I WAS JUST TRYING TO GET OUT OF THERE.

14 BY MR. MC KINNEY:

15 Q THE -- THIS IS A D.A. QUESTION, IT'S NOT A  
16 FOLLOW-UP: THE VIDEO THAT WE SAW OF YOU WALKING UP TO THE  
17 GROUP AND TAKING A SELFIE?

18 A YES.

19 Q YOU WERE -- IT APPEARED YOU WERE STANDING  
20 THERE FOR ABOUT A MINUTE TOTAL FROM THE TIME YOU GOT OUT  
21 OF YOUR CAR UNTIL THE TIME YOU GOT BACK; IS THAT TRUE?

22 A YEAH, THAT'S TRUE.

23 Q GRAND JURY QUESTION...

24

25 (PAUSE IN PROCEEDINGS.)

26

27 MS. AENLLE-ROCHA: THIS IS THE QUESTION

28 MR. MC KINNEY HAD DIFFICULTY DECIPHERING:

1 DID ERIC TELL YOU HOW MANY DAYS HE WANTED  
2 TO STAY AT MOTEL 6?

3 THE WITNESS: NO, HE DIDN'T.

4 MS. AENLLE-ROCHA: AT ANY TIME DID HE -- AFTER YOU  
5 WENT BACK, DID HE MENTION HOW MANY DAYS HE WANTED TO STAY  
6 THERE?

7 THE WITNESS: HE DIDN'T MENTION IT, BUT HE ASKED ME  
8 THAT DAY THAT HE WANTED TO SPEND THE NIGHT AT MY HOUSE.  
9 SO FOR -- HE WANTED TO STAY THAT NIGHT, SO HE WANTED TO  
10 COME AT THAT TUESDAY AND STAY WITH ME AT MY HOUSE.

11 MS. AENLLE-ROCHA: OKAY.

12 BY MR. MC KINNEY:

13 Q D.A. FOLLOW-UP: DID YOU -- AFTER LEARNING  
14 SOME OF THE INFORMATION THAT YOU LEARNED ABOUT THE  
15 SHOOTING ON MONDAY, DID YOU CALL THE HOTEL AND TELL THEM  
16 SOMETHING?

17 A YES.

18 Q WHAT DID YOU CALL AND TELL THEM?

19 A I TELL THEM -- I TOLD THEM NOT TO LET HIM  
20 STAY THERE NO OTHER NIGHT, TO REMOVE MY NAME.

21 Q WHEN DID YOU CALL THE HOTEL AND TELL THEM  
22 TO DO THAT?

23 A TUESDAY.

24 MS. AENLLE-ROCHA: BEFORE OR AFTER YOU SPOKE WITH  
25 THE POLICE? THE DETECTIVES.

26 THE WITNESS: AFTER.

27 BY MR. MC KINNEY:

28 Q OKAY. QUESTION FROM THE GRAND JURY: WHEN

1 THE TARGET STAYED OVER THE NIGHT OF THE SHOOTING, THAT  
2 WOULD BE SUNDAY NIGHT, DID YOU SEE ANY GUNS OR ANY AT THE  
3 MOTEL?

4 A NO.

5 MS. AENLLE-ROCHA: WE'RE ALMOST AT THE END OF THESE  
6 QUESTIONS. SO, GRAND JURORS, IF YOU HAVE ANY ADDITIONAL  
7 QUESTIONS, PLEASE RAISE YOUR HANDS SO THE SERGEANT-AT-ARMS  
8 CAN COLLECT THEM NOW.

9  
10 (PAUSE IN PROCEEDINGS.)

11  
12 MS. AENLLE-ROCHA: MADAM FOREPERSON, THERE ARE NO  
13 ADDITIONAL QUESTIONS. IF YOU WOULD PLEASE REMIND THE  
14 WITNESS OF HER ADMONITION.

15 THE FOREPERSON: YOU WILL RECALL THAT YOU HAVE  
16 PREVIOUSLY BEEN ADMONISHED REGARDING THE SECRECY OF THESE  
17 PROCEEDINGS AND MUST HEED THAT ADMONISHMENT.

18 THE WITNESS: YES.

19 MS. AENLLE-ROCHA: EXCEPT THAT YOU CAN SPEAK WITH  
20 YOUR ATTORNEY, MR. BRENNER. OKAY?

21 THE WITNESS: OKAY.

22 MS. AENLLE-ROCHA: REGARDING ALL THE QUESTIONS.

23 THANK YOU. YOU ARE NOW EXCUSED.

24 THE WITNESS: THANK YOU.

25 MS. AENLLE-ROCHA: THANK YOU FOR COMING BACK THE  
26 LAST THREE DAYS.

27 (THE WITNESS EXITED THE GRAND JURY  
28 HEARING ROOM.)

1 MS. AENLLE-ROCHA: IT'S PERFECT TIMING. IT'S  
2 LUNCHTIME.

3 MADAM FOREPERSON, WOULD YOU PLEASE RECESS  
4 THIS HEARING AND ORDER THE GRAND JURORS TO RETURN AT  
5 ONE O'CLOCK.

6 THE FOREPERSON: SO ORDERED.

7 MS. AENLLE-ROCHA: THANK YOU.

8 GRAND JURORS ARE ADMONISHED AND ADVISED NOT  
9 TO DISCUSS THIS MATTER FOR FORM ANY OPINION UNTIL SUCH  
10 TIME AS IT IS GIVEN TO YOU FOR DELIBERATIONS.

11 THANK YOU. WE ARE IN RECESS.

12 I'LL ESCORT MR. MC KINNEY.

13  
14 (AT 11:30 A.M., A LUNCH RECESS WAS TAKEN  
15 UNTIL 1:00 P.M. OF THE SAME DAY.)  
16  
17  
18  
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24  
25  
26  
27  
28

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, MAY 8, 2019

2 1:04 P.M.

3 -000-

4  
5 (AT THE BEGINNING OF THE PROCEEDINGS,  
6 23 GRAND JURORS WERE PRESENT.)  
7

8 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
9 PLEASE CALL THIS CRIMINAL GRAND JURY HEARING TO ORDER.

10 THE FOREPERSON: SO ORDERED.

11 MS. AENLLE-ROCHA: THANK YOU.

12 PLEASE LET THE RECORD REFLECT THAT THE SAME  
13 NUMBER AS WELL AS THE SAME GRAND JURORS PRESENT AT  
14 MORNING'S ROLL CALL ARE PRESENT. ALSO PRESENT ARE DEPUTY  
15 DISTRICT ATTORNEY JOHN MC KINNEY AND MYSELF, THE GRAND  
16 JURY LEGAL ADVISOR.

17 MR. MC KINNEY, YOUR NEXT WITNESS.

18 MR. MC KINNEY: THE PEOPLE CALL RYAN SAULS.  
19

20 (THE WITNESS ENTERED THE GRAND JURY  
21 HEARING ROOM.)  
22

23 MS. AENLLE-ROCHA: PLEASE STAND NEXT TO THE FLAG,  
24 RAISE YOUR RIGHT HAND, AND FACE THE FOREPERSON WHO WILL  
25 SWEAR YOU IN.

26 //

27 //

28 //

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28

RYAN SAULS,

CALLED AS A WITNESS BEFORE THE GRAND JURY  
OF THE COUNTY OF LOS ANGELES, WAS SWORN  
AND TESTIFIED AS FOLLOWS:

THE FOREPERSON: DO YOU SOLEMNLY STATE THAT THE  
EVIDENCE YOU SHALL GIVE IN THIS MATTER NOW PENDING BEFORE  
THE GRAND JURY OF THE COUNTY OF LOS ANGELES SHALL BE THE  
TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP  
YOU GOD?

THE WITNESS: I DO.

MS. AENLLE-ROCHA: THANK YOU SO MUCH. GO AHEAD AND  
TAKE THAT SEAT.

GOOD AFTERNOON.

THE WITNESS: GOOD AFTERNOON.

MS. AENLLE-ROCHA: AND THANK YOU FOR RETURNING  
TODAY. I KNOW YOU WERE HERE YESTERDAY.

DID YOU LEAVE YOUR CELL PHONE OUTSIDE?

THE WITNESS: YES, MA'AM.

MS. AENLLE-ROCHA: DO YOU HAVE ANY RECORDING  
DEVICES ON YOU?

THE WITNESS: NO.

MS. AENLLE-ROCHA: PLEASE TELL US YOUR FULL NAME  
AND THEN PLEASE SPELL YOUR FULL NAME FOR US.

THE WITNESS: RYAN SAULS, R-Y-A-N, S-A-U-L-S.

MS. AENLLE-ROCHA: THANK YOU SO MUCH.

MADAM FOREPERSON, WITH YOUR PERMISSION, MAY  
MR. MC KINNEY PROCEED?

1 THE FOREPERSON: YES.

2  
3  
4 EXAMINATION

5  
6 BY MR. MC KINNEY:

7 Q GOOD AFTERNOON.

8 A GOOD AFTERNOON, SIR.

9 Q PLEASE TELL US YOUR OCCUPATION.

10 A FIELD TRAINING OFFICER, L.A. COUNTY  
11 SHERIFF'S DEPARTMENT, LAKEWOOD STATION.

12 Q HOW LONG HAVE YOU BEEN A PEACE OFFICER?

13 A SEVEN YEARS.

14 Q WHAT WAS YOUR ASSIGNMENT ON APRIL 2ND,  
15 2019?

16 A PATROL, CITY OF BELLFLOWER.

17 Q DID YOU MAKE AN ARREST IN THE CITY OF  
18 BELLFLOWER THAT DAY?

19 A YES.

20 Q AT WHAT LOCATION?

21 A 9901 ARTESIA BOULEVARD.

22 Q WHY DID YOU GO TO THAT LOCATION ON THAT  
23 DAY?

24 A I RECEIVED A SUSPICIOUS PERSON CALL FROM A  
25 CALL THAT WAS PUT INTO OUR STATION FOR -- THEY STATED THAT  
26 THEY BELIEVED THIS PERSON WAS WANTED BY LAPD BASED ON  
27 INFORMATION THAT THIS PERSON HAD TOLD THEM AND HIS  
28 DESCRIPTION.

1 Q OKAY. SO YOU GOT INFORMATION THAT THERE  
2 WAS A SUSPICIOUS PERSON ON ARTESIA BOULEVARD, THAT THE  
3 PERSON MAY BE ARMED AND DANGEROUS, AND THE PERSON WAS  
4 WANTED BY THE LOS ANGELES POLICE DEPARTMENT, CORRECT?

5 A YES.

6 Q DID YOU ALSO GET A PHYSICAL DESCRIPTION OF  
7 THE PERSON?

8 A YES.

9 Q APPROXIMATELY WHAT TIME DID YOU ARRIVE AT  
10 THAT LOCATION ON ARTESIA BOULEVARD?

11 A JUST AFTER 1300 HOURS, WHICH WOULD BE  
12 1:00 P.M.

13 Q TELL US WHAT HAPPENED WHEN YOU ARRIVED.

14 A WHEN I ARRIVED, I PULLED UP JUST EAST OF  
15 THE BUILDING ON THE MAIN STREET OF ARTESIA BOULEVARD. AS  
16 MY PARTNERS ARRIVED TO ASSIST ME, A MALE SUBJECT CAME FROM  
17 THE REAR PARKING LOT WHERE THE CALL STATED WAS THAT THE  
18 SUSPICIOUS PERSON WAS STANDING. HE CAME FROM THAT AREA  
19 AND PEEKED AROUND THE CORNER AND LOOKED AT US AND TOOK A  
20 FEW STEPS TOWARDS US.

21 Q THE PERSON THAT YOU'RE DESCRIBING -- I'M  
22 GOING TO SHOW YOU GRAND JURY EXHIBIT NUMBER 3. IT SHOWS  
23 THE TARGET IN THIS CASE. IS THIS THE PERSON THAT YOU SAW?

24 A MAY I LOOK?

25 Q YES.

26 MS. AENLLE-ROCHA: THERE'S A MONITOR RIGHT NEXT TO  
27 YOU.

28 THE WITNESS: YES, SIR.



1 BY MR. MC KINNEY:

2 Q OKAY. SO YOU SAID HE PEEKED AROUND THE  
3 CORNER, TOOK A FEW STEPS, AND THEN AT THAT POINT DID YOU  
4 AND OTHER OFFICERS TAKE HIM INTO CUSTODY?

5 A YES.

6 Q AFTER TAKING HIM INTO CUSTODY, WHERE DID  
7 YOU TAKE HIM?

8 A I TOOK HIM TO LAKEWOOD SHERIFF'S STATION.

9 Q OKAY. WAS HE FULLY DRESSED WHEN YOU TOOK  
10 HIM INTO CUSTODY?

11 A YES.

12 Q DO YOU RECALL HOW HE WAS DRESSED?

13 A YES.

14 Q HOW WAS HE DRESSED?

15 A HE WAS WEARING A BLACK HOODED SWEATSHIRT.  
16 AT THE TIME THAT WE FIRST SAW HIM, HE HAD IT OVER HIS  
17 HEAD.

18 Q AND YOU JUST MOTIONED AS IF YOU WERE  
19 PUTTING A HOODIE OVER YOUR HEAD?

20 A YES, SIR.

21 HE HAD A RED SHIRT UNDERNEATH THAT BLACK  
22 HOODED SWEATSHIRT. HE HAD LIGHT GRAY DENIM TYPE PANTS ON  
23 AND WHITE SHOES.

24 Q OKAY. AFTER HE WAS TAKEN INTO CUSTODY AND  
25 BROUGHT TO THE STATION, WAS HIS CLOTHING COLLECTED AND  
26 GIVEN TO THE LOS ANGELES POLICE DEPARTMENT?

27 A YES.

28 Q LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER

1 37. IT APPEARS TO SHOW SOME CLOTHING LAID OUT ON BUTCHER  
2 PAPER. DO YOU RECOGNIZE WHAT'S SHOWN HERE?

3 A YES, SIR.

4 Q WHAT DOES THIS EXHIBIT SHOW?

5 A IT SHOWS THE CLOTHING THAT THE SUBJECT WAS  
6 WEARING AT THE TIME HE WAS DETAINED.

7 Q OKAY. AND JUST GOING THROUGH THIS  
8 CLOTHING, THERE APPEARS TO BE A DARK-COLORED BANDANA AT  
9 THE TOP OF THE BUTCHER PAPER, CORRECT?

10 A YES.

11 Q RED SHIRT BELOW THAT?

12 A YES.

13 Q BLUE STRIPED BOXERS, CORRECT?

14 A YES.

15 Q LOOKS LIKE A BELT, BLACK AND WHITE  
16 CHECKERED BELT; IS THAT RIGHT?

17 A YES.

18 Q LIGHT COLORED -- LIGHT GRAY PANTS?

19 A YES, SIR.

20 Q AND WHITE NEW BALANCE TENNIS SHOES,  
21 CORRECT?

22 A YES, SIR.

23 Q NOW, YOU MENTIONED A BLACK HOODED  
24 SWEATSHIRT. LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER 38.  
25 DO YOU RECOGNIZE WHAT'S SHOWN HERE?

26 A YES.

27 Q WHAT DOES THIS EXHIBIT SHOW?

28 A IT'S THE BLACK HOODED SWEATSHIRT HE WAS

1 WEARING AT THE TIME WE CONTACTED HIM.

2 Q OKAY. THANK YOU.

3 MR. MC KINNEY: NO FURTHER QUESTIONS.

4 MS. AENLLE-ROCHA: ANY QUESTIONS FOR THIS WITNESS  
5 FROM ANY GRAND JURORS?

6 THERE ARE NO QUESTIONS.

7 MADAM FOREPERSON, IF YOU WOULD PLEASE  
8 ADMONISH THE WITNESS.

9 THE FOREPERSON: BEFORE YOU LEAVE -- SORRY.

10 THE WITNESS: THAT'S OKAY.

11 THE FOREPERSON: BEFORE YOU LEAVE, PLEASE LISTEN  
12 CAREFULLY TO WHAT I AM GOING TO SAY TO YOU NOW.

13 YOU ARE ADMONISHED NOT TO REVEAL TO ANY  
14 PERSON, EXCEPT AS DIRECTED BY THE COURT, WHAT QUESTIONS  
15 WERE ASKED OR WHAT RESPONSES WERE GIVEN OR ANY OTHER  
16 MATTERS CONCERNING THE NATURE OR SUBJECT OF THE GRAND  
17 JURY'S INVESTIGATION WHICH YOU LEARNED DURING YOUR  
18 APPEARANCE BEFORE THE GRAND JURY UNLESS AND UNTIL SUCH  
19 TIME AS THE TRANSCRIPT OF THIS GRAND JURY PROCEEDING IS  
20 MADE PUBLIC.

21 I WISH TO ADVISE YOU THAT A VIOLATION OF  
22 THIS ORDER CAN BE THE BASIS OF A CONTEMPT OF COURT CHARGE  
23 AGAINST YOU.

24 DO YOU UNDERSTAND THIS ADMONITION?

25 THE WITNESS: YES.

26 MS. AENLLE-ROCHA: THANK YOU. YOU'RE EXCUSED.

27 HAVE A NICE DAY.

28 //

1 (THE WITNESS EXITED THE GRAND JURY  
2 HEARING ROOM.)  
3

4 MS. AENLLE-ROCHA: NEXT WITNESS.

5 MR. MC KINNEY: THE PEOPLE CALL ARMANDO MENDOZA.  
6

7 (THE WITNESS ENTERED THE GRAND JURY  
8 HEARING ROOM.)  
9

10 MS. AENLLE-ROCHA: PLEASE STAND NEXT TO THE FLAG,  
11 RAISE YOUR RIGHT HAND, AND FACE THE FOREPERSON WHO WILL  
12 SWEAR YOU IN.  
13

14  
15 **ARMANDO MENDOZA,**  
16 CALLED AS A WITNESS BEFORE THE GRAND JURY  
17 OF THE COUNTY OF LOS ANGELES, WAS SWORN  
18 AND TESTIFIED AS FOLLOWS:  
19

20 THE FOREPERSON: DO YOU SOLEMNLY STATE THAT THE  
21 EVIDENCE YOU SHALL GIVE IN THIS MATTER NOW PENDING BEFORE  
22 THE GRAND JURY OF THE COUNTY OF LOS ANGELES SHALL BE THE  
23 TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP  
24 YOU GOD?

25 THE WITNESS: I DO.

26 MS. AENLLE-ROCHA: THANK YOU SO MUCH. PLEASE TAKE  
27 THAT SEAT.

28 GOOD AFTERNOON.

1 THE WITNESS: GOOD AFTERNOON, MA'AM.

2 MS. AENLLE-ROCHA: CAN YOU PULL THAT MICROPHONE  
3 TOWARD YOU SO YOU CAN SPEAK RIGHT INTO THE MICROPHONE?

4 DID YOU LEAVE YOUR CELL PHONE OUTSIDE?

5 THE WITNESS: I DID, MA'AM.

6 MS. AENLLE-ROCHA: DO YOU HAVE ANY RECORDING  
7 DEVICES ON YOU?

8 THE WITNESS: I ACTUALLY DO.

9 MS. AENLLE-ROCHA: YOU HAVE TO TAKE THAT OUT.

10 THE WITNESS: OKAY.

11 MS. AENLLE-ROCHA: THANK YOU.

12 THE WITNESS: I CARRY TWO. SORRY ABOUT THAT.

13 MS. AENLLE-ROCHA: OKAY.

14 THE WITNESS: ONE OF THEM IS BACKUP.

15

16 (THE WITNESS EXITED THE GRAND JURY  
17 HEARING ROOM.)

18

19 (PAUSE IN PROCEEDINGS.)

20

21 (THE WITNESS ENTERED THE GRAND JURY  
22 HEARING ROOM.)

23

24 MS. AENLLE-ROCHA: OKAY. THANK YOU. THAT IS WHY I  
25 ASKED.

26 THE WITNESS: SORRY ABOUT THAT, MA'AM.

27 MS. AENLLE-ROCHA: NO, NOT A PROBLEM. IT'S OKAY.

28 PLEASE -- FOR THE RECORD, THE WITNESS TOOK

1 HIS TWO RECORDING DEVICES OUT OF THE HEARING ROOM AND THEN  
2 RETURNED.

3 PLEASE TELL US YOUR FULL NAME AND THEN  
4 SPELL YOUR FULL NAME FOR THE RECORD.

5 THE WITNESS: YES. MY NAME'S ARMANDO MENDOZA. YOU  
6 SPELL MY FIRST NAME A-R-M-A-N-D-O, LAST NAME IS  
7 M-E-N-D-O-Z-A.

8 MS. AENLLE-ROCHA: THANK YOU SO MUCH.

9 MADAM FOREPERSON, WITH YOUR PERMISSION, MAY  
10 MR. MC KINNEY PROCEED?

11 THE FOREPERSON: YES.  
12  
13

14 EXAMINATION  
15

16 BY MR. MC KINNEY:

17 Q GOOD AFTERNOON.

18 A AFTERNOON, SIR.

19 Q PLEASE TELL US YOUR OCCUPATION.

20 A I AM A POLICE OFFICER FOR THE CITY OF  
21 LOS ANGELES. I'M CURRENTLY ASSIGNED TO SOUTHWEST  
22 HOMICIDE. I'M SORRY, SOUTH BUREAU HOMICIDE DIVISION.  
23 I'VE BEEN A HOMICIDE INVESTIGATOR FOR A LITTLE BIT OVER  
24 SIX YEARS NOW AND I'VE BEEN A POLICE OFFICER FOR OVER 17.

25 Q OKAY. MR. MENDOZA, DID YOU GO OUT TO THE  
26 LOCATION SHOWN IN GRAND JURY EXHIBIT NUMBER 4 ON  
27 MARCH 31ST, 2019?

28 A YES, I DID.

1 Q WHY DID YOU GO THERE ON THAT DAY?

2 A I WAS AT HOME. IT WAS ON A SUNDAY AND I  
3 GOT CALLED OUT TO ASSIST WITH A HOMICIDE INVESTIGATION.

4 Q AMONG THE THINGS THAT YOU DID AT THE  
5 LOCATION, DID YOU WALK THROUGH THE CRIME SCENE AND TAKE  
6 NOTE OF ITEMS THAT WERE MARKED AS POTENTIAL EVIDENCE AT  
7 THE CRIME SCENE?

8 A I DID.

9 Q WERE YOU INVOLVED IN THE COLLECTION OF THAT  
10 EVIDENCE?

11 A YES.

12 Q LET ME SHOW YOU AN EXHIBIT. THIS WILL BE  
13 GRAND JURY EXHIBIT NUMBER 26. DO YOU RECOGNIZE WHAT'S  
14 SHOWN HERE?

15 A I DO.

16 Q WHAT DOES THIS EXHIBIT SHOW?

17 A THAT SHOWS AN IMAGE OF THE -- PART OF THE  
18 CRIME SCENE THAT INVOLVED THE HOMICIDE INVESTIGATION.

19 Q IN THIS IMAGE WE SEE ITEMS ON THE GROUND IN  
20 THE PARKING LOT. WE ALSO SEE SOME NUMBERED YELLOW  
21 PLACARDS. DO YOU KNOW WHAT THOSE PLACARDS ARE?

22 A YES.

23 Q WHAT ARE THEY AND WHY ARE THEY PLACED WHERE  
24 THEY ARE?

25 A THOSE -- AFTER DOING A WALK-THROUGH OF A  
26 CRIME SCENE, WE AS INVESTIGATORS PLACE THOSE NUMBERED  
27 PLACARDS DOWN SO THAT ONE OF OUR PHOTOGRAPHERS COULD COME  
28 BACK AND THEN TAKE A PHOTOGRAPH OF THOSE PLACARDS NEXT TO

1 THE ITEMS THAT WE'VE DEEMED AS EVIDENCE SO WE CAN FURTHER  
2 REFERENCE TO THEM EITHER AS WE'RE CONDUCTING THE  
3 INVESTIGATION OR ONE OF THE INVESTIGATING OFFICERS COULD  
4 REFERENCE THOSE PHOTOGRAPHS.

5 Q OKAY. AFTER THE PHOTOGRAPHS ARE TAKEN AND  
6 BEFORE THE CRIME SCENE'S BROKEN DOWN, ARE THESE ITEMS  
7 COLLECTED AND EVENTUALLY BOOKED?

8 A YES.

9 Q NOW, WE SEE ITEMS MARKED BY PLACARDS IN  
10 THIS PHOTOGRAPH. THESE ITEMS THEN WOULD SHOW UP IN A  
11 REPORT NEXT TO A PHOTO I.D. NUMBER THAT CORRESPONDS TO THE  
12 PLACARD THAT WAS USED TO MARK IT, CORRECT?

13 A THAT IS CORRECT.

14 Q THE PHOTO I.D. NUMBER WOULD NOT NECESSARILY  
15 CORRESPOND TO A PROPERTY NUMBER THAT WOULD BE ASSIGNED TO  
16 EACH ITEM OF EVIDENCE BOOKED OVER THE LIFE OF THE CASE,  
17 CORRECT?

18 A THAT IS CORRECT.

19 Q I WANT TO -- AT THIS POINT WE DON'T NEED TO  
20 GET INTO THE PROPERTY NUMBERS. WE'RE JUST GONNA WORK WITH  
21 PHOTO I.D. NUMBERS. OKAY?

22 A UNDERSTOOD.

23 Q SO THIS PHOTOGRAPH SHOWS A BROAD SCOPE OF  
24 THIS AREA OF THE PARKING LOT, CORRECT?

25 A THAT IS CORRECT.

26 Q AND IT'S HARD TO SEE, BUT IF WE LOOK INTO  
27 THE BACKGROUND OF THIS PHOTO, THERE ARE PLACARDS THAT  
28 EXTEND ALL THE WAY UP ONTO THE SIDEWALK IN FRONT OF WHAT



1 APPEARS TO BE A TAX BUILDING, CORRECT?

2 A THAT IS CORRECT.

3 Q LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER  
4 27. THIS APPEARS TO BE A PHOTO OF THE SAME AREA, EXCEPT  
5 IT SHOWS A LITTLE BIT MORE OF THE PARKING LOT AND  
6 ADDITIONAL PHOTO PLACARDS; IS THAT CORRECT?

7 A YES, SIR.

8 Q I WANT TO WALK THROUGH EACH PLACARD AT  
9 LEAST, YOU KNOW, UP TO -- TO THE TEENS AND SEE IF YOU CAN  
10 TELL US WHAT EACH PLACARD -- WHAT ITEM OF EVIDENCE WAS  
11 MARKED AND COLLECTED. ALL RIGHT?

12 A YES, SIR.

13 Q SHOWING YOU GRAND JURY EXHIBIT ITEM --  
14 EXCUSE ME. I SHOULD HAVE ASKED YOU, DO YOU RECOGNIZE THIS  
15 EXHIBIT AS AN ACCURATE PHOTOGRAPH OF WHAT THE CRIME SCENE  
16 LOOKED LIKE WHILE YOU WERE THERE?

17 A PART OF THE CRIME SCENE, YES.

18 Q OKAY. AND GRAND JURY EXHIBIT NUMBER 28  
19 APPEARS TO SHOW THE SAME CRIME SCENE FROM A DIFFERENT  
20 VANTAGE POINT; IS THAT CORRECT?

21 A THAT IS CORRECT.

22 Q AND IS IT ACCURATE?

23 A YES, IT IS.

24 Q GOING ON TO GRAND JURY EXHIBIT NUMBER 29,  
25 WE'RE LOOKING AT FOUR PHOTOGRAPHS LABELED A THROUGH D AND  
26 EACH PHOTOGRAPH REPRESENTS OR SHOWS A DIFFERENT NUMBERED  
27 PLACARD; IS THAT TRUE?

28 A YES, SIR.

1 Q CAN YOU TELL US WHAT EACH NUMBERED PLACARD  
2 IS MARKING IN THE PHOTO?

3 A NUMBER 1 -- PHOTO PLACARD 1 LABELED "A"  
4 SHOWS SOME BLOODY CLOTHING AND THEN IT SHOWS WHAT APPEARS  
5 TO BE LIKE A PLASTIC BAG THAT THE FIRST RESPONDERS LEFT  
6 BEHIND AS THEY WERE RENDERING MEDICAL AID.

7 B SHOWS A PHOTOGRAPH OF SOME TENNIS SHOES,  
8 A CAR KEY, AND A BAG ALSO LEFT BY FIRST RESPONDERS. AND  
9 THAT'S MARKED WITH PHOTO PLACARD NUMBER 2.

10 PHOTO PLACARD 3 WITH THE LETTER C SHOWS A  
11 BULLET FRAGMENT.

12 AND PHOTO PLACARD 4, LETTER D, SHOWS A  
13 BULLET CASING.

14 Q OKAY. WHAT'S THE DIFFERENCE BETWEEN A  
15 BULLET FRAGMENT AND A BULLET CASING?

16 A THE COMPONENTS OF A BULLET ARE MADE UP OF  
17 THE CASING WHICH HOLDS THE BULLET IN THE FRONT AND THEN  
18 THE BACK PART HOLDS A PRIMER THAT -- AND THEN WITHIN THE  
19 CASING ITSELF IS GUNPOWDER OR A CHARGE THAT ONCE THE  
20 PRIMER IS STRUCK, IT COMBUSTS THAT CHARGE INSIDE OF THE  
21 BULLET, THEN -- AND THEN THE TOP PART OF THE BULLET WOULD  
22 THEN DISCHARGE OUT OF THE FIREARM.

23 Q LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER  
24 41. THIS EXHIBIT HAS TWO PHOTOGRAPHS -- OR A DIAGRAM AND  
25 PHOTOGRAPH.

26 DOES THIS EXHIBIT HELP TO EXPLAIN THE  
27 COMPONENTS OF AN UNFIRED CARTRIDGE AND WHAT HAPPENS WHEN A  
28 GUN-FIRED CARTRIDGE IS FIRED THROUGH A SEMIAUTOMATIC

1 HANDGUN?

2 A YES, IT DOES.

3 Q LET ME GIVE YOU THIS POINTER, IF I CAN, AND  
4 IF YOU NEED IT --

5 A SURE.

6 Q -- YOU CAN POINT THINGS OUT.

7 AND IF YOU COULD JUST GO THROUGH THAT.

8 A WHAT BUTTON IS IT, SIR? THE TOP BUTTON?

9 Q TOP BUTTON.

10 A OKAY. SO YOU WANT ME TO EXPLAIN WHAT? I'M  
11 SORRY?

12 Q EXPLAIN WHAT A CARTRIDGE IS, AGAIN, --

13 A OKAY.

14 Q -- IF YOU CAN, AND THEN WHAT HAPPENS WHEN A  
15 CARTRIDGE IS FIRED THROUGH A SEMIAUTOMATIC HANDGUN.

16 A UNDERSTOOD.

17 SO AS YOU CAN SEE HERE, THIS IS AN UNFIRED  
18 BULLET. THE TOP PART IS THE ACTUAL BULLET. THIS IS THE  
19 CASING. AND AS YOU SEE IN THE DIAGRAM HERE, IT'S ALSO  
20 LABELED, THE TOP PART BEING THE BULLET AND THEN THE OUTER  
21 PART BEING -- WHERE IT SAYS "BRASS OR CASING," INSIDE OF  
22 THE CASING ITSELF IS POWDER OR CHARGE. ON THE BOTTOM PART  
23 IS THE PRIMER.

24 SO WHEN A BULLET IS PLACED INSIDE EITHER --  
25 FOR THIS REFERENCE POINT, WE'RE GONNA USE A SEMIAUTOMATIC  
26 HANDGUN DEPICTED HERE ON THIS IMAGE. THE GUN ITSELF IS  
27 COMPOSED OF THE LOWER PART WHICH HAS A TRIGGER GUARD AND A  
28 TRIGGER. THE UPPER PART, WHICH IS THE SLIDE, THAT HAS AN

1 EJECTOR PORT HERE, THIS OPENING HERE, THE BARREL, AND THEN  
2 THERE'S A HAMMER WHICH WE CAN'T SEE.

3 SO BASICALLY WHAT HAPPENS IS WHEN YOU PULL  
4 THE TRIGGER, THE HAMMER COMES BACK. IT'S USUALLY IN A  
5 DOUBLE-ACTION MODE. SO YOU PULL BACK. THE HAMMER THEN  
6 RELEASES INTO THE BULLET STRIKING THE PRIMER CREATING THE  
7 COMBUSTION IN THE POWDER OR THE CHARGE AND THEN FIRING THE  
8 BULLET OUT.

9 WHEN THAT HAPPENS, THEN THE BULLET  
10 CONTINUES IN WHATEVER DIRECTION THE BARREL IS POINTING AND  
11 THEN THE CASING IS EJECTED OUT OF THE PORT OF THE  
12 SEMIAUTOMATIC HANDGUN.

13 THE DIFFERENCE WOULD BE IF IT WAS A  
14 REVOLVER, IT WOULDN'T EJECT THE CASING. THE CASING STAYS  
15 WITHIN THE CYLINDRICAL PART OF THE REVOLVER. AND -- THE  
16 REVOLVER BEING THE WESTERN GUNS THAT HAVE THE CYLINDRICAL  
17 PORTION OF THE FIREARM OR THE HANDGUN.

18 Q ALL RIGHT. THANK YOU.

19 LET'S GO BACK TO THOSE CRIME SCENE  
20 PHOTOGRAPHS AND GOING BACK TO GRAND JURY EXHIBIT NUMBER  
21 29.

22 SO PLACARD 3 SHOWS THE BULLET PORTION THAT  
23 LEAVES THE GUN AFTER IT STRUCK SOMETHING, CORRECT?

24 A THAT IS CORRECT.

25 Q IT APPEARS DEFORMED IN THE PHOTOGRAPH FOR  
26 THAT REASON, CORRECT?

27 A YES, SIR.

28 Q AND 4 SHOWS A SPENT CASING; THAT IS, A

1 CASING THAT WAS EJECTED FROM A GUN AFTER IT WAS FIRED,  
2 CORRECT?

3 A YES, SIR.

4 Q SO LET'S GO THROUGH TO THE NEXT EXHIBIT,  
5 GRAND JURY EXHIBIT 30.

6 CAN YOU TELL US WHAT'S SHOWN IN THESE FOUR  
7 PHOTOGRAPHS?

8 A YES. THE ONE THAT'S LABELED WITH THE  
9 LETTER "A," PHOTO PLACARDS 4 AND 5, SHOW CLOTHING OR  
10 PERSONAL PROPERTY BELONGING TO SOMEONE.

11 THE ONE THAT'S LABELED B, PHOTO PLACARD 6,  
12 SHOWS A SPENT CASING, WHICH MEANS THAT IT'S JUST THE  
13 CASING ONLY WITHOUT THE BULLET.

14 THE ONE LABELED C, PHOTO PLACARD 7, IS SOME  
15 SUNGLASSES THAT APPEAR TO BE BROKEN.

16 AND THE ONE LABELED D, PHOTO PLACARD 8, IS  
17 ALSO A SPENT CASING. AND IF YOU LOOK AT IT CLOSELY, YOU  
18 COULD SEE WHERE THE HAMMER HAS STRUCK THE PRIMER PART.

19 Q THERE'S A LITTLE INDENTATION THERE?

20 A THAT IS CORRECT.

21 Q OKAY.

22 A IT'S RIGHT HERE IN THIS AREA.

23 Q ALL RIGHT. I'M GONNA GO ON TO THE NEXT  
24 EXHIBIT. THIS IS GRAND JURY EXHIBIT NUMBER 31.

25 CAN YOU WALK US THROUGH THIS IF YOU  
26 RECOGNIZE WHAT'S SHOWN HERE?

27 A YES. THE ONE LABELED "A," PHOTO PLACARD 9,  
28 IS A SPENT CASING.

1 LABEL B, PHOTO PLACARD 10, IS ALSO A SPENT  
2 CASING.

3 C, PHOTO PLACARD 11, IS A SPENT CASING.

4 D, PHOTO PLACARD 12, IS ALSO A SPENT  
5 CASING.

6 Q AND LET ME GO ON TO GRAND JURY EXHIBIT  
7 NUMBER 32. DO YOU RECOGNIZE WHAT'S SHOWN HERE?

8 A YES. IT'S ALSO PART OF THE CRIME SCENE.  
9 WHAT YOU'RE LOOKING AT IS -- THE ONE LABELED A, PHOTO  
10 PLACARD 13, IS A USED CIGARETTE BUTT OR PART OF A  
11 CIGARETTE.

12 THE ONE LABELED B IS -- IF YOU'RE  
13 STANDING --

14 Q LET'S LEAVE B FOR NOW.

15 A OKAY.

16 Q JUST TELL US ABOUT A, C AND D.

17 A PHOTO PLACARD 14, I CAN'T REALLY SEE WHAT  
18 IT'S DEPICTING.

19 Q I MUST HAVE OVERLY CROPPED IT.

20 ALL RIGHT. LET'S GO TO 16.

21 A SIXTEEN -- PHOTO PLACARD 16 LABELED D IS A  
22 FIRED BULLET.

23 Q LET ME SEE IF MY PRINTOUTS ARE BETTER THAN  
24 MY POWERPOINT HERE.

25 YES.

26 MS. MC KINNEY: CAN WE GO OVERHEAD ON THIS ONE?

27 FOURTEEN IS A LITTLE BETTER, BUT ACTUALLY  
28 THE PHOTO THAT APPEARS ON THE SCREEN FOR PHOTO PLACARD B

1 IS WRONG. SO THE GRAND JURORS FOR NOW CAN DISREGARD THE  
2 PHOTOGRAPH THAT I SHOWED ON THE SCREEN. GRAND JURY  
3 EXHIBIT NUMBER 32 THAT ALL THE GRAND JURORS HAVE HAS  
4 PLACARD 15 IN THE B POSITION.

5 Q DO YOU RECOGNIZE WHAT'S SHOWN THERE?

6 A I COULD SEE WHAT APPEARS TO BE LABELED C,  
7 PHOTO PLACARD 14, AS BULLET FRAGMENTS.

8 Q OH, BULLET FRAGMENTS. CAN YOU POINT THAT  
9 OUT?

10 A THEY APPEAR TO BE -- I THINK I BROKE THIS.

11 Q NO, JUST HOLD THE BUTTON DOWN.

12 A OH, OKAY.

13 Q YOU DON'T REALLY HAVE TO POINT IT OFF THAT  
14 SCREEN. IT'S ACTUALLY GOING TO WORK OFF MY COMPUTER, BUT  
15 GO AHEAD AND PRESS THE BUTTON AGAIN.

16 YEAH, YOU BROKE IT.

17 A I'M SORRY. I THINK IT'S BECAUSE IT'S  
18 PROBABLY ON THE OVERHEAD?

19 MS. AENLLE-ROCHA: OH, THAT'S WHY.

20 MR. MC KINNEY: OH, THAT'S RIGHT. THAT GETS ME  
21 EVERY TIME ACTUALLY. IT'S NOT THE FIRST TIME I DID THAT.

22 Q ALL RIGHT. BULLET FRAGMENTS. ARE YOU  
23 REFERRING TO SOMETHING HERE WHERE I'M POINTING?

24 A YES, IN THAT GENERAL AREA THERE.

25 Q OKAY. HERE?

26 A HERE TO THERE.

27 Q ALL RIGHT. AND IT'S HARD TO MAKE OUT IN  
28 THE PHOTOGRAPH, CORRECT?

1 A THAT IS CORRECT.

2 Q WHAT ABOUT 16?

3 A SIXTEEN IS A FIRED BULLET, PHOTO PLACARD 16  
4 LABELED D.

5 Q OKAY. LET'S GO ON TO GRAND JURY EXHIBIT  
6 NUMBER 33. WE GOT TO GO BACK TO THE -- ALL RIGHT.

7 WHAT DOES THIS EXHIBIT SHOW?

8 A THIS EXHIBIT HERE SHOWS IF YOU'RE STANDING  
9 IN THE NORTH/SOUTH ALLEY THAT'S JUST WEST OF CRENSHAW AND  
10 SOUTH OF SLAUSON, YOU'RE STANDING IN THE ALLEY ALMOST AT  
11 MID-LEVEL OF THE ALLEY FACING NORTHBOUND, AND IT'S SHOWING  
12 AN IMAGE OF PHOTO PLACARD 17 WHICH INCLUDED A FOOD TRAY  
13 AND SOME CHILI CHEESE FRIES. I RECOGNIZE THOSE.

14 Q OKAY. AND DO THE PHOTOS THAT YOU LOOKED AT  
15 TODAY ACCURATELY REFLECT WHAT YOU SAW WHEN YOU WERE AT THE  
16 SCENE DOING THE WALK-THROUGH AND COLLECTING THIS EVIDENCE?

17 A YES, SIR.

18 Q HOW MANY CASINGS IN TOTAL DID YOU COLLECT  
19 AT THIS SCENE?

20 A THERE WAS EIGHT .40 CALIBER CASINGS THAT  
21 WERE COLLECTED FROM THE SCENE.

22 Q SO THEY WERE ALL .40 CALIBER?

23 A CORRECT.

24 Q AND IF YOU COULD JUST BRIEFLY EXPLAIN  
25 WHAT ".40 CALIBER" MEANS.

26 A THAT'S THE CALIBER OF THE ACTUAL  
27 FIREARM. THERE'S DIFFERENT TYPES OF CALIBERS RANGING  
28 FROM .22'S, .25'S, NINE MILLIMETERS, .45'S. THERE'S RIFLE



1 AMMUNITION. THAT'S A DIFFERENT CALIBER. SO SHOTGUN  
2 AMMUNITION. I MEAN, IT'S JUST A CALIBER OF A SPECIFIC  
3 FIREARM THAT -- BASED ON THE CRIME SCENE ITSELF, WE  
4 BELIEVED THAT A .40 CALIBER SEMIAUTOMATIC HANDGUN WAS USED  
5 IN THE COMMISSION OF THIS CRIME.

6 Q OKAY. ALL RIGHT. THANK YOU.

7 MR. MC KINNEY: NO FURTHER QUESTIONS.

8 MS. AENLLE-ROCHA: ANY QUESTIONS FOR THIS WITNESS  
9 FROM ANY GRAND JURORS?

10 THERE ARE NO QUESTIONS, MADAM FOREPERSON.  
11 IF YOU WOULD ADMONISH THE WITNESS, PLEASE.

12 THE FOREPERSON: BEFORE YOU LEAVE, PLEASE LISTEN  
13 CAREFULLY TO WHAT I AM GOING TO SAY TO YOU NOW.

14 YOU ARE ADMONISHED NOT TO REVEAL TO ANY  
15 PERSON, EXCEPT AS DIRECTED BY THE COURT, WHAT QUESTIONS  
16 WERE ASKED OR WHAT RESPONSES WERE GIVEN OR ANY OTHER  
17 MATTERS CONCERNING THE NATURE OR SUBJECT OF THE GRAND  
18 JURY'S INVESTIGATION WHICH YOU LEARNED DURING YOUR  
19 APPEARANCE BEFORE THE GRAND JURY UNLESS AND UNTIL SUCH  
20 TIME AS THE TRANSCRIPT OF THIS GRAND JURY PROCEEDING IS  
21 MADE PUBLIC.

22 I WISH TO ADVISE YOU THAT A VIOLATION OF  
23 THIS ORDER CAN BE THE BASIS OF A CONTEMPT OF COURT CHARGE  
24 AGAINST YOU.

25 DO YOU UNDERSTAND THIS ADMONITION?

26 THE WITNESS: I DO, MA'AM.

27 MS. AENLLE-ROCHA: THANK YOU SO MUCH. YOU'RE  
28 EXCUSED.

1 THE WITNESS: THANK YOU, MA'AM.

2

3 (THE WITNESS EXITED THE GRAND JURY  
4 HEARING ROOM.)

5

6 MS. AENLLE-ROCHA: MADAM FOREPERSON, MAY

7 MR. MC KINNEY BRIEFLY LOOK OUTSIDE --

8 THE FOREPERSON: YES.

9 MS. AENLLE-ROCHA: -- TO SEE IF HIS NEXT WITNESS IS  
10 AVAILABLE?

11 THE FOREPERSON: YES.

12 MS. AENLLE-ROCHA: THANK YOU.

13

14 (DEPUTY DISTRICT ATTORNEY MC KINNEY  
15 EXITED THE GRAND JURY HEARING ROOM.)

16

17 (PAUSE IN PROCEEDINGS.)

18

19 (DEPUTY DISTRICT ATTORNEY MC KINNEY  
20 ENTERED THE GRAND JURY HEARING ROOM.)

21

22 MR. MC KINNEY: READY.

23 MS. AENLLE-ROCHA: YOUR NEXT WITNESS.

24 MR. MC KINNEY: MICHAEL RAMIREZ.

25

26 (THE WITNESS ENTERED THE GRAND JURY  
27 HEARING ROOM.)

28 //

1 MS. AENLLE-ROCHA: PLEASE RAISE YOUR RIGHT HAND AND  
2 FACE THE FOREPERSON. THANK YOU.

3  
4  
5 MICHAEL RAMIREZ,  
6 CALLED AS A WITNESS BEFORE THE GRAND JURY  
7 OF THE COUNTY OF LOS ANGELES, WAS SWORN  
8 AND TESTIFIED AS FOLLOWS:

9  
10 THE FOREPERSON: DO YOU SOLEMNLY STATE THAT THE  
11 EVIDENCE YOU SHALL GIVE IN THIS MATTER NOW PENDING BEFORE  
12 THE GRAND JURY OF THE COUNTY OF LOS ANGELES SHALL BE THE  
13 TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP  
14 YOU GOD?

15 THE WITNESS: YES.

16 MS. AENLLE-ROCHA: THANK YOU. GO AHEAD AND TAKE  
17 THAT SEAT.

18 AND DID YOU LEAVE YOUR CELL PHONE OUTSIDE?

19 THE WITNESS: I DID.

20 MS. AENLLE-ROCHA: THANK YOU.

21 DO YOU HAVE ANY RECORDING DEVICES ON YOU?

22 THE WITNESS: I DO NOT.

23 MS. AENLLE-ROCHA: PLEASE TELL US YOUR FULL NAME  
24 AND THEN SPELL YOUR FULL NAME FOR US.

25 THE WITNESS: FIRST NAME IS MICHAEL, M-I-C-H-A-E-L,  
26 LAST NAME IS RAMIREZ, R-A-M-I-R-E-Z.

27 MS. AENLLE-ROCHA: THANK YOU SO MUCH.

28 MADAM FOREPERSON, WITH YOUR PERMISSION, MAY

1 MR. MC KINNEY PROCEED?

2 THE FOREPERSON: YES.

3  
4  
5 EXAMINATION

6  
7 BY MR. MC KINNEY:

8 Q GOOD AFTERNOON.

9 WHAT DO YOU DO FOR A LIVING?

10 A I'M A PARALEGAL WITH THE LOS ANGELES COUNTY  
11 DISTRICT ATTORNEY'S OFFICE.

12 Q AND YOU AND I ACTUALLY WORK IN THE SAME  
13 UNIT WITH IN THE D.A.'S OFFICE; IS THAT CORRECT?

14 A YES, IT IS.

15 Q CAN YOU TELL US BRIEFLY AND GENERALLY WHAT  
16 YOUR DUTIES ARE?

17 A ASSIST THE DISTRICT ATTORNEYS IN ALL  
18 ASPECTS OF TRIAL FROM START TO FINISH. ONE OF MY MAIN  
19 JOBS IS TO RESEARCH AND ACQUIRE PAST CRIMINAL CONVICTIONS  
20 OF OUR DEFENDANTS.

21 Q OKAY. ARE YOU FAMILIAR WITH CLETS AND RAP  
22 SHEETS?

23 A YES, I AM.

24 Q WHAT IS CLETS?

25 CAN YOU TELL US A LITTLE BIT ABOUT WHAT  
26 THAT IS AND WHO CONTROLS IT?

27 A CLETS IS A DATABASE CONTROLLED BY THE  
28 DEPARTMENT OF JUSTICE THAT HAS ENTRIES OF INDIVIDUALS'

1 ARRESTS AND CONVICTIONS. ALTHOUGH IT IS CONTROLLED BY THE  
2 DEPARTMENT OF JUSTICE, POLICE DEPARTMENTS AND ARRESTING  
3 AGENCIES CAN MAKE ENTRIES AS WELL.

4 Q DO YOU HAVE ACCESS TO THAT DATABASE?

5 A YES, I DO.

6 Q DO YOU REGULARLY OBTAIN INFORMATION FROM  
7 THAT DATABASE?

8 A YES, I DO.

9 Q DO YOU HAVE SOME BACKGROUND, TRAINING AND  
10 EXPERIENCE THAT ALLOWS YOU TO USE THE DATABASE, TO  
11 INTERPRET THE DATA THAT YOU FIND ON THE DATABASE, AND  
12 PROVIDE IT TO ATTORNEYS?

13 A YES, I DO.

14 Q TELL US ABOUT THAT.

15 A ABOUT FOUR YEARS AGO UPON BEING HIRED WITH  
16 THE COUNTY I HAD TO TAKE A COURSE WITH ONE OF OUR SENIOR  
17 PARALEGALS WHO'S A CERTIFIED D.O.J. INSTRUCTOR ON THE  
18 DATABASE AND EVERY YEAR I HAVE TO DO I BELIEVE EIGHT HOURS  
19 OF SECURITY TRAINING. IT'S TRAINING, BUT IT'S MORE FOR  
20 PRIVACY AND SECURITY. WE GO OVER NEW THINGS IN THE  
21 DATABASE AND IT'S MOSTLY ABOUT KEEPING RECORDS  
22 CONFIDENTIAL AND THE PROPER DISPOSAL OF THE RECORDS.

23 Q OKAY. THE TERM "RAP SHEET" IS OFTEN USED  
24 IN THE CRIMINAL JUSTICE SYSTEM, CORRECT?

25 A YES.

26 Q WHAT KIND OF INFORMATION WOULD ONE FIND ON  
27 A SO-CALLED RAP SHEET?

28 A THERE'S MANY DATABASES THAT HAVE THESE

1 DIFFERENT RAP SHEETS, BUT THE ONE WHERE -- I THINK WE'RE  
2 DISCUSSING IS A CLETS RAP SHEET FROM THE DEPARTMENT OF  
3 JUSTICE. ON THE TOP IT WOULD HAVE ALL THE INDIVIDUAL'S  
4 IDENTIFIERS, SUCH AS CII, DATE OF BIRTH, SOCIAL SECURITY  
5 NUMBER, ANY ALIASES --

6 Q WHAT IS A CII?

7 A THAT'S A -- THAT'S AN INDEX NUMBER GIVEN TO  
8 AN INDIVIDUAL WHO HAS BEEN ARRESTED.

9 Q NOW, WHAT OTHER INFORMATION WOULD BE FOUND  
10 ON A CLETS RAP SHEET?

11 A THERE WILL BE -- EVERY TIME AN  
12 INDIVIDUAL -- WELL, ARRESTING AGENCIES WILL MAKE AN ENTRY  
13 AND THEN THERE WILL BE COURT ENTRIES OF CONVICTIONS. SO  
14 JUST BECAUSE SOMEBODY'S ARRESTED DOESN'T MEAN THERE WILL  
15 BE A COURT ENTRY IF THEY WEREN'T -- IF THE CASE WASN'T  
16 FILED OR IF THERE WAS NO CONVICTION, BUT THERE WILL BE --  
17 SO MOST LIKELY ON YOUR RAP SHEET, ON AN INDIVIDUAL'S RAP  
18 SHEET, YOU'LL SEE MORE ARREST ENTRIES THAN COURT ENTRIES.

19 Q OKAY. 'CAUSE NOT EVERY ARREST RESULTS IN A  
20 CHARGE OR A CONVICTION, CORRECT?

21 A CORRECT.

22 Q WHO COMPILES AND MAINTAINS THE INFORMATION  
23 THAT IS FOUND ON A CLETS RAP SHEET?

24 A DEPARTMENT OF JUSTICE.

25 Q BUT YOU SAID ALSO ARRESTING AGENCIES CAN  
26 ALSO INPUT INFORMATION, CORRECT?

27 A THEY CAN MAKE ENTRIES, CORRECT.

28 Q IS THAT -- IS THAT RAP SHEET MADE IN THE

1 ORDINARY COURSE OF BUSINESS AT THE CALIFORNIA DEPARTMENT  
2 OF CORRECTIONS?

3 A YES.

4 Q IN YOUR EXPERIENCE IN WORKING WITH THESE  
5 RAP SHEETS OVER THE YEARS IS THE INFORMATION ON A RAP  
6 SHEET TRUSTWORTHY?

7 A YES.

8 Q LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER  
9 39. THIS IS A FOUR-PAGE EXHIBIT. SHOWING YOU THE FIRST  
10 PAGE OF THE EXHIBIT, DO YOU RECOGNIZE WHAT'S SHOWN HERE?

11 A YES, I DO.

12 Q WHAT DOES IT SHOW?

13 A THAT IS THE COVER -- THE FIRST PAGE OF A  
14 PERSON'S RAP SHEET.

15 Q THERE'S A POINTER ON THE TABLE IN FRONT OF  
16 YOU. IF YOU COULD JUST QUICKLY GO THROUGH THE RAP SHEET  
17 AND TELL US SOME OF THE BASIC INFORMATION THAT'S SHOWN  
18 HERE.

19 A IS IT THE TOP BUTTON?

20 Q YES. DOUBLE CLICK IT. DOUBLE -- WELL,  
21 YEAH. YOU WANT TO USE THE MAGNIFIER OR POINTER?

22 A I COULD USE THE --

23 Q DOUBLE CLICK IT AGAIN. THAT WILL GIVE YOU  
24 A POINTER.

25 A OKAY. SO IT'S KIND OF --

26 Q YOU DON'T HAVE TO HOLD IT LIKE THAT. YOU  
27 CAN REALLY DROP YOUR ARM AND -- YOU DON'T HAVE TO POINT IT  
28 AT THE SCREEN.

1           A           OKAY. WELL, IF YOU SEE THERE, THIS TOP  
2 INFORMATION IS INFORMATION HERE THAT -- SHOWING WHO RAN  
3 THIS RAP SHEET AND THERE'S A NUMBER THERE THAT OUR OFFICE,  
4 THE D.A.'S OFFICE, HAS ASSIGNED FOR RAP SHEETS. SO THAT  
5 NUMBER IS OURS SHOWING THAT IT CAME FROM A TERMINAL IN THE  
6 DISTRICT ATTORNEY'S OFFICE.

7                       I HAVE TO -- I HAVE TO INPUT INFORMATION ON  
8 WHY REQUESTING THIS RAP SHEET, AND I USED THE D.A.'S LAST  
9 NAME, WHICH IS YOURS, RIGHT THERE, THE CASE NUMBER, AND  
10 THEN IS THIS PERSON A DEFENDANT OR A WITNESS. SO I PUT --

11           Q           THAT'S NOT RELEVANT HERE.

12           A           OKAY.

13           Q           BUT YOU PUT THAT THERE JUST FOR THE PURPOSE  
14 OF RUNNING A RAP SHEET, CORRECT?

15           A           YES.

16           Q           ALL RIGHT.

17           A           AND HERE IS WHERE ALL THE IDENTIFYING  
18 INFORMATION IS. SO THAT'S THE CII NUMBER, THAT'S THE DATE  
19 OF BIRTH, HEIGHT, SEX, RACE, MONIKERS OR ALIASES USED.

20           Q           AND A NAME, CORRECT?

21           A           YES, CORRECT, THE TOP ENTRY.

22           Q           OKAY. THEN THERE APPEARS AT THE BOTTOM A  
23 PORTION OF THIS RAP SHEET HAS BEEN REDACTED. WAS THIS  
24 REDACTED BECAUSE IT DIDN'T SHOW INFORMATION THAT WAS  
25 RELEVANT TO THIS CASE?

26           A           YES.

27           Q           OKAY. LET ME SHOW YOU THE SECOND PAGE OF  
28 THIS EXHIBIT, IF YOU'LL LET ME TAKE CONTROL OF THE --



1 A OH.

2 Q YOU CAN LET THE BUTTON GO FOR A SECOND.

3 A OKAY.

4 Q OKAY. PAGE 2, WHAT DOES THIS PAGE SHOW?

5 THIS IS THE SECOND PAGE OF THE SAME CLETS  
6 RAP SHEET, CORRECT?

7 A YES, IT IS.

8 Q WHAT DOES THIS PAGE SHOW?

9 A THIS PAGE SHOWS -- I'M GONNA LOOK ON THE  
10 SCREEN, IF YOU DON'T MIND.

11 THIS PAGE SHOWS AN ARREST ENTRY. SO THE  
12 TOP ENTRY THAT'S NOT BLACKED OUT YOU'LL SEE AN ARREST  
13 DATE.

14 Q CAN YOU POINT IT OUT --

15 A YEAH. SURE.

16 Q -- AS YOU DESCRIBE IT?

17 A SO THAT'S AN ARREST DATE. SO -- IT'S HARD  
18 TO SEE FROM HERE, BUT I THINK IT'S 3-28.

19 Q YOU KNOW, IF YOU DOUBLE CLICK THAT BACK TO  
20 THE MAGNIFIER, IT WILL PROBABLY BE -- DOUBLE CLICK AGAIN.

21 A OKAY. YEAH, SO IT LOOKS LIKE 3-28-2012  
22 THERE WAS AN ARREST BY L.A. COUNTY SHERIFFS AT THEIR  
23 MARINA DEL REY STATION AND IT HAS A -- THEY USE NAME  
24 NUMBER ONE. SO ON THE PREVIOUS SHEET WHERE WE SAW ALL THE  
25 NAMES, NAME ONE WAS ARRESTED. BECAUSE SOMETIMES WHEN AN  
26 INDIVIDUAL IS ARRESTED THEY'LL GIVE DIFFERENT NAMES AND  
27 THAT'S WHY YOU'LL SEE THOSE NAMES LISTED ON THE FRONT  
28 PAGE.

1                   SO YOU SEE NAME ONE. THAT'S THE NAME THEY  
2                   USED DURING THE ARREST. THE INDIVIDUAL'S DATE OF BIRTH.  
3                   AND THEN HERE AS WE GO DOWN A LITTLE BIT TO COUNT 1 AND  
4                   THEN YOU SEE THESE NUMBERS HERE, THAT'S A BOOKING NUMBER.  
5                   SO THAT 3100976 I BELIEVE IS THE BOOKING NUMBER. SO  
6                   THAT'S THE NUMBER THAT AN INDIVIDUAL WAS BOOKED UNDER WHEN  
7                   HE WAS TAKEN INTO JAIL ON THAT ARREST.

8                   THEN THERE'S THE CHARGE, POSSESSION  
9                   CONTROLLED SUBSTANCE WHILE ARMED, AND THEN -- IF YOU SEE  
10                  THESE FOUR DASHES RIGHT HERE, THESE FOUR DASHES MEAN THAT  
11                  THIS ENTRY FOR COURT IS THE SAME AND RELATED -- IS RELATED  
12                  TO THIS ENTRY BY AN ARRESTING AGENCY. SO A POLICE  
13                  DEPARTMENT ARRESTED SOMEBODY HERE, THEN YOU SEE THESE FOUR  
14                  DASHES, AND THAT MEANS THIS PERSON IS IN COURT ON THIS  
15                  CHARGE.

16                  AND THE DATE ON -- IT LOOKS LIKE 4-9-2012  
17                  OVER AT AIRPORT COURT HERE IN L.A. COUNTY, AND THERE'S  
18                  YOUR CHARGE, "COUNT 2, SEE COMMENT FOR CHARGE." THE  
19                  DISPOSITION IS CONVICTED AND THE STATUS IS A FELONY. SO  
20                  THE INDIVIDUAL WAS SENTENCED TO THREE YEARS PROBATION AND  
21                  100 -- 180 DAYS IN JAIL, AND THE CHARGE WAS 25850(A) PC.

22                  Q            OKAY. AND THE FINAL PAGE OF THIS -- WELL,  
23                  NOT THE FINAL PAGE. PAGE 3 OF THIS EXHIBIT?

24                  A            YES.

25                  Q            WHAT DOES THIS SHOW?

26                  A            SO THAT'S A CONTINUATION OF THAT COURT  
27                  ENTRY FROM THE PREVIOUS PAGE AND IT JUST SHOWS THE  
28                  DISPOSITION, CONDITION OF FIREARM RESTRICTIONS. SO THERE

1 WAS A RESTRICTION ON THIS INDIVIDUAL NOT TO CARRY  
2 FIREARMS. AND THEN, YOU KNOW, IT SAYS, "CERTIFIED INFO,  
3 AUTOMATED ARCHIVE SYSTEM." THAT'S JUST TELLING YOU THAT  
4 THE INDIVIDUAL'S FINGERPRINTS WERE ROLLED WHEN HE WAS  
5 CONVICTED.

6 Q OKAY. WHAT IS THE CERTIFICATION AT THE  
7 BOTTOM OF THIS PAGE?

8 A THAT'S A CERTIFICATION THAT'S USED WHEN  
9 D.A.'S LIKE YOURSELF ASK ME FOR A CERTIFIED RAP SHEET.

10 Q OKAY. NOW, LET ME SHOW YOU THE FINAL PAGE  
11 OF THIS EXHIBIT. THIS WOULD BE PAGE 4.

12 A OKAY.

13 Q HOLD ON A MOMENT.

14 MS. AENLLE-ROCHA: YOU CAN GO AHEAD BECAUSE YOU'RE  
15 GOING TO PUT IT ON THE OVERHEAD.  
16 BY MR. MC KINNEY:

17 Q OKAY. SHOWING YOU PAGE 4, DO YOU RECOGNIZE  
18 WHAT'S SHOWN HERE?

19 A YES, I DO.

20 Q WHAT DOES THIS EXHIBIT SHOW?

21 A THIS IS A BOOKING PHOTO OF AN INDIVIDUAL  
22 NAMED ERIC RONALD HOLDER.

23 Q OKAY. AND WHAT IS THE SIGNIFICANCE OF THIS  
24 PAGE AS IT RELATES TO THE CLETS RAP SHEET THAT YOU  
25 TESTIFIED ABOUT EARLIER?

26 A WELL, ON THE CLETS RAP SHEET -- I'M GONNA  
27 GET TO THE ZOOMED ONE HERE.

28 ON THE CLETS RAP SHEET THERE WAS A BOOKING

1 NUMBER. THAT BOOKING NUMBER IS EXACTLY THE SAME AS THIS  
2 BOOKING NUMBER, THE 3100976, I BELIEVE. I'M LOOKING AT IT  
3 A LITTLE BLURRY. THAT BOOKING NUMBER AND THIS BOOKING  
4 NUMBER MATCH. SO THIS IS ONE OF THE THINGS THAT I'LL DO  
5 TO CONFIRM THAT THE ARREST IS CORRECT AND WE'RE TALKING  
6 ABOUT THE SAME INDIVIDUAL, OUR DEFENDANT.

7 SO THAT CLETS RAP SHEET HAS THE BOOKING  
8 NUMBER. I'LL GO INTO THIS DATABASE, THIS IS A COMPLETELY  
9 DIFFERENT DATABASE RUN BY THE COUNTY OF LOS ANGELES AND  
10 THE SHERIFF'S DEPARTMENT, AND I COMPARE THE BOOKING  
11 NUMBERS. AND IF A PERSON WAS ARRESTED IN LOS ANGELES, I  
12 BELIEVE IN THE COUNTY OF LOS ANGELES, THEY HAVE A BOOKING  
13 PHOTO IN THIS DATABASE.

14 SO WHEN I SAW THE RAP SHEET AND IT SAYS  
15 ARRESTED IN L.A. COUNTY, MARINA DEL REY, I CAN GO INTO  
16 THIS DATABASE AND RUN THAT BOOKING NUMBER AND THE BOOKING  
17 PHOTO APPEARS AS WE SEE HERE.

18 Q OKAY. SO YOU TELL ME IF WHAT I'M ABOUT TO  
19 SAY IS TRUE OR NOT.

20 A OKAY.

21 Q THE CLETS RAP SHEET, THE THREE-PAGE RAP  
22 SHEET THAT WE LOOKED AT SHOWS A CONVICTION OF A CERTAIN  
23 FELONY CRIME, CORRECT?

24 A YES.

25 Q AND THAT CONVICTION ON THE RAP SHEET IS  
26 ATTRIBUTABLE TO A PERSON NAMED ERIC RONALD HOLDER WITH A  
27 CERTAIN DATE OF BIRTH, CERTAIN PHYSICAL DESCRIPTORS,  
28 ALIASES, MONIKERS, AND SO FORTH, CORRECT?

1           A           YES.

2           Q           THAT RAP SHEET ALSO SHOWED THE BOOKING  
3           NUMBER RELATED TO THAT ARREST AND ULTIMATE CONVICTION,  
4           CORRECT?

5           A           YES.

6           Q           SO IF THAT INFORMATION WERE NOT ENOUGH TO  
7           SATISFY SOMEBODY THAT THE ERIC RONALD HOLDER MENTIONED IN  
8           THE RAP SHEET IS THE SAME PERSON WHO MAY BE THE SUBJECT OF  
9           SOME COURT PROCEEDINGS, YOU TOOK THE ADDITIONAL STEP OF  
10          PULLING UP A PHOTO THAT WAS TAKEN AT THE TIME OF THAT  
11          ARREST THAT RESULTED IN A CONVICTION AND THAT'S WHAT WE'RE  
12          LOOKING AT HERE ON PAGE 4; IS THAT ALL TRUE?

13          A           YES, THAT'S TRUE.

14          MR. MC KINNEY: NO FURTHER QUESTIONS.

15          MS. AENLLE-ROCHA: ANY QUESTIONS FOR THIS WITNESS  
16          FROM ANY GRAND JURORS?

17                    OKAY. MADAM FOREPERSON, WOULD YOU PLEASE  
18          ADMONISH THE WITNESS.

19                    HOLD ON. DON'T LEAVE YET.

20          THE WITNESS: SORRY.

21          THE FOREPERSON: BEFORE YOU LEAVE, PLEASE LISTEN  
22          CAREFULLY TO WHAT I AM GOING TO SAY TO YOU NOW.

23                    YOU ARE ADMONISHED NOT TO REVEAL TO ANY  
24          PERSON, EXCEPT AS DIRECTED BY THE COURT, WHAT QUESTIONS  
25          WERE ASKED OR WHAT RESPONSES WERE GIVEN OR ANY OTHER  
26          MATTERS CONCERNING THE NATURE OR SUBJECT OF THE GRAND  
27          JURY'S INVESTIGATION WHICH YOU LEARNED DURING YOUR  
28          APPEARANCE BEFORE THE GRAND JURY UNLESS AND UNTIL SUCH

1 TIME AS THE TRANSCRIPT OF THIS GRAND JURY PROCEEDING IS  
2 MADE PUBLIC.

3 I WISH TO ADVISE YOU THAT A VIOLATION OF  
4 THIS ORDER CAN BE THE BASIS OF A CONTEMPT OF COURT CHARGE  
5 AGAINST YOU.

6 DO YOU UNDERSTAND THIS ADMONITION?

7 THE WITNESS: YES, I DO.

8 MS. AENLLE-ROCHA: THANK YOU SO MUCH. YOU'RE  
9 EXCUSED.

10 MR. MC KINNEY: THANK YOU.

11  
12 (THE WITNESS EXITED THE GRAND JURY  
13 HEARING ROOM.)

14  
15 MS. AENLLE-ROCHA: NEXT WITNESS.

16 MR. MC KINNEY: THE PEOPLE CALL EDDIE AMARAL.

17  
18 (THE WITNESS ENTERED THE GRAND JURY  
19 HEARING ROOM.)

20  
21 MS. AENLLE-ROCHA: RAISE YOUR RIGHT HAND AND FACE  
22 THE FOREPERSON.

23  
24  
25 EVERARDO AMARAL,  
26 CALLED AS A WITNESS BEFORE THE GRAND JURY  
27 OF THE COUNTY OF LOS ANGELES, WAS SWORN  
28 AND TESTIFIED AS FOLLOWS:

1 THE FOREPERSON: DO YOU SOLEMNLY STATE THAT THE  
2 EVIDENCE YOU SHALL GIVE IN THIS MATTER NOW PENDING BEFORE  
3 THE GRAND JURY OF THE COUNTY OF LOS ANGELES SHALL BE THE  
4 TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP  
5 YOU GOD?

6 THE WITNESS: I DO.

7 MS. AENLLE-ROCHA: THANK YOU SO MUCH. GO AHEAD AND  
8 TAKE THAT SEAT.

9 GOOD AFTERNOON.

10 THE WITNESS: GOOD AFTERNOON, MA'AM.

11 MS. AENLLE-ROCHA: DID YOU LEAVE YOUR CELL PHONE  
12 OUTSIDE?

13 THE WITNESS: YES, I DID.

14 MS. AENLLE-ROCHA: DO YOU HAVE ANY RECORDING  
15 DEVICES ON YOU?

16 THE WITNESS: NO, I DON'T.

17 MS. AENLLE-ROCHA: PLEASE TELL US YOUR FULL NAME  
18 AND THEN PLEASE SPELL YOUR FULL NAME FOR THE RECORD.

19 THE WITNESS: EVERARDO AMARAL, E-V-E-R-A-R-D-O,  
20 A-M-A-R-A-L.

21 MS. AENLLE-ROCHA: THANK YOU SO MUCH.

22 MADAM FOREPERSON, WITH YOUR PERMISSION, MAY  
23 MR. MC KINNEY PROCEED?

24 THE FOREPERSON: YES.

25 //

26 //

27 //

28 //

## EXAMINATION

BY MR. MC KINNEY:

Q GOOD AFTERNOON.

A GOOD AFTERNOON, SIR.

Q PLEASE TELL US YOUR OCCUPATION.

A I'M A POLICE OFFICER FOR THE CITY OF  
LOS ANGELES AND I'M CURRENTLY ASSIGNED TO SOUTH BUREAU  
HOMICIDE DIVISION.

Q HOW LONG HAVE YOU BEEN A PEACE OFFICER?

A TWENTY-ONE YEARS.

Q ARE YOU ONE OF THE TWO PRIMARY  
INVESTIGATORS FOR LOOKING INTO THE MATTER OF THE KILLING  
OF ERMIAH ASGHEDOM?

A YES, I AM.

Q HAVE YOU BEEN ASSIGNED TO THIS MATTER SINCE  
MARCH 31ST, 2019?

A YES.

Q IN THE COURSE OF YOUR INVESTIGATION DID YOU  
SPEAK TO WITNESS #1?

A YES, I DID.

Q AND DO YOU UNDERSTAND WITNESS #1 TO BE THE  
PERSON WHO DROVE THE TARGET IN THIS CASE TO LOS ANGELES  
AND AWAY FROM LOS ANGELES AFTER THE SHOOTING?

A THAT'S CORRECT.

Q LET ME ASK YOU, DO YOU HAVE ANY INFORMATION  
OR CAN YOU CONFIRM WHETHER OR NOT WITNESS #1 TURNED  
HERSELF INTO THE LOS ANGELES POLICE DEPARTMENT ON THE



1 MORNING OF TUESDAY, APRIL 2ND, ONLY TO BE INITIALLY TURNED  
2 AWAY?

3 A YES.

4 Q WERE YOU PERSONALLY INVOLVED IN LOOKING  
5 INTO WHY SHE WAS TURNED AWAY?

6 A NO, I WAS NOT.

7 Q OKAY. WAS YOUR PARTNER INVOLVED IN THAT?

8 A YES, HE WAS.

9 Q OKAY. NEVERTHELESS, YOU WERE INVOLVED IN  
10 INTERVIEWING WITNESS #1 AND MOST, IF NOT ALL, OF THE  
11 CONTACTS THAT YOUR TEAM HAS HAD WITH HER SINCE THE 31ST,  
12 CORRECT?

13 A YES, SIR.

14 Q HOW WOULD YOU DESCRIBE HER DEGREE OF  
15 COOPERATIVENESS WITH THE INVESTIGATION?

16 A VERY COOPERATIVE.

17 Q HAS SHE -- DID SHE CONSENT TO A SEARCH OF  
18 HER CELL PHONE?

19 A YES, SHE DID.

20 Q WAS ALL THE INFORMATION IN HER CELL PHONE  
21 EXTRACTED FOR ANALYSIS?

22 A YES, IT WAS.

23 Q DID SHE CONSENT TO A SEARCH OF HER CAR?

24 A YES, SHE DID.

25 Q WAS THAT DONE?

26 A YES, IT WAS.

27 Q DID SHE CONSENT TO A SEARCH OF HER  
28 APARTMENT?

1 A YES.

2 Q WAS THAT DONE?

3 A YES, IT WAS.

4 Q DID SHE CONSENT TO A SEARCH OF HER MOTHER'S  
5 HOME?

6 A YES, SHE DID.

7 Q WAS THAT DONE?

8 A YES, IT WAS.

9 Q HAS SHE EVER DENIED -- TO YOUR KNOWLEDGE,  
10 EVER DENIED YOUR INVESTIGATION ACCESS TO ANYTHING THAT YOU  
11 REQUESTED?

12 A NO.

13 Q WERE YOU PRESENT -- YOU WERE OBVIOUSLY  
14 PRESENT DURING YOUR OWN INTERVIEW OF HER, CORRECT?

15 A YES, SIR.

16 Q THAT WAS THE INITIAL INTERVIEW OF HER ON  
17 THE 2ND, CORRECT?

18 A YES.

19 Q WAS SHE ADVISED OF HER MIRANDA RIGHTS AND  
20 DID SHE WAIVE THOSE RIGHTS AND AGREE TO SPEAK TO YOU AND  
21 YOUR PARTNER FOR ALMOST FIVE HOURS WITHOUT A LAWYER  
22 PRESENT?

23 A YES, SHE DID.

24 Q SUBSEQUENT TO THAT, WERE YOU PRESENT WHEN  
25 SHE CAME TO THE D.A.'S OFFICE TO SPEAK TO ME, ALSO ADVISED  
26 OF HER RIGHTS, WAIVED HER RIGHTS, AND AGREED TO SPEAK TO  
27 ME ABOUT WHAT HAPPENED?

28 A YES, I WAS.

1 Q DID SHE DURING YOUR INITIAL INVESTIGATION  
2 SHOW YOU A SELFIE PHOTOGRAPH THAT SHE TOOK WITH  
3 NIPSEY HUSSLE ON THE 31ST?

4 A YES.

5 Q DID SHE THEN SEND THAT PICTURE TO YOUR  
6 PARTNER SO IT COULD BE PRESERVED FOR USE IN THIS CASE AT  
7 SOME TIME?

8 A YES, SHE DID.

9 Q DID YOU SEE -- DID SHE TELL YOU WHETHER OR  
10 NOT SHE POSTED THAT PHOTOGRAPH ON FACEBOOK?

11 A SHE SAID SHE POSTED IT ON FACEBOOK.

12 Q DID YOU SEE IT?

13 A YES, I DID.

14 Q MEANING YOU SAW IT POSTED ON HER FACEBOOK  
15 ACCOUNT?

16 A CORRECT.

17 Q OKAY. I HAVE TWO EXHIBITS THAT I INTENDED  
18 TO SHOW OTHER WITNESSES, BUT I THINK I CAN SHOW YOU JUST  
19 TO GET THEM -- TO MAKE SURE WE GET THEM -- LAY A  
20 FOUNDATION FOR THESE PHOTOS.

21 ARE YOU FAMILIAR WITH THE VARIOUS VIDEOS  
22 THAT WERE COLLECTED SHOWING IMAGERY RELATED TO THE EVENTS  
23 ON MARCH 31ST?

24 A YES, I AM.

25 Q LET ME SHOW YOU GRAND JURY EXHIBIT NUMBER  
26 10.

27 DO YOU RECOGNIZE THIS EXHIBIT?

28 A YES, I DO.

1 Q WHAT DOES IT SHOW?

2 A THAT'S THE PARKING LOT OF 3420 WEST SLAUSON  
3 AVENUE.

4 Q DOES THIS EXHIBIT SHOW A -- IS IT A STILL  
5 PHOTOGRAPH TAKEN FROM CAMERA 6, GRAND JURY EXHIBIT NUMBER  
6 11, JUST SECONDS BEFORE THE SHOOTING OCCURRED?

7 A YES, IT IS.

8 Q THIS PHOTO PURPORTS TO SHOW WHERE VARIOUS  
9 PEOPLE ARE STANDING. ON THE FAR LEFT IT SHOWS AN  
10 INDIVIDUAL IN WHITE SHOES WALKING -- WHAT DIRECTION WOULD  
11 THAT BE?

12 A A WESTBOUND DIRECTION.

13 Q AS THE TARGET IN THIS CASE. DO YOU SEE  
14 THAT?

15 A YES, SIR.

16 Q AND THEN IT SHOWS VARIOUS INDIVIDUALS  
17 GATHERED AROUND A CAR WEST OF HIS LOCATION. IS THE  
18 EXHIBIT LABELED CORRECTLY IN TERMS OF INDIVIDUALS IN YOUR  
19 OPINION?

20 A YES, IT IS.

21 Q AND HAVE YOU ACTUALLY -- HAVE YOU ACTUALLY  
22 MET ALL OF THE INDIVIDUALS SHOWN HERE EXCEPT SHERMI  
23 VILLANUEVA, THE PERSON IN THE PINK SHIRT?

24 A CORRECT.

25 Q ALTHOUGH YOU DID NOT ACTUALLY MEET WITH HIM  
26 PERSONALLY, HAVE YOU SEEN OTHER VIDEO IMAGERY OF HIM?

27 A YES, I HAVE.

28 Q BODY CAMERA IMAGERY WORN BY OFFICERS WHO

1 RESPONDED TO THE SCENE?

2 A YES, SIR.

3 Q SO YOU HAVE NO PROBLEM IDENTIFYING HIM IN  
4 THIS VIDEO?

5 A NO, SIR.

6 Q IN ANOTHER PHOTO -- I SAID DID YOU ACTUALLY  
7 MEET WITH EVERYONE HERE. YOU DIDN'T ACTUALLY MEET WITH  
8 NIPSEY, BUT YOU KNOW WHAT HE LOOKS LIKE, CORRECT?

9 A YES, SIR.

10 Q THANK YOU.

11 MS. AENLLE-ROCHA: DID YOU ATTEND THE AUTOPSY?

12 THE WITNESS: NO, MA'AM, I DID NOT.

13 BY MR. MC KINNEY:

14 Q THIS IS GRAND JURY EXHIBIT NUMBER 14. DO  
15 YOU RECOGNIZE WHAT'S SHOWN HERE?

16 A YES, I DO.

17 Q WHAT DOES THIS EXHIBIT SHOW?

18 A THAT'S ALSO PART OF THE LOT OF 3420 WEST  
19 SLAUSON DEPICTING THE MARATHON STORE.

20 Q OKAY. ARE THE VEHICLES AS SHOWN IN THIS  
21 EXHIBIT IN THE EXACT SAME LOCATIONS THEY WERE IN AT THE  
22 TIME OF THE SHOOTING?

23 A YES, THEY ARE.

24 Q AND IS IT YOUR UNDERSTANDING FROM WATCHING  
25 THE VIDEO THAT NIPSEY HUSSLE AND MR. LATHAN WERE BETWEEN  
26 THESE TWO WHITE CARS AT THE TOP OF THE -- NOT AT THE TOP,  
27 BUT THE SOUTH END OF THE PARKING LOT THAT I'M POINTING TO  
28 HERE?

1           A           YES, SIR.

2           Q           AND DOES THIS PHOTO ACCURATELY SHOW THE  
3 SPACE BETWEEN THOSE TWO VEHICLES?

4           A           YES, IT DOES.

5           Q           ALL RIGHT. COUPLE MORE QUESTIONS FOR YOU.  
6 DID YOU WATCH VIDEO IMAGERY FROM CAMERA 21,  
7 THAT'S THE CAMERA FROM THE SHELL STATION POINTING  
8 WESTBOUND INTO THE ALLEY?

9           A           YES, SIR.

10          Q           WHEN YOU WATCHED THAT VIDEO, DID YOU SEE  
11 THE TARGET, ERIC HOLDER, RUNNING -- FIRST WALKING  
12 NORTHBOUND AND THEN RUNNING BACK SOUTHBOUND PAST THAT  
13 CAMERA?

14          A           YES, SIR.

15          Q           WHEN HE RAN BACK SOUTHBOUND PAST THAT  
16 CAMERA, COULD YOU SEE ANYTHING IN HIS HANDS?

17          A           YES, I COULD.

18          Q           WHAT CAN YOU SEE?

19          A           YOU CAN SEE A PISTOL IN EACH HAND.

20          Q           LET ME SHOW YOU -- NOT THIS ONE.

21                    LET ME SHOW YOU THIS ZOOMED-IN VIDEO CLIP  
22 FROM CAMERA 21. AND WE SHOULD PROBABLY MAKE THIS PART OF  
23 GRAND JURY EXHIBIT 13 LABELED "CROPPED CLIPS." OKAY?

24                    IT'S JUST A FEW SECONDS. I'LL PLAY IT AND  
25 THEN ASK YOU SOME QUESTIONS.

26          A           YES, SIR.

27

28                    (EXHIBIT 13, CAM 21, PLAYED.)

1 BY MR. MC KINNEY:

2 Q OKAY. AT ABOUT 15 SECONDS OR SO INTO THIS  
3 ROUGHLY 22-SECOND, 23-SECOND CLIP AN INDIVIDUAL RAN  
4 SOUTHBOUND PAST THE CAMERA. DID YOU SEE THAT?

5 A YES, SIR.

6 Q DO YOU KNOW WHO THAT PERSON IS?

7 A YES, I DO.

8 Q IN YOUR OPINION WHO IS THAT?

9 A ERIC HOLDER.

10 Q ALL RIGHT. I'M JUST GONNA GO BACK AND  
11 JUST -- YOU SAID IT'S IN THIS CLIP THAT YOU WERE ABLE TO  
12 SEE TWO GUNS, ONE IN EACH HAND?

13 A YES, SIR.

14 Q ALL RIGHT. I'M STOPPING IT AT ABOUT 13  
15 SECONDS. CAN YOU SEE THE SCREEN?

16 A YES, SIR.

17 Q DO YOU SEE THE TWO GUNS THAT YOU'RE  
18 REFERRING TO?

19 A YES, I DO.

20 Q CAN YOU POINT THEM OUT WITH THE POINTER IN  
21 FRONT OF YOU?

22 A YES, SIR.

23 Q DID I MOVE IT?

24 OH, YOU'RE MOVING IT. HOLD ON A SECOND.  
25 LET ME SEE IF I CAN GET BACK THERE. IT'S JUST THE TOP  
26 BUTTON. TOP BUTTON.

27 YEAH, PUT THE MAGNIFIER.

28 A IN HIS RIGHT HAND YOU CAN SEE THERE'S A

1 CHROME PISTOL AND THEN IN HIS LEFT HAND THERE'S A BLACK  
2 PISTOL.

3 Q CAN YOU RAISE IT UP -- I THINK YOU CAN GET  
4 BOTH HANDS IN THAT MAGNIFIER SO WE CAN -- OKAY.

5 AND HE'S -- IN THIS IMAGE HE'S RUNNING AWAY  
6 FROM THE MARATHON PARKING LOT, CORRECT?

7 A YES, SIR.

8 Q ALL RIGHT. THANK YOU.

9 MR. MC KINNEY: NO FURTHER QUESTIONS.

10 MS. AENLLE-ROCHA: SO CURRENTLY THAT CLIP IS -- HOW  
11 DID YOU IDENTIFY IT?

12 MR. MC KINNEY: THIS IS LABELED "SLOW MOTION" --  
13 I'M SORRY. THIS IS LABELED "TWO GUNS, CAMERA 22" --  
14 "CAMERA 21, SLOW MO." AND IT IS ON GRAND JURY EXHIBIT  
15 NUMBER 13.

16 MS. AENLLE-ROCHA: NUMBER 13. YES.

17 MR. MC KINNEY: YES.

18 MS. AENLLE-ROCHA: OKAY. THANK YOU.

19 MADAM FOREPERSON, -- OH, ANY QUESTIONS FROM  
20 ANY GRAND JURORS FOR THIS WITNESS?

21

22 (PAUSE IN PROCEEDINGS.)

23

24 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
25 PLEASE ADMONISH THE WITNESS.

26 THE FOREPERSON: YES.

27 BEFORE YOU LEAVE, PLEASE LISTEN CAREFULLY  
28 TO WHAT I AM GOING TO SAY TO YOU NOW.



1                   YOU ARE ADMONISHED NOT TO REVEAL TO ANY  
2   PERSON, EXCEPT AS DIRECTED BY THE COURT, WHAT QUESTIONS  
3   WERE ASKED OR WHAT RESPONSES WERE GIVEN OR ANY OTHER  
4   MATTERS CONCERNING THE NATURE OR SUBJECT OF THE GRAND  
5   JURY'S INVESTIGATION WHICH YOU LEARNED DURING YOUR  
6   APPEARANCE BEFORE THE GRAND JURY UNLESS AND UNTIL SUCH  
7   TIME AS THE TRANSCRIPT OF THIS GRAND JURY PROCEEDING IS  
8   MADE PUBLIC.

9                   I WISH TO ADVISE YOU THAT A VIOLATION OF  
10  THIS ORDER CAN BE THE BASIS OF A CONTEMPT OF COURT CHARGE  
11  AGAINST YOU.

12                  DO YOU UNDERSTAND THIS ADMONITION?

13           THE WITNESS:  YES, I DO.

14           MS. AENLLE-ROCHA:  THANK YOU SO MUCH.  YOU'RE  
15  EXCUSED.

16           THE WITNESS:  THANK YOU.

17  
18                   (THE WITNESS EXITED THE GRAND JURY  
19                   HEARING ROOM.)

20  
21           MS. AENLLE-ROCHA:  NEXT WITNESS.

22           MR. MC KINNEY:  THE PEOPLE CALL CEDRIC WASHINGTON.

23  
24                   (THE WITNESS ENTERED THE GRAND JURY  
25                   HEARING ROOM.)

26  
27           MS. AENLLE-ROCHA:  RAISE YOUR RIGHT HAND AND FACE  
28  THE FOREPERSON WHO WILL SWEAR YOU IN.

1                   CEDRIC WASHINGTON,  
2                   CALLED AS A WITNESS BEFORE THE GRAND JURY  
3                   OF THE COUNTY OF LOS ANGELES, WAS SWORN  
4                   AND TESTIFIED AS FOLLOWS:  
5

6                   THE FOREPERSON: DO YOU SOLEMNLY STATE THAT THE  
7                   EVIDENCE YOU SHALL GIVE IN THIS MATTER NOW PENDING BEFORE  
8                   THE GRAND JURY OF THE COUNTY OF LOS ANGELES SHALL BE THE  
9                   TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP  
10                  YOU GOD?

11                 THE WITNESS: I DO.

12                 MS. AENLLE-ROCHA: THANK YOU SO MUCH. GO AHEAD AND  
13                 TAKE THAT SEAT. AND ADJUST THE MICROPHONE.

14                 DID YOU LEAVE YOUR CELL PHONE OUTSIDE?

15                 THE WITNESS: I DID.

16                 MS. AENLLE-ROCHA: DO YOU HAVE ANY RECORDING  
17                 DEVICES ON YOU?

18                 THE WITNESS: NO.

19                 MS. AENLLE-ROCHA: PLEASE TELL US YOUR FULL NAME  
20                 AND THEN SPELL YOUR FULL NAME FOR US. AND SPEAK RIGHT  
21                 INTO THE MICROPHONE.

22                 THE WITNESS: CEDRIC WASHINGTON, C-E-D-R-I-C,  
23                 W-A-S-H-I-N-G-T-O-N.

24                 MS. AENLLE-ROCHA: THANK YOU.

25                 MADAM FOREPERSON, WITH YOUR PERMISSION, MAY  
26                 MR. MC KINNEY PROCEED?

27                 THE FOREPERSON: YES.

28                 //

## EXAMINATION

BY MR. MC KINNEY:

Q GOOD AFTERNOON.

A GOOD AFTERNOON.

Q PLEASE TELL US YOUR OCCUPATION.

A I'M A DETECTIVE WITH THE CITY OF  
LOS ANGELES POLICE DEPARTMENT ASSIGNED TO SOUTH BUREAU  
HOMICIDE DIVISION SPECIFICALLY WORKING 77 AREA.

Q HOW LONG HAVE YOU BEEN A PEACE OFFICER?

A TWENTY-FOUR YEARS.

Q AND ARE YOU ONE OF THE TWO PRIMARY  
INVESTIGATORS LOOKING INTO THE MATTER OF THE KILLING OF  
ERMIAS ASGHEDOM?

A I AM.

Q HAVE YOU BEEN ASSIGNED TO THIS CASE SINCE  
ITS INCEPTION ON MARCH 31ST, 2019?

A YES.

Q ARE YOU VERY FAMILIAR WITH A NUMBER OF  
VIDEOS THAT WERE COLLECTED SHOWING THE PARKING LOT IN  
FRONT OF THE MARATHON STORE AND ADJACENT LOCATIONS,  
SPECIFICALLY THE ALLEY?

A YES.

Q I WANT TO ASK YOU A FEW QUESTIONS ABOUT THE  
VIDEO THAT YOU SAW.

WITH REGARD TO GRAND JURY EXHIBIT 11,  
CAMERA 6, THIS IS THE CAMERA THAT WE UNDERSTAND -- SO  
THERE'S NO CONFUSION THAT WE'RE TALKING ABOUT THE SAME

1 CAMERA, LET ME JUST SHOW YOU CAMERA 6. ARE YOU FAMILIAR  
2 WITH THE VIDEO FROM THIS CAMERA?

3 A I AM, YES.

4 Q DID YOU DO SOME ANALYSIS OF THE VIDEO  
5 LOOKING SPECIFICALLY AT CERTAIN TIMES THINGS HAPPENED?

6 A YES, I DID.

7 Q IS IT TRUE OR NOT THAT THIS CAMERA SHOWS  
8 THAT FROM THE TIME NIPSEY HUSSLE GOT OUT OF HIS VEHICLE TO  
9 THE TIME THAT THE FIRST SHOTS WERE FIRED BY THE TARGET AT  
10 HIM WAS ABOUT 28 MINUTES AND 45 SECONDS?

11 A IT'S TRUE.

12 Q DID YOU LOOK TO SEE HOW MUCH TIME PASSED  
13 FROM THE TIME THE TARGET LEFT THE MASTER BURGER, GOT INTO  
14 A WHITE CAR, AND DROVE OUT OF THE LOT TO THE TIME THE  
15 TARGET RETURNED AND FIRED THE FIRST SHOTS IN THE DIRECTION  
16 OF NIPSEY HUSSLE?

17 A YES.

18 Q HOW MUCH TIME PASSED BETWEEN THOSE TWO  
19 EVENTS?

20 A IT WAS ABOUT 4 MINUTES -- A LITTLE OVER 4  
21 MINUTES.

22 Q WOULD IT BE MORE LIKE 6 MINUTES AND 15  
23 SECONDS?

24 A ACTUALLY, YES, 6 MINUTES AND 15 SECONDS.

25 Q DO YOU HAVE SOME NOTES WITH YOU THAT YOU  
26 COULD REFER TO IF YOU NEED TO REFRESH YOUR RECOLLECTION?

27 A YES.

28 Q ARE YOU SURE IT WAS ABOUT 6 MINUTES AND 15

1 SECONDS?

2 A YES.

3 Q OKAY. MENTIONING 4 MINUTES ITSELF, DID YOU  
4 LOOK AT THE TIME BETWEEN TWO EVENTS THAT WAS ABOUT 4  
5 MINUTES?

6 A YES.

7 Q WHAT WAS THAT?

8 A THAT WAS THE TIME THAT HOLDER MET WITH THE  
9 GROUP, NIPSEY HUSSLE OR ERMIAH ASGHEDOM, A GUY  
10 IDENTIFIED -- WHO WAS IDENTIFIED AS RIMPAU AND COWBOY.

11 Q OKAY. SO FROM THE TIME HOLDER INITIALLY  
12 APPROACHED THE GROUP WITH NIPSEY IN IT TO THE TIME HE  
13 WALKED AWAY FROM THAT GROUP WAS ABOUT 4 MINUTES?

14 A YES. A LITTLE OVER 4 -- THAT WAS ABOUT 4  
15 MINUTES AND I THINK 15 SECONDS OR SO.

16 Q OKAY. AND JUST SO WE'RE FOCUSED ON THE  
17 SAME EVENT, DURING THAT 4 MINUTES AND 15 SECONDS DID  
18 WITNESS #1 WALK UP TO THE GROUP, TAKE A SELFIE, AND THEN  
19 WALK BACK TO HER CAR?

20 A YES.

21 Q OKAY.

22 A SHE WAS OUT OF THE CAR FOR MAYBE ABOUT A  
23 MINUTE OR SO. LITTLE OVER A MINUTE.

24 Q SO HOLDER IS IN THAT GROUP TALKING TO  
25 NIPSEY HUSSLE FOR ABOUT 4 MINUTES AND 15 SECONDS?

26 A YES.

27 MS. AENLLE-ROCHA: DOES THAT INCLUDE THE TIMES THAT  
28 HE WENT BACK TO -- TO GET HIS LUNCH ORDER AND THEN CAME

1 BACK?

2 SO YOU'RE TALKING ABOUT THE FIRST TIME HE  
3 APPROACHED AND THEN THE LAST TIME HE LEFT?

4 THE WITNESS: IT -- I'M NOT SURE -- I HAVE TO  
5 ACTUALLY LOOK AT THE VIDEO TO COMPUTE THE TIMES AGAIN, BUT  
6 HE WAS -- HOLDER WAS THERE ROUGHLY ABOUT THAT TIME TOTAL.

7 MS. AENLLE-ROCHA: TOTAL?

8 THE WITNESS: I BELIEVE IT WAS TOTAL WITH -- NO, IT  
9 WOULD HAVE HAD TO HAVE BEEN LONGER THAN THAT. THE TIME  
10 THAT HE WAS ACTUALLY STANDING THERE WITH HIS -- STANDING  
11 THERE WITH THE GROUP WAS ROUGHLY ABOUT 4 MINUTES TALKING.  
12 BY MR. MC KINNEY:

13 Q OKAY. SO FROM THE TIME HOLDER -- HOLDER  
14 FIRST ARRIVED, HE GOT OUT OF THE CAR, HE WENT INTO MASTER  
15 BURGER, CORRECT?

16 A YES.

17 Q FROM MASTER BURGER HE WALKS OVER TO THE  
18 GROUP?

19 A YES.

20 Q AT SOME POINT HE WALKS AWAY FROM THE GROUP  
21 AND GOES BACK OVER TO MASTER BURGER?

22 A YES.

23 Q OKAY. THAT EVENT, FROM THE TIME HE FIRST  
24 APPROACHED THE GROUP TO THE TIME HE WENT BACK TO THE  
25 MASTER BURGER, THAT INTERACTION WAS ABOUT 4 MINUTES AND 15  
26 SECONDS?

27 A THAT WAS, YES.

28 Q LATER HE APPROACHES THE GROUP AGAIN BRIEFLY

1 AND THEN HE LEAVES; IS THAT CORRECT?

2 A AFTER HE RECEIVED HIS FOOD, HE WALKED OVER  
3 AND LEFT.

4 Q OKAY. ARE YOU INCLUDING THAT IN THE 4  
5 MINUTES AND 15 SECONDS?

6 A NO.

7 Q ALL RIGHT.

8 DID YOU LOOK AT THE CAMERA 21 IMAGE?

9 THAT'S THE IMAGE THAT IS AFFIXED TO THE  
10 SHELL IN THE ALLEY LOOKING WESTBOUND.

11 A YES.

12 Q AND IN THAT VIDEO DID YOU SEE THE TARGET  
13 FIRST WALK NORTHBOUND PAST THE CAMERA AND THEN COME  
14 RUNNING BACK SOUTHBOUND?

15 A I DID.

16 Q DID YOU NOTE THE TIME -- DID YOU NOTE THE  
17 TIME DIFFERENCE BETWEEN THE TIME HE WALKED NORTHBOUND PAST  
18 THE CAMERA TO THE TIME THE SHOOTING BEGAN?

19 A YES. THAT WAS ABOUT 32 SECONDS.

20 Q OKAY. SO THAT MEANS YOU HAD TO COMPARE THE  
21 TIME FROM CAMERA 21 THAT SHOWED HIM WALKING BY TO THE TIME  
22 FROM CAMERA 6 THAT SHOWED THE SHOOTING, CORRECT?

23 A YES.

24 Q WHAT, IF ANYTHING, DO YOU KNOW ABOUT  
25 WITNESS #1 VOLUNTARILY WALKING INTO 77 STATION PER  
26 INFORMATION SHE SAW ON TELEVISION AND BEING TURNED AWAY BY  
27 A DESK OFFICER?

28 A WELL, I SPOKE TO ONE OF MY COWORKERS AT THE

1 OFFICE THAT WAS NOTIFIED THAT WITNESS #1 SHOWED UP TO THE  
2 STATION AROUND 7:00 A.M. TO BASICALLY EITHER TURN HERSELF  
3 IN OR TO FIND OUT WHY HER VEHICLE WAS ON -- OR TO SPEAK  
4 WITH DETECTIVES REGARDING HER VEHICLE BEING ON THE NEWS.

5 I SPOKE WITH THE DESK OFFICERS THAT WERE  
6 WORKING THAT DAY IN REGARDS TO THIS INFORMATION AND THEY  
7 CONFIRMED THAT SHE DID SHOW UP BUT WAS TURNED AWAY.

8 AND THEN I SPOKE WITH WITNESS #1 AFTER  
9 TALKING WITH THE OFFICERS AND ASKED HER TO COME BACK TO  
10 THE STATION BECAUSE I WANTED -- AND TOLD HER THAT I NEEDED  
11 TO SPEAK WITH HER, AND SHE DID.

12 Q OKAY. SO IF SHE TESTIFIED THAT SHE WALKED  
13 IN AND SOMEBODY TOLD HER, "OH, DON'T WORRY ABOUT IT," THAT  
14 WOULD BE TRUE?

15 A THAT IS TRUE ACCORDING TO THE DESK OFFICER  
16 THAT I SPOKE TO ABOUT IT.

17 Q OKAY. HE APPARENTLY MISSED A BRIEFING IN  
18 THE CHIEF'S PRESS CONFERENCE THAT DAY, I GUESS.

19 A HE DID AND I DID EXPLAIN TO HIM --

20 MS. AENLLE-ROCHA: WELL, I'M GOING TO STRIKE THAT  
21 FROM THE RECORD, THAT COMMENT, MR. MC KINNEY'S COMMENT,  
22 WHICH WAS NOT A QUESTION. I'M GOING TO STRIKE THAT FROM  
23 THE RECORD AND ANY ANSWER YOU STARTED TO GIVE IN RESPONSE  
24 TO THE NON-QUESTION.

25 GRAND JURORS ARE ADMONISHED AND ADVISED NOT  
26 TO CONSIDER THAT DURING THE COURSE OF THIS HEARING AND  
27 YOUR DELIBERATIONS.

28 THANK YOU.



1 BY MR. MC KINNEY:

2 Q DID YOU INTERVIEW KERRY LATHAN?

3 A I DID.

4 Q DID YOU INTERVIEW HIM ONE TIME OR MORE THAN  
5 ONE TIME?

6 A THREE TIMES, THREE OFFICIAL INTERVIEWS, AND  
7 I'VE SPOKEN TO HIM AT LEAST THREE ADDITIONAL TIMES.

8 Q OKAY. DURING ONE OF THE INTERVIEWS -- WAS  
9 I PRESENT FOR ONE OF THE INTERVIEWS?

10 A YES.

11 Q AND WAS THAT AT THE COUNTY JAIL?

12 A YES.

13 Q DURING THAT INTERVIEW, DID MR. LATHAN SAY  
14 THAT HE HEARD NIPSEY SAY SOMETHING WHILE HE WAS ON THE  
15 GROUND BEING SHOT?

16 A YES.

17 Q WHAT DID MR. LATHAN SAY HE HEARD NIPSEY SAY  
18 DURING THAT PERIOD?

19 MS. AENLLE-ROCHA: HOLD ON JUST A SECOND.

20 GRAND JURORS, THIS IS POTENTIALLY  
21 EXCULPATORY EVIDENCE BEING PROVIDED TO YOU. PLEASE  
22 CONSIDER THIS AS YOU WOULD DURING THE COURSE OF THIS  
23 HEARING AND DELIBERATIONS AS YOU WOULD ANY OTHER EVIDENCE  
24 THAT'S BEEN PRESENTED TO YOU. IT'S PURSUANT TO *PEOPLE VS.*  
25 *JOHNSON*.

26 YOU MAY ANSWER NOW. THANK YOU.

27 THE WITNESS: IT WAS -- MR. LATHAN SAID THAT  
28 ERMIAS ASGHEDOM SAID, "YOU GOT ME."

1 BY MR. MC KINNEY:

2 Q TO --

3 A TO ---

4 Q IN THE COURSE OF BEING SHOT?

5 A IN THE COURSE OF BEING SHOT AS HE WAS, I  
6 BELIEVE, LAYING ON HIS BACK AND -- TO HOLDER.

7 Q OKAY. MR. LATHAN TESTIFIED ABOUT SOME OF  
8 HIS PRIOR CRIMINAL CONVICTIONS. I WANT TO ASK YOU ABOUT A  
9 FEW CONVICTIONS SUFFERED BY HERMAN DOUGLAS.

10 A OKAY.

11 Q YOU'RE FAMILIAR WITH MR. DOUGLAS OBVIOUSLY.  
12 YOU INTERVIEWED HIM, CORRECT?

13 A YES.

14 Q HAS HE BEEN VERY COOPERATIVE WITH YOU IN  
15 THIS INVESTIGATION?

16 A HE'S PROBABLY BEEN THE MOST COOPERATIVE  
17 WITNESS THAT WE'VE HAD IN THIS CASE.

18 Q OKAY. AND THIS INFORMATION I'M GONNA ASK  
19 YOU ABOUT BECAUSE I'M REQUIRED TO.

20 MS. AENLLE-ROCHA: THIS IS POTENTIALLY EXCULPATORY  
21 EVIDENCE PURSUANT TO *PEOPLE VS. JOHNSON*. GRAND JURORS ARE  
22 ADVISED TO CONSIDER THIS DURING THE COURSE OF THE HEARING  
23 AND DELIBERATIONS AS YOU WOULD ANY OTHER EVIDENCE THAT'S  
24 BEEN PRESENTED TO YOU.

25 BY MR. MC KINNEY:

26 Q WHEN YOU CONDUCT AN INVESTIGATION AND  
27 IDENTIFY WITNESSES, AMONG THE THINGS YOU DO IS GENERATE A  
28 RAP SHEET OR LOOK TO SEE IF THE PERSON HAS A CRIMINAL

1 HISTORY, CORRECT?

2 A YES.

3 Q AND THAT'S PRETTY STANDARD IN ANY  
4 INVESTIGATION, CORRECT?

5 A YES.

6 Q MR. DOUGLAS HAS SUFFERED A NUMBER OF FELONY  
7 CONVICTIONS OVER HIS ADULT LIFE; IS THAT CORRECT?

8 A YES.

9 Q I'M GONNA READ OFF SOME OF THE CONVICTIONS  
10 THAT I BELIEVE ARE RELEVANT AND THEN ASK YOU WHETHER OR  
11 NOT YOU KNOW IF THIS IS ACCURATE. OKAY?

12 A YES.

13 Q IN 1998 HE SUFFERED A FELONY ASSAULT  
14 PURSUANT TO PENAL CODE SECTION 245.

15 IN 1991 HE SUFFERED A CONVICTION FOR A LEWD  
16 ACT ON A CHILD IN VIOLATION OF PENAL CODE SECTION 288(A).

17 IN 1992 HE SUFFERED CONVICTIONS FOR SEXUAL  
18 BATTERY AND ROBBERY IN VIOLATION OF PENAL CODE SECTIONS  
19 243.4(A) AND 211.

20 IN 2000 HE SUFFERED A PRIOR CONVICTION FOR  
21 PERJURY IN VIOLATION OF PENAL CODE SECTION 118.

22 AND IN 2006 HE SUFFERED A PRIOR CONVICTION  
23 FOR DRIVING A VEHICLE WITHOUT THE OWNER'S CONSENT, A  
24 VIOLATION OF VEHICLE CODE SECTION 10851.

25 DOES THAT SOUND ACCURATE?

26 A YES, IT DOES.

27 MS. AENLLE-ROCHA: WE'RE GONNA TAKE OUR AFTERNOON  
28 BREAK AT THIS TIME. AND THE D.A.'S ALMOST FINISHED WITH

1 THE EXAMINATION OF THIS WITNESS. SO IF JURORS HAVE ANY  
2 QUESTIONS FOR HIM, PLEASE HAVE THEM READY SO WE CAN  
3 COLLECT THEM AS SOON AS WE RETURN FROM BREAK.

4 MADAM FOREPERSON, IF YOU WOULD PLEASE  
5 ADMONISH THIS WITNESS AND ORDER HIM TO RETURN IN 15  
6 MINUTES AT -- LET'S MAKE IT 2:30.

7 THE FOREPERSON: SO ORDERED.

8 MS. AENLLE-ROCHA: YOU'RE ADMONISHING HIM.

9 THE FOREPERSON: I'M SORRY?

10 MS. AENLLE-ROCHA: YOU'RE DOING THE ADMONISHMENT.  
11 THE LONG VERSION.

12 THE FOREPERSON: OH, OKAY.

13 MS. AENLLE-ROCHA: IT'S OKAY.

14 THE FOREPERSON: BEFORE YOU LEAVE, PLEASE LISTEN  
15 CAREFULLY TO WHAT I AM GOING TO SAY TO YOU NOW.

16 YOU ARE ADMONISHED NOT TO REVEAL TO ANY  
17 PERSON, EXCEPT AS DIRECTED BY THE COURT, WHAT QUESTIONS  
18 WERE ASKED OR WHAT RESPONSES WERE GIVEN OR ANY OTHER  
19 MATTERS CONCERNING THE NATURE OR SUBJECT OF THE GRAND  
20 JURY'S INVESTIGATION WHICH YOU LEARNED DURING YOUR  
21 APPEARANCE BEFORE THE GRAND JURY UNLESS AND UNTIL SUCH  
22 TIME AS THE TRANSCRIPT OF THIS GRAND JURY PROCEEDING IS  
23 MADE PUBLIC.

24 I WISH TO ADVISE YOU THAT A VIOLATION OF  
25 THIS ORDER CAN BE THE BASIS OF A CONTEMPT OF COURT CHARGE  
26 AGAINST YOU.

27 DO YOU UNDERSTAND THIS ADMONITION?

28 THE WITNESS: YES.

1 MS. AENLLE-ROCHA: THANK YOU, DETECTIVE. WE'LL SEE  
2 YOU IN 15 MINUTES.

3  
4 (THE WITNESS EXITED THE GRAND JURY  
5 HEARING ROOM.)

6  
7 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
8 PLEASE RECESS THIS HEARING AND ORDER THE GRAND JURORS TO  
9 RETURN AT 2:30.

10 THE FOREPERSON: SO ORDERED.

11 MS. AENLLE-ROCHA: THANK YOU.

12 GRAND JURORS ARE ADMONISHED AND ADVISED NOT  
13 TO DISCUSS THIS MATTER OR FORM ANY OPINION UNTIL SUCH TIME  
14 AS IT IS GIVEN TO YOU FOR DELIBERATION.

15 THANK YOU. WE ARE IN RECESS.

16 PLEASE ESCORT THE D.A. FROM THE HEARING  
17 ROOM.

18  
19 (DEPUTY DISTRICT ATTORNEY MC KINNNEY  
20 EXITED THE GRAND JURY HEARING ROOM.)

21  
22 (RECESS.)

23  
24 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
25 PLEASE CALL THIS CRIMINAL GRAND JURY HEARING TO ORDER.

26 THE FOREPERSON: SO ORDERED.

27 MS. AENLLE-ROCHA: THANK YOU.

28 PLEASE LET THE RECORD REFLECT THE SAME

1 NUMBER AS WELL AS THE SAME GRAND JURORS PRESENT AT  
2 MORNING'S ROLL CALL ARE PRESENT. ALSO PRESENT IS DEPUTY  
3 DISTRICT ATTORNEY JOHN MC KINNEY AND MYSELF, THE GRAND  
4 JURY LEGAL ADVISOR.

5 AND LET'S PLEASE RECALL DETECTIVE  
6 WASHINGTON.

7  
8 (THE WITNESS ENTERED THE GRAND JURY  
9 HEARING ROOM.)

10  
11 MS. AENLLE-ROCHA: PLEASE RETAKE THE STAND.

12 DID YOU LEAVE YOUR CELL PHONE OUTSIDE AND  
13 YOU HAVE NO RECORDING DEVICES ON YOU, CORRECT?

14 THE WITNESS: CORRECT.

15 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
16 PLEASE REMIND THE WITNESS OF HIS OATH.

17 THE FOREPERSON: YOU WILL RECALL THAT YOU HAVE  
18 PREVIOUSLY BEEN SWORN IN AND ARE STILL UNDER OATH. PLEASE  
19 RESTATE YOUR NAME.

20 THE WITNESS: CEDRIC WASHINGTON.

21 MS. AENLLE-ROCHA: THANK YOU SO MUCH.

22 MADAM FOREPERSON, WITH YOUR PERMISSION, MAY  
23 MR. MC KINNEY PROCEED?

24 THE FOREPERSON: YES.

25 BY MR. MC KINNEY:

26 Q OKAY, DETECTIVE. I HAVE JUST A FEW  
27 QUESTIONS FOR YOU. FIRST LET ME DIRECT YOUR ATTENTION TO  
28 GRAND JURY EXHIBIT NUMBER 40. DO YOU RECOGNIZE WHAT'S

1 SHOWN HERE?

2 A YES.

3 Q I BELIEVE YOU HAVE A MONITOR IN FRONT OF  
4 YOU. YOU CAN --

5 MS. AENLLE-ROCHA: GO AHEAD PULL IT UP.  
6 BY MR. MC KINNEY:

7 Q ARE YOU FAMILIAR WITH THIS PARTICULAR --  
8 ARE YOU FAMILIAR WITH THIS STILL PHOTOGRAPH TAKEN FROM THE  
9 MASTER BURGER VIDEO?

10 A YES.

11 Q IN LOOKING AT THIS -- WHEN YOU LOOKED AT  
12 THIS PHOTO -- OR THE VIDEO AND THIS PHOTO IN PARTICULAR,  
13 WHAT, IF ANYTHING, DID YOU NOTE THAT WAS OF INTEREST TO  
14 YOU AND YOUR INVESTIGATION?

15 A THE BULGE IN THE RIGHT FRONT PANTS POCKET  
16 OF HOLDER.

17 Q CAN YOU POINT IT OUT, PLEASE, WITH THE  
18 POINTER IN FRONT OF YOU, TOP BUTTON?

19 YEAH, JUST PUT THAT RIGHT ON THE POCKET.

20 A HERE.

21 Q WHAT DO YOU SEE THERE THAT WAS OF INTEREST  
22 TO YOU WHEN YOU WATCHED THE VIDEO?

23 A IT APPEARS TO BE THE SHAPE OF A -- EITHER A  
24 MEDIUM- OR LARGE-FRAME FIREARM.

25 Q OKAY. YOU DON'T KNOW FOR SURE, BUT THAT'S  
26 WHAT YOU THOUGHT WHEN YOU SAW THAT, CORRECT?

27 A YES.

28 Q ALL RIGHT. LET ME SHOW YOU A VIDEO CLIP

1 FROM CAMERA 6 OF THE PARKING LOT. THIS IS TAKEN FROM THE  
2 LARGER VIDEO THAT'S PART OF GRAND JURY EXHIBIT NUMBER 11,  
3 CAM 6. THIS IS CROPPED AND SLOWED DOWN. THIS IS A VIDEO  
4 CLIP OF THE SHOOTING ITSELF. SO LET'S ADD THIS CROPPED  
5 SLOW MOTION VERSION OF THE IMAGERY TO GRAND JURY EXHIBIT  
6 NUMBER 13. THIS CLIP WILL EXIST THERE AND IT'S CALLED  
7 "SLOW MOTION CROPPED."

8 DO YOU RECOGNIZE THE --

9 MS. AENLLE-ROCHA: WAIT. WAIT. WAIT. DON'T WE  
10 HAVE ANOTHER SLOW MOTION CROPPED?

11 MR. MC KINNEY: DID I MARK THIS ALREADY? I DON'T  
12 THINK SO. WE HAVE ANOTHER CROPPED, BUT IT'S RUNNING AT  
13 REGULAR SPEED. WE HAVE TWO GUNS SLOW MOTION, BUT THAT'S  
14 FROM CAMERA 21.

15 MS. AENLLE-ROCHA: ALL RIGHT.

16 MR. MC KINNEY: I THINK THIS IS THE ONLY SLOW  
17 MOTION CROP FROM CAMERA 6.

18 MS. AENLLE-ROCHA: SLOW MOTION CROP FROM CAMERA 6.

19 MR. MC KINNEY: OKAY.

20 MS. AENLLE-ROCHA: AND, MADAM FOREPERSON, MAY ALL  
21 OF THESE ADDITIONAL EXHIBITS MR. MC KINNEY HAS DESCRIBED  
22 TO BE ADDED TO THE EXHIBIT LIST IN EXHIBIT 13?

23 THE FOREPERSON: YES.

24 MS. AENLLE-ROCHA: THANK YOU.

25 BY MR. MC KINNEY:

26 Q OKAY. LOOKING AT THE SCREEN, AT THE FRAME  
27 THAT'S BEING SHOWN, THIS IS A FRAME FROM CAMERA 6, YOU  
28 RECOGNIZE THIS, CORRECT?



1 A YES.

2 Q ALL RIGHT. I WANT TO PLAY THIS.

3 WHEN YOU LOOKED AT THIS, DID YOU SEE ANY  
4 EVIDENCE THAT ERIC HOLDER WAS SHOOTING WITH TWO DIFFERENT  
5 GUNS?

6 A YES.

7 Q WHAT DID YOU SEE?

8 A I SAW WHAT APPEARED TO BE A VOLLEY OF SHOTS  
9 FROM THE RIGHT HAND BEING EXTENDED OUT IN FRONT OF HIM AND  
10 THEN ANOTHER VOLLEY OF SHOTS FROM WHAT APPEARED TO BE THE  
11 LEFT HAND, A FIREARM IN THE LEFT HAND BEING EXTENDED OUT  
12 IN FRONT OF HIM POINTING IT IN THE DIRECTION OF THE PEOPLE  
13 THAT WE SEE STANDING IN THE CLIP HERE.

14 Q ALL RIGHT. I'M GONNA PLAY THIS.

15

16 (EXHIBIT 13, CAMERA 6, SLOW MOTION, PLAYED.)

17

18 BY MR. MC KINNEY:

19 Q RIGHT AT THE TAIL END OF THE SHOOTING  
20 BEFORE HOLDER RUNS OFF DID YOU SEE WHAT, IF ANYTHING, HE  
21 DID TO MR. ASGHEDOM?

22 A YES. HE KICKED HIM.

23 Q WHAT PART OF HIS BODY DID HE KICK?

24 A IT APPEARS TO BE HIS HEAD.

25 Q LET ME REPLAY THAT. LET ME GET THIS THING  
26 OUT OF THE WAY. LET ME JUST REPLAY THE LAST PART OF THAT.

27 IS THAT WHAT YOU'RE TALKING ABOUT?

28 A YES.

1 Q ALL RIGHT. THANK YOU.

2 MS. AENLLE-ROCHA: CAN YOU MARK WHERE THAT WAS,  
3 PLEASE?

4 MR. MC KINNEY: YES. THE KICK OCCURS AT 1 MINUTE  
5 AND 15 SECONDS INTO THIS CLIP.

6 Q IS THAT CORRECT, DETECTIVE?

7 MS. AENLLE-ROCHA: THE SLOW MOTION CROPPED CAMERA  
8 6.

9 THE WITNESS: YES.

10 MR. MC KINNEY: YES.

11 MS. AENLLE-ROCHA: ONE MINUTE AND 15 SECONDS.

12 BY MR. MC KINNEY:

13 Q DETECTIVE, WE HAVE REFERRED TO THE DRIVER  
14 IN THIS CASE AS WITNESS #1, AND YOU ARE AWARE OF THAT,  
15 CORRECT?

16 A YES.

17 Q DID SHE AT ANY TIME EXPRESS TO YOU A  
18 CONCERN FOR HER SAFETY?

19 A SHE DID.

20 Q DID SHE DO THAT ON ONE OCCASION OR MORE  
21 THAN ONE OCCASION?

22 A MORE THAN ONE OCCASION.

23 Q IN YOUR CONVERSATIONS WITH HER DID YOU TALK  
24 TO HER ABOUT SOME OF THE THINGS THAT THE LOS ANGELES  
25 POLICE DEPARTMENT COULD DO AND WOULD DO TO PROTECT HER AS  
26 NEEDED?

27 A YES, NOT ONLY THE LOS ANGELES POLICE  
28 DEPARTMENT, BUT THE COUNTY OF LOS ANGELES, ALSO.

1 Q AND DID THAT INCLUDE A DISCUSSION WITH HER  
2 ABOUT RELOCATING HER IF NEEDED?

3 A YES.

4 Q AFTER YOU HAD THAT CONVERSATION WITH HER,  
5 DID YOU INDEPENDENTLY RESEARCH AND INVESTIGATE WHETHER OR  
6 NOT THERE ARE CREDIBLE THREATS BEING MADE AGAINST THE  
7 DRIVER IN THIS SHOOTING?

8 A YES.

9 Q WITHOUT TELLING US SPECIFICALLY, DID YOU  
10 ALSO NOTE THAT AMONG THESE THREATENING STATEMENTS THAT --

11 MS. AENLLE-ROCHA: I'M SORRY. YOU ASKED THE  
12 WITNESS IF HE INVESTIGATED.

13 MR. MC KINNEY: RIGHT.

14 MS. AENLLE-ROCHA: YOU DIDN'T ASK HIM IF HE  
15 DISCOVERED THAT THERE WERE ANY.

16 MR. MC KINNEY: OH, OKAY. I THOUGHT I DID.

17 Q DID YOU DISCOVER SUCH THREATS?

18 A I DISCOVERED NUMEROUS THREATS.

19 Q OKAY. AND WITHOUT TELLING US SPECIFICALLY  
20 WHAT THE THREATS ARE, WERE THEY THREATS AGAINST THE DRIVER  
21 IN THIS CASE?

22 A YES.

23 Q DID YOU SEE INFORMATION ON SOCIAL MEDIA ON  
24 DIFFERENT PLATFORMS THAT ACCURATELY DESCRIBED WITNESS #1'S  
25 CAR, INCLUDING HER LICENSE PLATE NUMBER?

26 A YES.

27 Q DID YOU SEE STATEMENTS DESCRIBING WHAT SHE  
28 LOOKS LIKE PHYSICALLY?

1 A YES.

2 Q HAVE YOU UP TO THIS POINT SEEN HER NAME?

3 A NOT HER NAME.

4 Q HAVE SOME OF THE THREATS THAT YOU'VE SEEN  
5 BEEN PARTICULARLY AGGRAVATING?

6 A YES.

7 Q AND IS THAT IMPORTANT TO YOU IN TERMS OF  
8 YOUR OVERSIGHT OF THIS CASE AND PROTECTION OF WITNESSES  
9 AND WHATNOT?

10 A YES, IT'S VERY IMPORTANT, AND THAT'S BASED  
11 ON MY PREVIOUS ASSIGNMENTS AND PAST EXPERIENCE IN THESE  
12 TYPE CASES.

13 Q ALL RIGHT. THANK YOU.

14 MR. MC KINNEY: NO FURTHER QUESTIONS.

15 MS. AENLLE-ROCHA: ANY QUESTIONS FOR THIS WITNESS  
16 FROM ANY GRAND JURORS, PLEASE RAISE YOUR HAND SO THE  
17 SERGEANT-AT-ARMS CAN COLLECT THEM.

18

19 (PAUSE IN PROCEEDINGS.)

20

21 MS. AENLLE-ROCHA: ALL RIGHT. MADAM FOREPERSON,  
22 THERE ARE NO QUESTIONS. IF YOU WOULD PLEASE ADMONISH THE  
23 WITNESS.

24 THE FOREPERSON: YOU WILL RECALL THAT YOU HAVE BEEN  
25 PREVIOUSLY ADMONISHED REGARDING THE SECRECY OF THESE  
26 PROCEEDINGS AND MUST HEED THAT ADMONISHMENT.

27 THE WITNESS: YES.

28 MS. AENLLE-ROCHA: THANK YOU, DETECTIVE WASHINGTON.

1 YOU'RE EXCUSED.

2 THE WITNESS: THANK YOU.

3

4 (THE WITNESS EXITED THE GRAND JURY  
5 HEARING ROOM.)

6

7 MS. AENLLE-ROCHA: DO YOU HAVE ANY ADDITIONAL  
8 WITNESSES?

9

MR. MC KINNEY: NO ADDITIONAL WITNESSES.

10

MS. AENLLE-ROCHA: AT THIS TIME, WOULD YOU REQUEST  
11 OF THE FOREPERSON THAT EXHIBITS 1 THROUGH 42 BE RECEIVED  
12 BY REFERENCE ONLY?

13

MY CORRECTION, EXHIBITS 1 THROUGH 41 BE  
14 RECEIVED BY REFERENCE ONLY?

15

MR. MC KINNEY: YES.

16

MS. AENLLE-ROCHA: SO RECEIVED, MADAM FOREPERSON?

17

THE FOREPERSON: SO RECEIVED.

18

MS. AENLLE-ROCHA: THANK YOU.

19

20 (ADMITTED BY REFERENCE: = EXHIBITS 1  
21 THROUGH 41.)

22

23 MS. AENLLE-ROCHA: MADAM FOREPERSON, WOULD YOU  
24 PLEASE ORDER THE DISTRICT ATTORNEY, AND THIS IS PURSUANT  
25 TO AN ORDER FROM THE SUPERVISING JUDGE, TO RETAIN THE  
26 EXHIBITS IN A FORMAT THAT WILL LATER BE PROVIDED TO THE  
27 DEFENSE AND THE COURT?

28

THE FOREPERSON: SO ORDERED.

1 MS. AENLLE-ROCHA: THANK YOU.

2 THE PEOPLE REST?

3 MR. MC KINNEY: YES.

4 MS. AENLLE-ROCHA: WOULD YOU LIKE TO GIVE A CLOSING  
5 STATEMENT?

6 MR. MC KINNEY: YES.

7 MS. AENLLE-ROCHA: WITH THE FOREPERSON'S  
8 PERMISSION?

9 THE FOREPERSON: YES.

10 MS. AENLLE-ROCHA: THANK YOU.

11 MR. MC KINNEY: THANK YOU.

12

13

14

#### CLOSING STATEMENT

15

16 MR. MC KINNEY: ALL RIGHT. GOOD AFTERNOON,  
17 EVERYONE. THANK YOU FOR YOUR TIME AND ATTENTION OVER  
18 THESE LAST THREE DAYS.

19 I JUST WANT TO SPEAK VERY BRIEFLY THIS  
20 AFTERNOON BECAUSE I KNOW YOU HAVE WORK TO DO. YOU WERE  
21 HERE HEARING EVIDENCE REGARDING THE LOSS OF LIFE OF  
22 ERMIAH ASGHEDOM KNOWN TO THE WORLD AS NIPSEY HUSSLE.

23 I TOOK A LOT OF TIME TO SHOW YOU THE VIDEO  
24 DURING THE PRESENTATION OF THE EVIDENCE SO YOU COULD SEE  
25 WHAT WE HAVE FROM JUST ABOUT EVERY ANGLE THAT WAS  
26 COLLECTED AND YOU UNDERSTAND THAT THIS IS A VERY  
27 VIDEO-HEAVY CASE. THE VIDEO ALMOST TELLS THE ENTIRE  
28 STORY.

1 WITNESS #1 PROVIDES CONTEXT.

2 HERMAN DOUGLAS PROVIDES CONTEXT. THOSE TWO WITNESSES CAN  
3 TELL US A LITTLE BIT ABOUT WHAT HAPPENED IN THAT FOUR  
4 MINUTES BEFORE THE SHOOTING. OBVIOUSLY, THAT CONVERSATION  
5 ABOUT SNITCHING WAS ENOUGH THAT IT MOVED ERIC HOLDER TO A  
6 POINT OF WANTING TO RETURN TO THE PARKING LOT AND KILL  
7 NIPSEY HUSSLE.

8 IN THIS CASE WE HAVE CHARGED THE TARGET  
9 WITH MURDER. OKAY? MURDER IS -- VERY SIMPLY IS THE  
10 UNLAWFUL KILLING OF ANOTHER WITNESS WITH MALICE  
11 AFORETHOUGHT. THERE ARE TWO TYPES OF MALICE IN THE LAW.  
12 THERE IS EXPRESS MALICE. EXPRESS MALICE IS WHEN A PERSON  
13 EXHIBITS AN UNAMBIGUOUS INTENT TO KILL, LIKE SHOOTING  
14 SOMEBODY 10 TIMES AT CLOSE RANGE.

15 THERE'S ALSO ANOTHER TYPE OF MALICE IN THE  
16 LAW. IT DOESN'T REQUIRE THE EXPRESS INTENT TO KILL.  
17 IMPLIED MALICE IS WHEN A PERSON INTENTIONALLY COMMITS AN  
18 ACT, THE NATURAL AND PROBABLE CONSEQUENCES OF WHICH ARE  
19 DANGEROUS TO HUMAN LIFE. A PERSON KNOWS WHAT THEY'RE  
20 DOING IS DANGEROUS TO HUMAN LIFE, YET THEY ACT WITH A  
21 CONSCIOUS DISREGARD. THAT'S IMPLIED MALICE. IMPLIED  
22 MALICE CAN SATISFY THE INTENT REQUIRED FOR SECOND DEGREE  
23 MURDER, BUT EXPRESS MALICE APPLIES TO THE REQUIREMENT FOR  
24 FIRST DEGREE MURDER WHICH IS WHAT WE'RE ASKING YOU TO  
25 INDICT THE TARGET ON TODAY.

26 YOU CAN THINK OF MURDER -- IN THE LAW OF  
27 CALIFORNIA YOU CAN THINK OF ALL MURDER AS SECOND DEGREE  
28 MURDER UNLESS SOMETHING ELEVATES IT TO A FIRST DEGREE

1 MURDER, AND IN THIS CASE WHAT WE SUBMIT TO YOU IS THAT  
2 WHAT ELEVATES THIS MURDER TO FIRST DEGREE MURDER IS THAT  
3 IT WAS DONE WILLFULLY WITH DELIBERATION AND PREMEDITATION.  
4 OKAY?

5 THE DEFENDANT IS GUILTY OF FIRST DEGREE --

6 MS. AENLLE-ROCHA: I'M SORRY.

7 MR. MC KINNEY: I'M SORRY.

8 MS. AENLLE-ROCHA: I HAVE TO INTERRUPT. THERE ARE  
9 NO DEFENDANTS HERE IN THE GRAND JURY. THE TARGET OF THE  
10 GRAND JURY -- THE SUBJECT OF THE GRAND JURY IS THE TARGET.  
11 THE GRAND JURORS ARE ADMONISHED AND ADVISED NOT TO  
12 CONSIDER THE SUBJECT OF THIS HEARING AS ANYTHING OTHER  
13 THAN A TARGET DURING THE COURSE OF THIS HEARING AS WELL AS  
14 YOUR DELIBERATIONS.

15 GO AHEAD.

16 MR. MC KINNEY: OKAY. IT'S JUST FORCE OF HABIT.

17 AND I TOOK DOWN THE PRESENTATION BECAUSE A  
18 LOT OF MY SLIDES HAVE AN IMPERMISSIBLE WORD IN THEM. SO  
19 I'LL JUST TALK ABOUT THE LAW AS BEST I CAN.

20 FIRST DEGREE MURDER IS THE WILLFUL,  
21 PREMEDITATED, AND DELIBERATE KILLING OF A PERSON.  
22 "WILLFUL" MEANING IT WAS DONE ON PURPOSE. "PREMEDITATION  
23 AND DELIBERATION" MEANS THAT BEFORE THE PERSON KILLED THEY  
24 HAD AN OPPORTUNITY AND THEY DID THINK ABOUT WHAT THEY WERE  
25 GOING TO DO. THAT'S WHAT DISTINGUISHES IN THIS CASE  
26 SECOND DEGREE MURDER AND FIRST DEGREE MURDER.

27 SOMETIMES MURDERS HAPPENS VERY  
28 SPONTANEOUSLY WHEN A PERSON DOESN'T REFLECT ON WHAT



1 THEY'RE DOING, IT HAPPENS SO FAST, IT'S AN ARGUMENT THAT  
2 LEADS TO A QUICK BAR FIGHT AND, BOOM, SOMEBODY HITS THEIR  
3 HEAD AND THEY'RE DEAD. OKAY?

4 THIS IS DIFFERENT BECAUSE BASED ON THE  
5 EVIDENCE YOU HEARD THERE WAS A CONVERSATION. SOME SIX  
6 MINUTES PASSED AFTER HOLDER LEFT THAT LOT. HE GOT HIS GUN  
7 OUT. HE STARTED MANIPULATING IT. HE TOLD THE DRIVER TO  
8 STOP. HE THEN DECIDED TO GET OUT OF THE CAR, PUT HIS  
9 SHIRT ON, TAKE BOTH GUNS, AND WALK BACK TO THE LOT.

10 PREMEDITATION AND DELIBERATION IS NOT  
11 MEASURED IN UNITS OF TIME. A COLD, CALCULATED DECISION TO  
12 KILL CAN BE ARRIVED AT VERY QUICKLY. SO, YOU KNOW, IN THE  
13 MOVIES SOMETIMES PEOPLE PONDER WHETHER THEY WANT TO KILL  
14 SOMEBODY FOR DAYS, WEEKS, MONTHS. THE LAW DOESN'T CARE  
15 ABOUT HOW MUCH TIME PASSED. ALL THE LAW CARES ABOUT IS  
16 THAT THE PERSON HAD AN OPPORTUNITY TO THINK ABOUT KILLING,  
17 THOUGHT ABOUT IT, AND DID IT, AND THAT'S CLEARLY  
18 ESTABLISHED BY THE EVIDENCE IN THIS CASE.

19 WE'RE ASKING FOR AN INDICTMENT ON FIRST  
20 DEGREE MURDER BASED ON PREMEDITATION, DELIBERATION, AND  
21 THE WILLFUL ACT OF THE DEFENDANT.

22 MS. AENLLE-ROCHA: YOU DID IT AGAIN.

23 MR. MC KINNEY: OF THE TARGET.

24 MS. AENLLE-ROCHA: MR. MC KINNEY, THERE ARE NO --  
25 THE SUBJECT OF THE GRAND JURY HEARING IS THE TARGET.

26 THE GRAND JURORS ARE ADMONISHED AND ADVISED  
27 TO DISREGARD ANY REFERENCE TO THE TARGET AS ANYTHING ELSE  
28 OTHER THAN A TARGET DURING YOUR -- THE COURSE OF THIS

1 HEARING AND YOUR DELIBERATIONS.

2 MR. MC KINNEY: OKAY.

3 IN COUNT 2, I BELIEVE, AND 4 WE'RE ASKING  
4 FOR AN INDICTMENT ON ATTEMPTED MURDER. AN ATTEMPT TO KILL  
5 SOMEBODY IS ESTABLISHED WHEN A PERSON TAKES A DELIBERATE  
6 BUT INEFFECTUAL ACT TOWARD KILLING WITH THE INTENT TO  
7 KILL. OKAY?

8 SO IF ONE PERSON INTENDS TO KILL ANOTHER  
9 AND THEN DOES SOMETHING IN THAT DIRECTION THAT CLEARLY  
10 SHOWS AN INTENT TO KILL, THEN THE CRIME OF ATTEMPTED  
11 MURDER IS COMPLETED WHETHER THAT PERSON ACTUALLY GOES  
12 THROUGH WITH THE CRIME OR NOT. ONE INEFFECTUAL STEP WITH  
13 THE INTENT IS ATTEMPTED MURDER.

14 THE ATTEMPTED MURDER CHARGES IN THIS CASE  
15 NAME MR. LATHAN AND MR. VILLANUEVA AS VICTIMS. OKAY?  
16 THERE'S NO REASON TO BELIEVE THAT ERIC HOLDER HAD ANY  
17 PARTICULAR ANIMOSITY TOWARD THOSE TWO MEN. THERE'S ALSO  
18 NO REASON TO BELIEVE THAT HE NECESSARILY KNEW THAT THEY  
19 WERE GONNA BE WHERE THEY WERE WHEN HE STARTED FIRING HIS  
20 GUNS.

21 THE LAW OF ATTEMPTED MURDER ALSO APPLIES  
22 WHEN A PERSON HAS AN INTENT TO KILL A PRIMARY TARGET AND  
23 HAS A CONCURRENT INTENT TO KILL ANYBODY IN CLOSE PROXIMITY  
24 TO THE PRIMARY TARGET. IT'S CALLED THE KILL ZONE. SO THE  
25 KILL ZONE APPLIES WHEN A PERSON IS INTENT ON KILLING A  
26 PARTICULAR TARGET AND BY THE METHOD AND MEANS OF TRYING TO  
27 KILL THAT TARGET CONCURRENTLY INTENDS TO KILL ANYONE  
28 WITHIN THE ZONE OF HARM, THAT'S CLOSE PROXIMITY, TO ENSURE

1 THAT HE MEETS HIS OBJECTIVE OF KILLING A PRIMARY TARGET.

2 SO IN THIS CASE WE KNOW FROM THE SPACE  
3 BETWEEN THOSE TWO CARS AND THE POSITIONING OF THE VARIOUS  
4 PEOPLE THAT MR. ASGHEDOM WAS WITHIN ARM'S LENGTH OF  
5 LATHAN. A FEW FEET AWAY WAS SHERMI VILLANUEVA AND RIMPAU  
6 WAS ALSO VERY CLOSE BY. THEY'RE ALL IN A VERY CLOSE AREA.

7 MR. HOLDER KNEW THAT, ACTUALLY, BECAUSE HE  
8 HAD BEEN THERE. HE SAW THEM IN THERE. WHEN HE LEFT THE  
9 PARKING LOT, THEY WERE THERE. WHEN HE CAME BACK AND  
10 TURNED THAT CORNER, HE COULD SEE THEM LONG BEFORE THEY  
11 COULD SEE HIM. HE KNEW THAT THERE WERE A GROUP OF PEOPLE  
12 THERE WITH MR. HUSSLE, NIPSEY HUSSLE, AS HE APPROACHED.  
13 HE DIDN'T CARE.

14 AS HE APPROACHED, HE APPROACHED WITH NOT  
15 ONE, BUT TWO DIFFERENT GUNS. AND AS HE APPROACHED HE WAS  
16 PREPARED TO FIRE AS MANY SHOTS AS NECESSARY AND SHOOT AS  
17 MANY PEOPLE AS NECESSARY TO ENSURE THAT HE KILLED  
18 NIPSEY HUSSLE. THAT'S WHY WE HAVE CHARGED HIM WITH  
19 ATTEMPTED MURDER FOR THOSE TWO SHOOTINGS. AND THEN LOOK  
20 AT WHAT HAPPENED. HE ACTUALLY SHOT MR. LATHAN AND HE  
21 ACTUALLY SHOT SHERMI VILLANUEVA. AND, YOU KNOW, BY THE  
22 GRACE OF HIS SPEED, HE DIDN'T SHOOT RIMPAU, BUT HAD RIMPAU  
23 STAYED THERE HE WOULD HAVE BEEN SHOT, TOO.

24 THAT IS CALLED ATTEMPTED MURDER BY WAY OF  
25 THE KILL ZONE. IT DOESN'T REQUIRE THAT THOSE TWO VICTIMS  
26 BE PRIMARY TARGETS. IT REQUIRES ONE PRIMARY TARGET, WHICH  
27 WE KNOW WAS NIPSEY HUSSLE, AND A CONCURRENT INTENT TO KILL  
28 ANYONE THAT IS IN CLOSE PROXIMITY TO ENSURE THE OBJECTIVE.

1 IF HE JUST WANTED TO KILL NIPSEY HUSSLE, HE  
2 COULD HAVE ACHIEVED IT WITHOUT USING TWO DIFFERENT GUNS  
3 AND FIRING, YOU KNOW, OVER 11 DIFFERENT SHOTS.

4 IN ADDITION TO ATTEMPTED MURDER, WE HAVE  
5 CHARGED -- WE ARE ASKING FOR AN INDICTMENT ON TWO COUNTS  
6 OF ASSAULT WITH A FIREARM. THOSE TWO COUNTS RELATE TO THE  
7 SAME CONDUCT AGAINST LATHAN AND VILLANUEVA. IT'S A  
8 DIFFERENT WAY OF CHARGING THE TARGET FOR THE SAME CONDUCT.  
9 IN THE LAW THESE ARE CALLED LESSER-RELATED CHARGES.

10 AN ASSAULT WITH A FIREARM IS ACCOMPLISHED  
11 WHEN ONE PERSON POINTS A LOADED FIREARM AT ANOTHER. IT  
12 DOESN'T HAVE TO BE FIRED. IT DOESN'T HAVE TO CAUSE  
13 INJURY. IN THIS CASE IT WAS FIRED AND IT DID CAUSE  
14 INJURY. SO CLEARLY THE ELEMENTS OF AN ASSAULT WITH A  
15 FIREARM ARE ESTABLISHED.

16 WE ARE ASKING YOU TO CONSIDER EACH CHARGE  
17 SEPARATELY. AND DON'T BE CONCERNED ABOUT THE FACT THAT WE  
18 ARE CHARGING THE SAME CONDUCT TWO DIFFERENT WAYS. THE LAW  
19 CONTEMPLATES THAT. YOUR JOB IS TO ASSESS WHETHER THERE'S  
20 SUFFICIENT EVIDENCE TO BRING EACH CHARGE.

21 IN THE CASE OF ASSAULT WITH A FIREARM  
22 AGAINST MR. LATHAN, WE'VE ASKED FOR AN INDICTMENT ON A  
23 GREAT BODILY INJURY ENHANCEMENT BECAUSE HE SUFFERED A  
24 BULLET WOUND TO HIS BACK. WE DID NOT ASK FOR A GREAT  
25 BODILY INJURY ENHANCEMENT FOR MR. VILLANUEVA BECAUSE THE  
26 INJURY TO HIS -- HIS TORSO SEEMED RATHER SUPERFICIAL BASED  
27 ON WHAT WE KNOW. SO WE HAVE NOT ASKED FOR A GREAT BODILY  
28 INJURY ENHANCEMENT. FOR THAT INJURY -- WE'VE ONLY ASKED

1 FOR IT FOR MR. LATHAN BECAUSE OF THE SERIOUSNESS OF THAT  
2 INJURY.

3 SO THERE'S ONE MURDER WITH THE USE OF A  
4 FIREARM THAT CAUSED DEATH FOR NIPSEY HUSSLE. WE'RE  
5 REQUESTING TWO ATTEMPTED MURDERS ON A KILL ZONE THEORY FOR  
6 THE OTHER TWO VICTIMS WHO WERE ACTUALLY SHOT WHILE THEY  
7 WERE IN CLOSE PROXIMITY TO NIPSEY HUSSLE AND SUFFERED  
8 INJURY AND FOR THOSE SAME TWO PEOPLE A LESSER-RELATED  
9 CHARGE OF ASSAULT WITH A FIREARM.

10 IN THE LAW A PERSON COULD NOT BE SENTENCED  
11 OR PUNISHED FOR TWO CRIMES THAT RELATE TO THE SAME  
12 CONDUCT, BUT IF THE ELEMENTS ARE SATISFIED, THEY COULD BE  
13 CONVICTED. A PERSON COULD BE CONVICTED OF TWO CRIMES THAT  
14 RELATE TO THE SAME CONDUCT, BUT THEY COULD NOT BE PUNISHED  
15 FOR BOTH, AND THAT'S WHY I SAID DON'T WORRY ABOUT THE FACT  
16 THAT IT'S CHARGED TWO DIFFERENT WAYS. IF HE WERE  
17 CONVICTED -- I DIDN'T SAY -- I DIDN'T SAY THE WORD --

18 MS. AENLLE-ROCHA: LET'S NOT TALK ABOUT  
19 CONVICTIONS.

20 I'M GOING TO STRIKE THAT FROM THE RECORD  
21 AND ADMONISH THE GRAND JURORS THAT YOUR ROLE HERE IS TO  
22 MAKE A DETERMINATION OF WHETHER THERE'S PROBABLE CAUSE TO  
23 CHARGE THE TARGET WITH A CRIME. THE COURTS WILL TAKE CARE  
24 OF ANYTHING AND EVERYTHING THAT COMES AFTERWARDS.

25 SO ALL WE'RE ASKING YOU TO DO IS TO  
26 DETERMINE WHETHER THERE IS PROBABLE CAUSE TO CHARGE THE  
27 COUNTS AS LISTED IN THE PROPOSED INDICTMENT.

28 PLEASE DISREGARD ANY COMMENTS REGARDING

1 POST-CHARGING THAT WOULD OCCUR ON THIS CASE. AND THAT'S  
2 AN ADMONISHMENT DURING YOUR DELIBERATIONS WHICH WILL BEGIN  
3 AS SOON AS MR. MC KINNEY FINISHES HIS CLOSING STATEMENT.

4 MR. MC KINNEY: OKAY. AND FINALLY, IN COUNT 6  
5 WE'RE ASKING FOR AN INDICTMENT ON THE CHARGE OF FELON IN  
6 POSSESSION OF A FIREARM. YOU HEARD EVIDENCE THAT  
7 MR. HOLDER HAD BEEN CONVICTED OF A FELONY IN 2012.  
8 OBVIOUSLY, THE EVIDENCE IN THIS CASE IS OVERWHELMING THAT  
9 HE POSSESSED A FIREARM ON MORE THAN ONE OCCASION. WE HAVE  
10 ONE CHARGE -- OR ONE PROPOSED CHARGE OF FELON IN  
11 POSSESSION OF A FIREARM.

12 SO YOU HAVE THE EVIDENCE, YOU'VE SEEN THE  
13 VIDEO, YOU'VE HEARD FROM THE WITNESSES, AND HOPEFULLY YOU  
14 UNDERSTAND WHAT THE CHARGES ARE AND NOW YOU'LL BE  
15 INSTRUCTED ON THE LAW.

16 AND AGAIN, THANK YOU FOR YOUR TIME AND YOUR  
17 ATTENTION.

18 MS. AENLLE-ROCHA: THANK YOU.

19 THE GRAND JURORS ARE ADMONISHED AGAIN AND  
20 ADVISED THAT THE CLOSING STATEMENT AS WELL AS THE  
21 FOREPERSON'S STATEMENT AND THE OPENING STATEMENT BY  
22 MR. MC KINNEY ARE NOT EVIDENCE AND ARE NOT TO BE  
23 CONSIDERED AS EVIDENCE.

24 AND, MADAM FOREPERSON, IF I MAY HAVE A  
25 MOMENT. I'M GOING TO ASK THE JURORS TO PULL OUT YOUR JURY  
26 INSTRUCTIONS.

27  
28 (PAUSE IN PROCEEDINGS.)

1 MS. AENLLE-ROCHA: GRAND JURORS, I HAVE A LITTLE  
2 PREAMBLE BEFORE I ACTUALLY START READING THE INSTRUCTIONS.

3  
4  
5 JURY INSTRUCTIONS

6  
7 MS. AENLLE-ROCHA: (READING).

8 I WILL NOW INSTRUCT YOU AS TO  
9 THE LAW RELEVANT TO THIS CASE. EACH OF  
10 YOU HAS PREVIOUSLY RECEIVED, READ, AND  
11 HAD READ TO YOU A SERIES OF INSTRUCTIONS  
12 ENTITLED "GENERAL LAW INSTRUCTIONS FOR  
13 THE GRAND JURY." UNLESS REQUESTED, THOSE  
14 INSTRUCTIONS WILL NOT BE READ TO YOU AT  
15 THIS TIME. RATHER, YOU MAY REFER TO YOUR  
16 COPY OF THOSE INSTRUCTIONS AND APPLY THEM  
17 TO THE CASE NOW BEFORE YOU.

18 THE SPECIAL INSTRUCTIONS RELEVANT  
19 TO THIS CASE ARE:

20 TARGET ERIC RONALD HOLDER JR. IS  
21 ACCUSED IN COUNT 1 OF HAVING COMMITTED THE  
22 CRIME OF MURDER, A VIOLATION OF SECTION 187  
23 OF THE PENAL CODE.

24 EVERY PERSON WHO UNLAWFULLY KILLS  
25 A HUMAN BEING WITH MALICE AFORETHOUGHT IS  
26 IN VIOLATION OF THE CRIME OF MURDER, PENAL  
27 CODE SECTION 187.

28 A KILLING IS UNLAWFUL IF IT IS

1 NEITHER JUSTIFIABLE NOR EXCUSABLE.

2 IN ORDER TO PROVE THIS CRIME,  
3 EACH OF THE FOLLOWING ELEMENT MUST BE  
4 PROVED:

5 NUMBER 1. A HUMAN BEING WAS  
6 KILLED;

7 NUMBER 2. THE KILLING WAS  
8 UNLAWFUL; AND,

9 NUMBER 3. THE KILLING WAS DONE  
10 WITH MALICE AFORETHOUGHT.

11 MALICE MAY BE EITHER EXPRESS OR  
12 IMPLIED.

13 MALICE IS EXPRESS WHEN THERE IS  
14 MANIFESTED AN INTENTION UNLAWFULLY TO  
15 KILL A HUMAN BEING.

16 MALICE IS IMPLIED WHEN:

17 NUMBER 1. THE KILLING RESULTED  
18 FROM AN INTENTIONAL ACT;

19 NUMBER 2. THE NATURAL  
20 CONSEQUENCES OF THE ACT ARE DANGEROUS TO  
21 HUMAN LIFE; AND,

22 NUMBER 3. THE ACT WAS  
23 DELIBERATELY PERFORMED WITH KNOWLEDGE  
24 OF THE DANGER TO, AND WITH CONSCIOUS  
25 DISREGARD FOR, HUMAN LIFE.

26 WHEN IT IS SHOWN THAT A KILLING  
27 RESULTED FROM THE INTENTIONAL DOING OF  
28 AN ACT WITH EXPRESS OR IMPLIED MALICE,



1 NO OTHER MENTAL STATE NEED BE SHOWN TO  
2 ESTABLISH THE MENTAL STATE OF MALICE  
3 AFORETHOUGHT.

4 THE MENTAL STATE CONSTITUTING  
5 MALICE AFORETHOUGHT DOES NOT NECESSARILY  
6 REQUIRE ANY ILL WILL OR HATRED OF THE  
7 PERSON KILLED.

8 THE WORD "AFORETHOUGHT" DOES NOT  
9 IMPLY DELIBERATION OR THE LAPSE OF  
10 CONSIDERABLE TIME. IT ONLY MEANS THAT  
11 THE REQUIRED MENTAL STATE MUST PRECEDE,  
12 RATHER THAN FOLLOW, THE ACT.

13 ALL MURDER WHICH IS PERPETRATED  
14 BY ANY KIND OF WILLFUL, DELIBERATE AND  
15 PREMEDITATED -- ALL MURDER WHICH IS  
16 PERPETRATED BY ANY KIND OF WILLFUL,  
17 DELIBERATE AND PREMEDITATED KILLING  
18 WITH EXPRESS MALICE AFORETHOUGHT IS  
19 MURDER OF THE FIRST DEGREE.

20 THE WORD "WILLFUL," AS USED  
21 IN THIS INSTRUCTION, MEANS INTENTIONAL.

22 THE WORD "DELIBERATE," WHICH  
23 RELATES TO HOW A PERSON THINKS, MEANS  
24 FORMED OR ARRIVED AT OR DETERMINED UPON  
25 AS A RESULT OF CAREFUL THOUGHT AND  
26 WEIGHING OF CONSIDERATIONS FOR AND  
27 AGAINST THE PROPOSED COURSE OF ACTION.

28 THE WORD "PREMEDITATED" RELATES

1 TO WHEN A PERSON THINKS AND MEANS  
2 CONSIDERED BEFOREHAND. ONE PREMEDITATES  
3 BY DELIBERATING BEFORE TAKING ACTION.

4 IF YOU FIND THAT THE KILLING WAS  
5 PRECEDED AND ACCOMPANIED BY A CLEAR,  
6 DELIBERATE INTENT ON THE PART OF THE  
7 TARGET TO KILL, WHICH WAS THE RESULT OF  
8 DELIBERATION AND PREMEDITATION, SO THAT  
9 IT MUST HAVE BEEN FORMED UPON PREEXISTING  
10 REFLECTION AND NOT UNDER A SUDDEN HEAT OF  
11 PASSION OR OTHER CONDITION PRECLUDING THE  
12 IDEA OF DELIBERATION, IT IS MURDER OF THE  
13 FIRST DEGREE.

14 THE LAW DOES NOT UNDERTAKE TO  
15 MEASURE IN UNITS OF TIME THE LENGTH OF  
16 THE PERIOD DURING WHICH THE THOUGHT MUST  
17 BE PONDERED BEFORE IT CAN RIPEN INTO AN  
18 INTENT TO KILL WHICH IS TRULY DELIBERATE  
19 AND PREMEDITATED. THE TIME WILL VARY  
20 WITH DIFFERENT INDIVIDUALS AND UNDER  
21 VARYING CIRCUMSTANCES.

22 THE TRUE TEST IS NOT THE DURATION  
23 OF TIME, BUT RATHER THE EXTENT OF THE  
24 REFLECTION. A COLD, CALCULATED JUDGMENT  
25 AND DECISION MAY BE ARRIVED AT IN A SHORT  
26 PERIOD OF TIME, BUT A MERE UNCONSIDERED  
27 AND RASH IMPULSE, EVEN THOUGH IT INCLUDES  
28 AN INTENT TO KILL, IS NOT DELIBERATION

1 AND PREMEDITATION AS WILL FIX AN UNLAWFUL  
2 KILLING AS MURDER OF THE FIRST DEGREE.

3 TO CONSTITUTE A DELIBERATE AND  
4 PREMEDITATED KILLING, THE SLAYER MUST  
5 WEIGH AND CONSIDER THE QUESTION OF  
6 KILLING AND THE REASONS FOR AND AGAINST  
7 SUCH A CHOICE AND, HAVING IN MIND THE  
8 CONSEQUENCES, HE DECIDES TO AND DOES  
9 KILL.

10 TARGET ERIC HOLDER JR. IS  
11 ACCUSED IN COUNTS 2 AND 4 OF HAVING  
12 COMMITTED THE CRIME OF ATTEMPTED MURDER  
13 IN VIOLATION OF SECTIONS 664 AND 187 OF  
14 THE PENAL CODE.

15 EVERY PERSON WHO ATTEMPTS TO  
16 MURDER ANOTHER HUMAN BEING IS IN  
17 VIOLATION OF PENAL CODE SECTIONS 664 AND  
18 187.

19 MURDER IS THE UNLAWFUL KILLING  
20 OF A HUMAN BEING WITH MALICE AFORETHOUGHT.

21 IN ORDER TO PROVE ATTEMPTED  
22 MURDER, EACH OF THE FOLLOWING ELEMENTS  
23 MUST BE PROVED:

24 NUMBER 1. A DIRECT BUT  
25 INEFFECTUAL ACT WAS DONE BY ONE PERSON  
26 TOWARDS KILLING ANOTHER HUMAN BEING; AND,

27 NUMBER 2. THE PERSON COMMITTING  
28 THE ACT HARBORED EXPRESS MALICE

1       AFORETHOUGHT; NAMELY, A SPECIFIC INTENT  
2       TO KILL UNLAWFULLY ANOTHER HUMAN BEING.

3               IN DECIDING WHETHER OR NOT SUCH  
4       AN ACT WAS DONE, IT IS NECESSARY TO  
5       DISTINGUISH BETWEEN THE MERE PREPARATION  
6       ON THE ONE HAND AND THE ACTUAL  
7       COMMENCEMENT OF THE DOING OF THE  
8       CRIMINAL DEED ON THE OTHER.  MERE  
9       PREPARATION, WHICH MAY CONSIST OF  
10      PLANNING THE KILLING OR OF DEVISING,  
11      OBTAINING OR ARRANGING THE MEANS FOR ITS  
12      COMMISSION, IS NOT SUFFICIENT TO  
13      CONSTITUTE AN ATTEMPT.  HOWEVER, ACTS  
14      OF A PERSON WHO INTENDS TO KILL ANOTHER  
15      PERSON WILL CONSTITUTE AN ATTEMPT WHERE  
16      THOSE ACTS CLEARLY INDICATE A CERTAIN  
17      UNAMBIGUOUS INTENT TO KILL.  THE ACTS  
18      MUST BE AN IMMEDIATE STEP IN THE PRESENT  
19      EXECUTION OF THE KILLING, THE PROGRESS  
20      OF WHICH WOULD BE COMPLETED UNLESS  
21      INTERRUPTED BY SOME CIRCUMSTANCE NOT  
22      INTENDED IN THE ORIGINAL DESIGN.

23              A PERSON WHO PRIMARILY INTENDS  
24      TO KILL ONE PERSON, OR PERSONS, KNOWN AS  
25      THE PRIMARY TARGET, MAY AT THE SAME TIME  
26      ATTEMPT TO KILL PEOPLE IN THE IMMEDIATE  
27      VICINITY OF THE PRIMARY TARGET.  THIS  
28      AREA IS KNOWN AS THE "KILL ZONE."  A

1 KILL ZONE IS CREATED WHEN A PERPETRATOR  
2 SPECIFICALLY INTENDING TO KILL THE  
3 PRIMARY TARGET BY LETHAL MEANS ALSO  
4 ATTEMPTS TO KILL ANYONE IN THE IMMEDIATE  
5 VICINITY OF THE PRIMARY TARGET. IF THE  
6 PERPETRATOR HAS THIS SPECIFIC INTENT AND  
7 EMPLOYS THE MEANS SUFFICIENT TO KILL THE  
8 PRIMARY TARGET AND ALL OTHERS IN THE KILL  
9 ZONE, THE PERPETRATOR IS GUILTY OF THE  
10 CRIME OF ATTEMPTED MURDER -- THE  
11 PERPETRATOR HAS COMMITTED THE CRIME OF  
12 ATTEMPTED MURDER OF THE OTHER PERSONS IN  
13 THE KILL ZONE. WHETHER A PERPETRATOR  
14 ACTUALLY INTENDED TO KILL THE VICTIM  
15 EITHER AS A PRIMARY TARGET OR AS SOMEONE  
16 WITH -- OR SOMEONE WITH [SIC] A KILL  
17 ZONE IS AN ISSUE TO BE DECIDED BY YOU.

18 IT IS ALSO ALLEGED IN COUNTS 2  
19 AND 4 THAT THE CRIME ATTEMPTED WAS WILLFUL,  
20 DELIBERATE, AND PREMEDITATED MURDER. IF  
21 YOU VOTE TO INDICT TARGET ERIC HOLDER JR.  
22 FOR ATTEMPTED MURDER, YOU MUST DETERMINE  
23 WHETHER THIS ALLEGATION IS TRUE OR NOT  
24 TRUE.

25 "WILLFUL" MEANS INTENTIONAL.

26 "DELIBERATE" RELATES TO HOW A  
27 PERSON THINKS AND MEANS FORMED OR ARRIVED  
28 AT OR DETERMINED UPON AS A RESULT OF

1 CAREFUL THOUGHT AND WEIGHING OF  
2 CONSIDERATIONS FOR AND AGAINST THE  
3 PROPOSED COURSE OF ACTION.

4 "PREMEDITATED" RELATES TO WHEN  
5 A PERSON THINKS AND MEANS CONSIDERED  
6 BEFOREHAND.

7 A PERSON PREMEDITATES BY  
8 DELIBERATING BEFORE TAKING ACTION.

9 IF YOU FIND THAT THE ATTEMPTED  
10 MURDER WAS PRECEDED AND ACCOMPANIED BY  
11 A CLEAR, DELIBERATE INTENT TO KILL,  
12 WHICH WAS THE RESULT OF DELIBERATION AND  
13 PREMEDITATION, SO THAT IT MUST HAVE BEEN  
14 FORMED UPON PRE-EXISTING REFLECTION AND  
15 NOT UNDER A SUDDEN HEAT OF PASSION OR  
16 OTHER CONDITION PRECLUDING THE IDEA OF  
17 DELIBERATION, IT IS ATTEMPT TO COMMIT  
18 WILLFUL, DELIBERATE AND PREMEDITATED  
19 MURDER.

20 THE LAW DOES NOT UNDERTAKE TO  
21 MEASURE IN UNITS OF TIME THE LENGTH OF  
22 THE PERIOD DURING WHICH THE THOUGHT  
23 MUST BE PONDERED BEFORE IT CAN RIPEN  
24 INTO AN INTENT TO KILL WHICH IS TRULY  
25 DELIBERATE AND PREMEDITATED. THE TIME  
26 WILL VARY WITH DIFFERENT INDIVIDUALS  
27 AND UNDER VARYING CIRCUMSTANCES.

28 THE TRUE TEST IS NOT THE

1 DURATION OF TIME, BUT RATHER THE EXTENT  
2 OF THE REFLECTION. A COLD, CALCULATED  
3 JUDGMENT AND DECISION MAY BE ARRIVED AT  
4 IN A SHORT PERIOD OF TIME, BUT A MERE  
5 UNCONSIDERED AND RASH IMPULSE, EVEN  
6 THOUGH IT INCLUDES AN INTENT TO KILL,  
7 IS NOT DELIBERATION AND PREMEDITATION.

8 TO CONSTITUTE WILLFUL,  
9 DELIBERATE, AND PREMEDITATED ATTEMPTED  
10 MURDER, THE WOULD-BE SLAYER MUST WEIGH  
11 AND CONSIDER THE QUESTION OF KILLING  
12 AND THE REASONS FOR AND AGAINST SUCH A  
13 CHOICE AND, HAVING IN MIND THE  
14 CONSEQUENCES, DECIDES TO KILL AND MAKES  
15 A DIRECT BUT INEFFECTUAL ACT TO KILL  
16 ANOTHER HUMAN BEING.

17 IT IS ALLEGED IN COUNT 3 THAT  
18 IN THE COMMISSION OF A FELONY TARGET  
19 ERIC HOLDER JR. PERSONALLY INFLICTED  
20 GREAT BODILY INJURY ON KERRY LATHAN.

21 IF YOU VOTE TO INDICT THE  
22 TARGET FOR ASSAULT WITH A SEMIAUTOMATIC  
23 FIREARM, A FELONY, YOU MUST DETERMINE  
24 WHETHER THE TARGET PERSONALLY INFLICTED  
25 GREAT BODILY INJURY ON KERRY LATHAN.

26 "GREAT BODILY INJURY," AS USED  
27 IN THIS INSTRUCTION, MEANS A SIGNIFICANT  
28 OR SUBSTANTIAL PHYSICAL INJURY. MINOR,

1 TRIVIAL, OR MODERATE INJURIES DO NOT  
2 CONSTITUTE GREAT BODILY INJURY.

3 THE PEOPLE HAVE THE BURDEN OF  
4 PROVING THE TRUTH OF THIS ALLEGATION.  
5 IF YOU DO NOT FIND THAT THE PEOPLE HAVE  
6 PROVED IT TO BE TRUE, YOU MUST FIND IT  
7 TO BE NOT TRUE.

8 IT IS ALLEGED IN COUNTS 1  
9 THROUGH 5 THAT TARGET ERIC HOLDER JR.  
10 PERSONALLY USED A FIREARM DURING THE  
11 COMMISSION OF THE CRIMES CHARGED.

12 IF YOU VOTE TO INDICT THE  
13 TARGET FOR ONE OR MORE OF THE CRIMES  
14 CHARGED OR AN ATTEMPT TO COMMIT THE  
15 CRIME CHARGED, YOU MUST DETERMINE  
16 WHETHER THE TARGET PERSONALLY USED A  
17 FIREARM IN THE COMMISSION OF THOSE  
18 FELONIES.

19 THE WORD "FIREARM" INCLUDES A  
20 HANDGUN.

21 THE TERM "PERSONALLY USED A  
22 FIREARM," AS USED IN THIS INSTRUCTION,  
23 MEANS THAT THE TARGET MUST HAVE  
24 INTENTIONALLY DISPLAYED A FIREARM IN A  
25 MENACING MANNER, INTENTIONALLY FIRED IT,  
26 OR INTENTIONALLY STRUCK OR HIT A HUMAN  
27 BEING WITH IT.

28 THE PEOPLE HAVE THE BURDEN OF



1 PROVEN THE TRUTH OF THIS ALLEGATION.  
2 IF YOU DO NOT FIND THAT THE PEOPLE HAVE  
3 PROVED IT TO BE TRUE, YOU MUST FIND IT  
4 TO BE NOT TRUE.

5 IT IS ALLEGED IN COUNTS 1  
6 THROUGH 5 THAT TARGET ERIC HOLDER JR.  
7 INTENTIONALLY AND PERSONALLY DISCHARGED  
8 A FIREARM AND CAUSED GREAT BODILY INJURY  
9 OR DEATH TO A PERSON DURING THE  
10 COMMISSION OF THE CRIME CHARGED.

11 IF YOU VOTE TO INDICT THE TARGET  
12 FOR THE CRIME CHARGED -- CRIMES CHARGED  
13 IN COUNTS 1 THROUGH 5, YOU MUST DETERMINE  
14 WHETHER THE TARGET INTENTIONALLY AND  
15 PERSONALLY DISCHARGED A FIREARM AND  
16 CAUSED DEATH TO A PERSON IN THE  
17 COMMISSION OF THAT FELONY -- AND CAUSED  
18 GREAT BODILY INJURY OR DEATH TO A  
19 PERSON IN THE COMMISSION OF THAT FELONY.

20 THE WORD "FIREARM" INCLUDES A  
21 HANDGUN.

22 THE TERM "INTENTIONALLY AND  
23 PERSONALLY DISCHARGED A FIREARM," AS  
24 USED IN THIS INSTRUCTION, MEANS THAT  
25 THE TARGET HIMSELF MUST HAVE  
26 INTENTIONALLY DISCHARGED IT.

27 THE PEOPLE HAVE THE BURDEN OF  
28 PROVING THE TRUTH OF THIS ALLEGATION.

1 IF YOU DO NOT FIND THAT THE PEOPLE HAVE  
2 PROVED IT TO BE TRUE, YOU MUST FIND IT  
3 TO BE NOT TRUE.

4 TARGET ERIC HOLDER JR. IS  
5 ACCUSED IN COUNT 6 OF HAVING VIOLATED  
6 SECTION 29800, SUBDIVISION (B), A CRIME.

7 EVERY PERSON WHO, HAVING  
8 PREVIOUSLY BEEN CONVICTED OF A FELONY,  
9 OWNS, PURCHASES, RECEIVES, OR HAS IN  
10 HIS POSSESSION OR UNDER HIS CUSTODY OR  
11 CONTROL A SEMIAUTOMATIC FIREARM IS IN  
12 VIOLATION OF PENAL CODE SECTION 29800(B),  
13 A CRIME.

14 THE CONVICTION OF THE CRIME OF  
15 CARRYING A LOADED FIREARM IN PUBLIC IN  
16 VIOLATION OF PENAL CODE SECTION 25850(A)  
17 IS THE CONVICTION OF A FELONY.

18 THE LAW RECOGNIZES TWO KINDS OF  
19 POSSESSION.

20 "ACTUAL POSSESSION" REQUIRES THAT  
21 A PERSON KNOWINGLY EXERCISE DIRECT  
22 PHYSICAL CONTROL OVER A THING.

23 "CONSTRUCTIVE POSSESSION" DOES  
24 NOT REQUIRE ACTUAL POSSESSION, BUT DOES  
25 REQUIRE THAT A PERSON KNOWINGLY EXERCISE  
26 CONTROL OVER OR THE RIGHT TO CONTROL A  
27 THING, EITHER DIRECTLY OR THROUGH ANOTHER  
28 PERSON OR PERSONS.

1 IN ORDER TO PROVE THIS CRIME,  
2 EACH OF THE FOLLOWING ELEMENTS MUST BE  
3 PROVED:

4 NUMBER 1. A PERSON PREVIOUSLY  
5 HAS BEEN CONVICTED OF A FELONY;

6 NUMBER 2. THAT PERSON HAS IN  
7 HIS POSSESSION OR HAD UNDER HIS CUSTODY  
8 OR CONTROL A FIREARM; AND,

9 NUMBER 3. THAT THE PERSON KNEW  
10 OF THE PRESENCE OF THE FIREARM.

11 YOU SHALL NOW RETIRE AND  
12 COMMENCE YOUR DELIBERATIONS.

13 I NEED JUST A MOMENT.

14  
15 (PAUSE IN PROCEEDINGS.)  
16

17 MS. AENLLE-ROCHA: OKAY. I NEED TO ADD A COUPLE OF  
18 ADDITIONAL INSTRUCTIONS.

19 THE TARGET IS ACCUSED -- THE  
20 TARGET IS CHARGED IN COUNTS 3 AND 5 WITH  
21 HAVING VIOLATED SECTION 245(A)(2) OF THE  
22 PENAL CODE, A CRIME.

23 EVERY PERSON WHO COMMITS AN  
24 ASSAULT UPON THE PERSON OF ANOTHER WITH  
25 A DEADLY WEAPON -- EVERY PERSON WHO  
26 COMMITS AN ASSAULT UPON THE PERSON OF  
27 ANOTHER WITH A FIREARM IS IN VIOLATION  
28 OF PENAL CODE SECTION 245, SUBDIVISION

1 (A) (2), OF THE PENAL CODE, A CRIME.

2 A FIREARM IS ANY DEVICE DESIGNED  
3 TO BE USED AS A WEAPON FROM WHICH A  
4 PROJECTILE MAY BE EXPELLED BY THE FORCE  
5 OF AN EXPLOSION OR OTHER FORM OF  
6 COMBUSTION.

7 IN ORDER TO PROVE THIS CRIME,  
8 EACH OF THE FOLLOWING ELEMENTS MUST BE  
9 PROVED:

10 NUMBER 1. A PERSON WAS  
11 ASSAULTED; AND,

12 NUMBER 2. THE ASSAULT WAS  
13 COMMITTED WITH A FIREARM.

14 IN ORDER TO PROVE AN ASSAULT,  
15 EACH OF THE FOLLOWING ELEMENTS MUST BE  
16 PROVED:

17 NUMBER 1. A PERSON WILLFULLY  
18 AND UNLAWFULLY COMMITTED AN ACT WHICH  
19 BY ITS NATURE WOULD PROBABLY AND  
20 DIRECTLY RESULT IN THE APPLICATION OF  
21 PHYSICAL FORCE ON ANOTHER PERSON;

22 THE PERSON COMMITTING THE ACT  
23 WAS AWARE OF FACTS THAT WOULD LEAD A  
24 REASONABLE PERSON TO REALIZE THAT AS A  
25 DIRECT, NATURAL AND PROBABLE RESULT OF  
26 THIS ACT THAT PHYSICAL FORCE WOULD BE  
27 APPLIED TO ANOTHER PERSON; AND,

28 NUMBER 3. AT THE TIME THE ACT

1 WAS COMMITTED, THE PERSON COMMITTING THE  
2 ACT HAD THE PRESENT ABILITY TO APPLY  
3 PHYSICAL FORCE TO THE PERSON OF ANOTHER.

4 THE WORD "WILLFULLY" MEANS THAT  
5 THE PERSON COMMITTING THE ACT DID SO  
6 INTENTIONALLY. HOWEVER, AN ASSAULT DOES  
7 NOT REQUIRE AN INTENT TO CAUSE INJURY TO  
8 ANOTHER PERSON OR AN ACTUAL AWARENESS OF  
9 THE RISK THAT INJURY MIGHT OCCUR TO  
10 ANOTHER PERSON.

11 TO CONSTITUTE AN ASSAULT, IT IS  
12 NOT NECESSARY THAT AN ACTUAL INJURY BE  
13 INFLICTED. HOWEVER, IF AN INJURY IS  
14 INFLICTED, IT MAY BE CONSIDERED IN  
15 CONNECTION WITH OTHER EVIDENCE IN  
16 DETERMINING WHETHER AN ASSAULT WAS  
17 COMMITTED.

18 I'LL PROVIDE THE GRAND JURORS WITH THOSE  
19 ADDITIONAL INSTRUCTIONS.

20 YOU SHALL NOW RETIRE AND  
21 COMMENCE YOUR DELIBERATIONS. IN ORDER TO  
22 RETURN AN INDICTMENT, 14 OR MORE GRAND  
23 JURORS MUST AGREE TO THE DECISION AND TO  
24 ANY FINDINGS YOU HAVE BEEN INSTRUCTED TO  
25 INCLUDE IN ANY INDICTMENT YOU VOTE TO  
26 RETURN. AS SOON AS YOU HAVE AGREED UPON  
27 A VERDICT TO INDICT, IF THAT BE THE CASE,  
28 HAVE IT DATED AND SIGNED BY THE FOREPERSON

1 SO IT CAN BE PRESENTED TO THE COURT.

2 AT THIS TIME, THE COURT REPORTER,  
3 DEPUTY D.A., AND I WILL LEAVE THE HEARING  
4 ROOM SO YOU MAY AGAIN YOUR DELIBERATIONS.

5 WE ARE IN RECESS.

6  
7 (AT 3:20 P.M., THE GRAND JURY  
8 COMMENCED DELIBERATIONS.)

9  
10 (AT 3:30 P.M., DELIBERATIONS WERE  
11 CONTINUED TO THURSDAY, MAY 9, 2019,  
12 AT 9:00 A.M.)  
13  
14  
15  
16  
17  
18  
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22  
23  
24  
25  
26  
27  
28

1 LOS ANGELES, CALIFORNIA; THURSDAY, MAY 9, 2019

2 10:10 A.M.

3 DEPARTMENT 100

HON. SAM OHTA, JUDGE

4  
5 THE COURT: GOOD MORNING, EVERYONE.

6 MS. AENLLE-ROCHA: GOOD MORNING, YOUR HONOR.

7 THE COURT: WOULD THE JUDICIAL ASSISTANT PLEASE  
8 CALL THE ROLL FOR THE GRAND JURY FOR THIS INDICTMENT.

9 THE JUDICIAL ASSISTANT: YES.

10  
11 (THE JUDICIAL ASSISTANT CALLED THE ROLL.)

12  
13 THE JUDICIAL ASSISTANT: YOUR HONOR, THERE ARE 23  
14 GRAND JURORS PRESENT.

15 THE COURT: THANK YOU.

16 MADAM FOREPERSON, DOES THE GRAND JURY HAVE  
17 AN INDICTMENT TO PRESENT?

18 THE FOREPERSON: YES, YOUR HONOR, WE DO.

19 THE COURT: PLEASE HAND IT TO THE BAILIFF.

20  
21 (THE FOREPERSON HANDS THE INDICTMENT  
22 TO THE BAILIFF.)

23  
24 (PAUSE IN PROCEEDINGS.)

25  
26 THE COURT: OKAY. MADAM FOREPERSON, WITH REGARD TO  
27 THE INDICTMENT IN CASE NUMBER BA475908, DID 14 OR MORE  
28 GRAND JURORS RECEIVE ALL THE EVIDENCE PRESENTED AS TO THIS

1 MATTER?

2 THE FOREPERSON: YES, THEY DID.

3 THE COURT: AND DID THE SAME 14 OR MORE GRAND  
4 JURORS RECEIVE THE INSTRUCTIONS ON THE LAW AND PARTICIPATE  
5 IN THE DELIBERATIONS WITH REGARD TO THIS INDICTMENT?

6 THE FOREPERSON: YES, YOUR HONOR.

7 THE COURT: AND DID THE SAME 14 OR MORE GRAND  
8 JURORS VOTE TO RETURN THIS INDICTMENT?

9 THE FOREPERSON: YES, YOUR HONOR.

10 THE COURT: THE COURT FINDS THE INDICTMENT TO BE A  
11 TRUE BILL.

12 THE RECORD SHOULD REFLECT THAT THIS IS A  
13 SIX-COUNT INDICTMENT AND IT CONTAINS A LIST OF WITNESSES  
14 ON THE SECOND TO THE LAST PAGE.

15 THE JUDICIAL ASSISTANT IS ORDERED TO FILE  
16 THE INDICTMENT.

17 MADAM FOREPERSON, DOES THE GRAND JURY HAVE  
18 ANY FURTHER BUSINESS TO CONDUCT BEFORE THIS COURT?

19 THE FOREPERSON: NO, YOUR HONOR.

20 THE COURT: THE GRAND JURORS ARE EXCUSED. PLEASE  
21 RETURN TO THE HEARING ROOM.

22 NICE TO MEET YOU ALL.

23

24 (THE GRAND JURORS EXITED THE COURTROOM  
25 AND THE FOLLOWING PROCEEDINGS WERE  
26 HELD:)

27

28 THE COURT: THE GRAND JURORS HAVE BEEN EXCUSED.



1 WHO REPRESENTS THE PEOPLE IN THIS MATTER?

2 MR. MC KINNEY: GOOD MORNING, YOUR HONOR.

3 JOHN MC KINNEY FOR THE PEOPLE.

4 THE COURT: GOOD MORNING.

5 IS THERE A RECOMMENDATION AS TO BAIL?

6 MR. MC KINNEY: YES, YOUR HONOR. RECOMMENDED BAIL  
7 IS \$6,530,000.

8 THE COURT: BAIL IS SET IN THE AMOUNT OF  
9 \$6,530,000.

10 SHOULD I ISSUE OR ISSUE AND HOLD THE  
11 WARRANT?

12 MR. MC KINNEY: PLEASE ISSUE AND HOLD THE WARRANT.  
13 THE DEFENDANT IS IN CUSTODY.

14 THE COURT: THE WARRANT IS ISSUED AND HELD.

15 HAVE YOU SELECTED A DATE FOR THE  
16 ARRAIGNMENT?

17 MR. MC KINNEY: I HAVE A DESIRED DATE, YOUR HONOR,  
18 OF TOMORROW. HOWEVER, THERE IS AN ISSUE. I WAS INFORMED  
19 AND THEN CONFIRMED THAT THE ATTORNEY REPRESENTING  
20 MR. HOLDER, THAT BEING CHRIS DARDEN, INTENDS TO SUBSTITUTE  
21 OUT OF THE CASE TOMORROW.

22 TOMORROW WE ARE SET IN DIVISION 30 FOR  
23 PRELIMINARY HEARING SETTING AND IT'S HIS INTENTION TO ASK  
24 THE COURT TO BE RELIEVED.

25 HAD HE CONTINUED, I WOULD HAVE ASKED THAT  
26 WE ARRAIGN ON THE INDICTMENT TOMORROW, BUT WITH THE  
27 PRACTICAL REALITY THAT IF HE'S ALLOWED TO SUBSTITUTE OUT,  
28 THE PUBLIC DEFENDER WILL PROBABLY BE APPOINTED, THE PUBLIC

1 DEFENDER WILL PROBABLY WANT A WEEK OR SO TO DO A CONFLICTS  
2 CHECK. THAT COMPLICATES MY DECISION ABOUT WHEN TO ARRAIGN  
3 ON THIS INDICTMENT.

4 MS. AENLLE-ROCHA: AND THIS IS A SUPERSEDING  
5 INDICTMENT. SO THE UNDERLYING CASE IS IN DEPARTMENT 30,  
6 AND THAT'S BA476704.

7 THE COURT: WHAT IS IT IN DEPARTMENT 30 AS? ZERO  
8 OF WHAT?

9 MR. MC KINNEY: THEY ARE ZERO OF 10, I BELIEVE.  
10 ZERO OF 10 OR ZERO OF 30. I'M ACTUALLY NOT SURE.

11 THE COURT: DEFENDANT WAS ARRAIGNED ALREADY BACK IN  
12 APRIL --

13 MR. MC KINNEY: RIGHT.

14 THE COURT: -- AND HE WAIVED HIS 10 DAYS. DID HE  
15 WAIVE HIS 60 DAYS?

16 MR. MC KINNEY: YES, HE DID.

17 THE COURT: BOTH 10 AND THE 60?

18 MR. MC KINNEY: YES.

19 THE COURT: I SUPPOSE IT REALLY DOESN'T MATTER,  
20 THEN.

21 MR. MC KINNEY: THE QUESTION IS WHO WOULD REPRESENT  
22 HIM AT THE ARRAIGNMENT ON THE INDICTMENT IF --

23 THE COURT: WELL, SO IT WILL BE THE PUBLIC DEFENDER  
24 MORE THAN LIKELY.

25 MR. MC KINNEY: IN MY EXPERIENCE, THE PUBLIC  
26 DEFENDER USUALLY DOESN'T WANT TO DO ANYTHING UNTIL THEY  
27 RUN THEIR CONFLICTS CHECK. SO I CAN IMAGINE --

28 THE COURT: THEY SHOULD DO IT TOMORROW. I THINK

1 THEY'LL DO IT TOMORROW.

2 MR. MC KINNEY: YOU THINK THEY'LL BE ABLE TO DO IT  
3 IN ONE DAY?

4 THE COURT: I THINK SO. I WAS A JUDGE IN  
5 DEPARTMENT 30 AND THEY RAN CONFLICTS CHECKS AND THEN MADE  
6 A DECISION TO REPRESENT THE DEFENDANT.

7 MR. MC KINNEY: CAN WE PUT THIS ON CALENDAR FOR  
8 TOMORROW AFTERNOON DEPENDING ON WHAT GOES ON TOMORROW  
9 MORNING?

10 WE MAY TAKE IT OFF CALENDAR.

11 MS. AENLLE-ROCHA: AND I HAVE BE ADVISED, YOUR  
12 HONOR, THAT THE SECURITY IN THE BUILDING CONTACTED  
13 MR. MC KINNEY SO THAT THEY CAN PLAN FOR WHATEVER HEARING  
14 IS GOING TO BE HAD BECAUSE THEY ANTICIPATE --

15 MR. MC KINNEY: A LOT OF MEDIA AND POSSIBLY SOME  
16 MEMBERS OF THE PUBLIC COMING TO SEE IT.

17 MS. AENLLE-ROCHA: AND FANS AND WHATEVER.  
18 SIGNIFICANTLY.

19 THE COURT: THEN I'D SAY GO BEYOND TOMORROW, FIGURE  
20 OUT WHO THE REPRESENTATION WILL BE DONE BY, AND THEN -- IF  
21 YOU PUT IT ON FOR SAY THE 21ST OR 22ND OF MAY -- WHOEVER  
22 PICKS UP THE CASE WILL NEED TO LOOK AT THE DISCOVERY THAT  
23 THEY RECEIVE AND WILL HAVE A BETTER IDEA OF WHAT THIS CASE  
24 IS ABOUT AND THEN YOU COORDINATE WITH THE 21ST DATE OR THE  
25 22ND DATE HERE WITH RESPECT TO YOUR DATE TOMORROW IN  
26 DEPARTMENT 30 AND THEN YOU DON'T GET YOURSELF IN A JAM.

27 MS. AENLLE-ROCHA: WE'D LIKE TO HAVE IT HERE, YOUR  
28 HONOR.

1 AND I THINK -- ONE OTHER THING.

2 CHRIS DARDEN HASN'T PICKED UP ANY DISCOVERY YET AT ALL SO  
3 HE WILL BE NOT BE TRANSFERRING ANYTHING, AND WE WILL JUST  
4 BE PROVIDING THAT TO WHOEVER THE LAWYER IS IN THE PUBLIC  
5 DEFENDER'S OFFICE.

6 OKAY. SO --

7 MR. MC KINNEY: ALL RIGHT. SO THE PEOPLE WOULD  
8 REQUEST THE 21ST IF THAT'S A GOOD DAY FOR THE COURT.

9 THE COURT: SURE. MAY 21ST.

10 MS. AENLLE-ROCHA: OKAY.

11 THE COURT: OKAY.

12 MS. AENLLE-ROCHA: AND IS THERE AN APPROXIMATE TIME  
13 YOU WOULD LIKE TO SET IT, YOUR HONOR?

14 IF NOT -- I'M JUST ASKING.

15 THE COURT: 10:00 A.M.

16 MS. AENLLE-ROCHA: 10:00 A.M. THANK YOU.

17 AND IS THIS RECORD SEALED?

18 THE COURT: YES.

19 MS. AENLLE-ROCHA: THANK YOU SO MUCH.

20

21 (AT 10:23 A.M., THE MATTER WAS CONCLUDED.)

22

23

24

25

26

27

28

1 THE GRAND JURY OF THE COUNTY OF LOS ANGELES  
2 STATE OF CALIFORNIA  
3

4 THE PEOPLE OF THE STATE OF CALIFORNIA, )  
5 PLAINTIFF, ) NO. BA475908  
6 VS. )  
7 01 ERIC RONALD HOLDER JR., ) REPORTER'S  
8 DEFENDANT. ) CERTIFICATE  
9

---

10  
11  
12 I, RENE' MARIE EVANKO, CSR, OFFICIAL REPORTER OF  
13 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE  
14 COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT I WAS, ON  
15 THE 6TH DAY OF MAY 2019, APPOINTED AND SWORN TO REPORT ALL  
16 OF THE TESTIMONY AND PROCEEDINGS HELD IN THE  
17 ABOVE-ENTITLED MATTER BEFORE THE GRAND JURY OF THE COUNTY  
18 OF LOS ANGELES; THAT THE FOREGOING PAGES, 1 THROUGH 515,  
19 COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE  
20 PROCEEDINGS REPORTED BY ME ON MAY 6, 7, 8 & 9, 2019.

21 DATED THIS 17TH DAY OF MAY 2019.  
22  
23

24  , CSR #6404  
25  
26 OFFICIAL REPORTER  
27  
28