

No. 25A645

In the Supreme Court of the United States

JULIUS JARREAU MOORE,
Petitioner,

v.

STATE OF ARIZONA,
Respondent.

*On Petition for Writ of Certiorari
to the Arizona Supreme Court*

APPENDIX TO BRIEF IN OPPOSITION

KRISTIN K. MAYES
Attorney General of Arizona

DANIEL C. BARR
Chief Deputy Attorney General

JOSHUA D. BENDOR
Solicitor General

JEFFREY L. SPARKS
*Acting Section Chief
Counsel of Record

BRIAN R. COFFMAN
Assistant Attorney General

OFFICE OF THE ARIZONA ATTORNEY GENERAL
Capital Litigation Section
2005 N. Central Avenue
Phoenix, Arizona 85004
CLDocket@azag.gov
Telephone: (602) 542-4686

Counsel for Respondent

TABLE OF CONTENTS

	Page
Appendix 1: Exhibit 109 of 2007 sentencing trial (Exhibit J of State’s response to PCR petition).....	1a
Appendix 2: Exhibit 110 of 2007 sentencing trial (Exhibit K of State’s response to PCR petition).....	3a
Appendix 3: Crime scene photograph depicting knife (Exhibit P of State’s response to PCR petition).....	5a
Appendix 4: Crime scene photograph depicting knife (Exhibit S of State’s response to PCR petition).....	7a
Appendix 5: Detective Sallie Dillian’s supplemental report (excerpt from Exhibit A of State’s response to PCR petition).....	9a
Appendix 6: Various police reports and documentation (excerpt from Exhibit 74 of Moore’s third supplemental PCR petition).....	41a
Appendix 7: Full-size crime-scene photograph of casing from Moore’s bedroom (Exhibit BB of State’s response to PCR petition).....	54a
Appendix 8: Full-size crime-scene photograph of Item 45 (Exhibit Z of State’s response to PCR petition).....	56a
Appendix 9: Crime-scene photograph of Item 46 (Exhibit CC of State’s response to PCR petition).....	58a
Appendix 10: Second supplemental affidavit of Richard Watkins (excerpt from Exhibit 63 of Moore’s second supplemental PCR petition).....	60a
Appendix 11: Second supplemental affidavit of Frank J. Rodgers (excerpt from Exhibit 64 of Moore’s second supplemental PCR petition).....	65a
Appendix 12: Third supplemental affidavit of Frank J. Rodgers (excerpt from Exhibit 66 of Moore’s amended third supplemental PCR petition).....	70a
Appendix 13: Third supplemental affidavit of Richard Watkins (excerpt from Exhibit 67 of Moore’s amended third supplemental PCR petition).....	77a
Appendix 14: Corrected declaration of Dr. David M. Bosch (excerpt from Exhibit 69 of Moore’s amended third supplemental PCR petition).....	86a
Appendix 15: Excerpt of State’s response to PCR petition.....	92a
Appendix 16: Affidavit of Alan D. Feliciano (Exhibit 26 of Moore’s initial PCR petition).....	103a

APPENDIX 1

Exhibit No.: 109
Case No.: CR99-16742
For Identification:
PLAINTIFF
04/13/2007
In Evidence: *PLTf*
5-2-07
Clerk of Superior Court
By: L. RUBALCABA
(Deputy Clerk)
1000515798
07-0164-AP



APPENDIX 2

Exhibit No. 110
Case No.: CR99-16742
For Identification:
PLAINTIFF
04/13/2007
In Evidence:
Clerk of Superior Court
By: L. RUBALCABA
(Deputy Clerk)
1000515797
07-0164-AP



APPENDIX 3



6a

APPENDIX 4



8a

APPENDIX 5

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 1

DR NUMBER: 1999 91911277

2

REPORT DATE: 19991117 TIME: 1627

TYPE OF REPORT: HOMICIDE

OFFENSE: 451

LOCATION: 001808 E YALE STREET A

BEAT: 0735 GRID: BE31

REPORTING OFFICER[S]: DENNIS OLSON
SALLIE DILLIAN

2979 UNIT: C31
4689

PREMISES: APARTMENT

OCCUPIED:

OFFENSE INVOLVED: BIAS -

*** PROPERTY/EVIDENCE ***

RECOVERY LOCATION: 001808 E YALE ST

DATE: 111699

SEARCH WARRANT INVOLVED: YES

0001 PKG 001 CODE:IC UK00

ITEM: PSPECIM BRAND: GPC MODEL:

COLOR:

SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:

DESCRIPTION: CIGARETTE BUTT
FOUND SOUTHEAST OF APT. IN DIRT

8'10"S,8'3"E

OF REFERENCE POINT #1

0002 PKG 006 CODE:IC UK00

ITEM: *MISC BRAND: GPC MODEL:

COLOR:

SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:

DESCRIPTION: EMPTY CIGARETTE PACKAGE
FOUND SOUTH OF APT. WEST OF SIDEWALK

3'0"S,3'10"E

OF REFERENCE POINT #1

0003 PKG 006 CODE:IC UK00

ITEM: *MISC BRAND: MODEL:

COLOR:

SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:

DESCRIPTION: CLEAR CELOPHANE WRAPPER
FOUND SOUTH OF APT. WEST OF SIDEWALK

0'9"S,3'8"E

OF REFERENCE POINT #1

0004 PKG 006 CODE:IC UK00

ITEM: *MISC BRAND: GPC MODEL:

COLOR:

DESCRIPTION: GPC PACKAGE WRAPPER
FOUND ON SIDEWALK SOUTH OF APT.

0'0"N,4'11"E

1999 91911277

2

Continued.

000017

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 2

DR NUMBER: 1999 91911277 2

OF REFERENCE POINT #1

0005 PKG 004 CODE:IC UK00
ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: EMPTY BEER CAN
FOUND IN GRASS AREA BETWEEN SIDEWALK AND APT. EAST OF APT.
. .
0'6"S,1'7"E
OF REFERENCE POINT #1

0006 PKG 006 CODE:IC UK00
ITEM: *MISC BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: PIECE OF PACKAGING TAPE
FOUND ON GRASS AREA NEXT TO APT.
. .
1'3"N,0'0"E
OF REFERENCE POINT #1

0007 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
. .
3'3"N,6'5"E
OF REFERENCE POINT #1

0008 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
. .
5'10"N,6'5"E
OF REFERENCE POINT #1

0009 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
. .
7'1"N,6'6"E
OF REFERENCE POINT #1

0010 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT

1999 91911277 2

Continued.

000018

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 3

DR NUMBER: 1999 91911277

2

FOUND EAST OF APT. IN DIRT

.
8'0"N,10'0"E
OF REFERENCE POINT #1

0011 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
6'11"N,15'1"E
OF REFERENCE POINT #1

0012 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
9'0"N,14'7"E
OF REFERENCE POINT #1

0013 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
11'9"N,9'4"E
OF REFERENCE POINT #1

0014 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
13'9"N,9'6"E
OF REFERENCE POINT #1

0015 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
13'6"N,12'3"E
OF REFERENCE POINT #1

0016 PKG 001 CODE:IC UK00

1999 91911277

2

Continued.

000019

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 4

DR NUMBER: 1999 91911277

2

ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
.
15'4"N,12'7"E
OF REFERENCE POINT #1

0017 PKG 001 CODE:IC UK00 MODEL: COLOR:
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
.
14'9"N,11'5"E
OF REFERENCE POINT #1

0018 PKG 001 CODE:IC UK00 MODEL: COLOR:
ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
.
16'3"N,13'8"E
OF REFERENCE POINT #1

0019 PKG 001 CODE:IC UK00 MODEL: COLOR:
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
.
12'6"N,7'10"E
OF REFERENCE POINT #1

0020 PKG 001 CODE:IC UK00 MODEL: COLOR:
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
.
13'10"N,8'0"E
OF REFERENCE POINT #1

0021 PKG 001 CODE:IC UK00 MODEL: COLOR:
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT
.
15'0"N,7'11"E

1999 91911277

2

Continued.

000020

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT PAGE NUMBER: 5 DR NUMBER: 1999 91911277 2

OF REFERENCE POINT #1

0022 PKG 000 CODE:IC UK00
 ITEM: HKNIFE BRAND: CHINA MODEL: STAINLESS COLOR: BLK
 SIZE: 9" QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: KITCHEN KNIFE WITH BLACK HANDLE
 FOUND ON SIDEWALK EAST OF APT.

.
 13'8"N,5'9"
 OF REFERENCE POINT #1

0023 PKG 000 CODE:IC UK00
 ITEM: *MISC BRAND: MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: TWEEZERS
 FOUND ON SIDEWALK EAST OF APT.

.
 14'0"N,4'4"E
 OF REFERENCE POINT #1

0024 PKG 001 CODE:IC UK00
 ITEM: PSPECIM BRAND: MARLBO MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: CIGARETTE BUTT
 FOUND ON SIDEWALK EAST OF APT.

.
 13'4"N,4'0"E
 OF REFERENCE POINT #1

0025 PKG 006 CODE:IC UK00
 ITEM: YDOCUME BRAND: UNION MODEL: 76 COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: PHONE CARD
 FOUND ON PORCH EAST OF APT.

.
 11'1"N,3'1"E
 OF REFERENCE POINT #1

0026 PKG 001 CODE:IC UK00
 ITEM: PSPECIM BRAND: MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: CIGARETTE BUTT
 FOUND EAST OF APT. FRONT DOOR ON PORCH

.
 14'0"N,0'0"E
 OF REFERENCE POINT #1

0027 PKG 004 CODE:IC UK00
 ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: 1PINT 8OUNCE CAN 1/8 FULL OF BEER

1999 91911277 2

Continued.

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 6

DR NUMBER: 1999 91911277

2

FOUND ON PORCH EAST OF APT.

.
18'9"N,3'10"E
OF REFERENCE POINT #1

0028 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MARLBO MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
19'8"N,12'7"E
OF REFERENCE POINT #1

0029 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MARLBO MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
20'3"N,12'0"E
OF REFERENCE POINT #1

0030 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CIGARETTE BUTT
FOUND EAST OF APT. IN DIRT

.
22'2"N,11'2"E
OF REFERENCE POINT #1

0031 PKG 005 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BLOOD SAMPLE (LOCATION OF VICTIM DEBORAH MOORE)
FOUND IN DIRT EAST OF APT.

.
23'7"N,11'3"E
OF REFERENCE POINT #1

0032 PKG 000 CODE:IE UK00
ITEM: PCLOTHE BRAND: MODEL: COLOR: BLK
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: LEFT SLIPPER (LADIES)
FOUND ON DIRT GROUND EAST OF APT.

.
22'2"N,8'2"E
OF REFERENCE POINT #1

0033 PKG 000 CODE:IE UK00

1999 91911277

2

Continued.

000022

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT PAGE NUMBER: 7 DR NUMBER: 1999 91911277 2

ITEM: PCLOTHE BRAND: MODEL: COLOR: BLK
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: RIGHT SLIPPER (LADIES)
FOUND ON DIRT GROUND EAST OF APT.

21'0"N,7'3"E
OF REFERENCE POINT #1

0034 PKG 000 CODE:IE UK00
ITEM: PCLOTHE BRAND: MODEL: COLOR: BLU
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: LADIES BLOUSE BLOODSTAINED
CUT BY FIRE DEPT
FOUND ON DIRT GROUND EAST OF APT.

23'8"N, .8'2"E OF REFERENCE POINT #1

0035 PKG 006 CODE:IC UK00
ITEM: *MISC BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: CLEAR CELLOPHANE WRAPPER
FOUND ON DIRT EAST OF APT.

24'4"N,6'9"E
OF REFERENCE POINT #1

0036 PKG 006 CODE:IC UK00
ITEM: *MISC BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: METAL PIECE
FOUND IN DIRT EAST OF APT.

23'0"N,10'7"E
OF REFERENCE POINT #1

0037 PKG 000 CODE:IC UK00
ITEM: PCLOTHE BRAND: MODEL: COLOR: BLK
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BLOOD STAINED CAP
FOUND IN DIRT EAST OF APT.

24'10"N,13'3"E
OF REFERENCE POINT #1

0038 PKG 000 CODE:IC UK00
ITEM: YDRUGS BRAND: PIPE MODEL: COLOR: SIL
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: SILVER COLORED METAL AND GLASS PIPE
FOUND IN DIRT NORTHEAST OF APT.

38'5"N,25'10"E

1999 91911277 2

Continued.

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT PAGE NUMBER: 8 DR NUMBER: 1999 91911277 2

OF REFERENCE POINT #1

0039 PKG 000 CODE:IE UK00
 ITEM: *MISC BRAND: MODEL: COLOR:
 DESCRIPTION: SKETCH PAD AND RAZOR BLADES
 FOUND ON STOOL ON PORCH EAST OF APT.
 .
 19'5"N,2'7"E,2'0"AGL
 OF REFERENCE POINT #1

0040 PKG 005 CODE:IC UK00
 ITEM: PSPECIM BRAND: MODEL: COLOR:
 DESCRIPTION: BLOOD SAMPLE
 FOUND ON SIDEWALK EAST OF APT. AND UNDER VICTIM #1 .
 .
 12'4"N,5'6"E
 OF REFERENCE POINT #1

0041 PKG 005 CODE:IC UK00
 ITEM: PSPECIM BRAND: MODEL: COLOR:
 DESCRIPTION: BLOOD SAMPLE
 FOUND IN DIRT EAST OF APT.
 .
 12'1"N,7'4"E
 OF REFERENCE POINT #1

0042 PKG 005 CODE:IC UK00
 ITEM: PSPECIM BRAND: MODEL: COLOR:
 DESCRIPTION: BLOOD SAMPLE
 FOUND ON SIDEWALK EAST OF APT. AND VICTIM
 .
 8'4"N,4'6"E
 OF REFERENCE POINT #1

0043 PKG 005 CODE:IC UK00
 ITEM: PSPECIM BRAND: MODEL: COLOR:
 DESCRIPTION: BLOOD SAMPLE
 FOUND ON PORCH UNDER VICTIM'S HEAD
 .
 8'4"N,3'7"E
 OF REFERENCE POINT #1

0044 PKG 005 CODE:IC UK00
 ITEM: PSPECIM BRAND: GPC MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: BLOOD SOAKED CIGARETTE
 FOUND EAST OF APT. ON PORCH NEAR VICTIM #1'S HEAD.
 .
 9'0"N,2'4"E
 OF REFERENCE POINT #1

1999 91911277 2

Continued.

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 9

DR NUMBER: 1999 91911277 2

0045 PKG 002 CODE:IC UK00
 ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: SHELL CASING
 FOUND IN DIRT EAST OF APT.
 .
 21'0"N,22'11"E
 OF REFERENCE POINT #1

0046 PKG 002 CODE:IC UK00
 ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: SHELL CASING
 FOUND IN DIRT EAST OF APT.
 .
 6'8"N,25'5"E
 OF REFERENCE POINT #1

0047 PKG 006 CODE:IC UK00
 ITEM: *MISC BRAND: MODEL: COLOR:
 DESCRIPTION: CARDBOARD CORE OF PACKAGING TAPE
 FOUND ON DIRT SOUTH EAST OF APT.
 .
 15'10"S,14'7"E
 OF REFERENCE POINT #1

0048 PKG 006 CODE:IC UK00
 ITEM: *MISC BRAND: MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: BLACK FRAMED SUNGLASSES
 FOUND ON REAR PORCH WEST OF APT.
 .
 20'9"N,23'4"W
 OF REFERENCE POINT #1

0049 PKG 005 CODE:IC UK00
 ITEM: PSPECIM BRAND: MODEL: COLOR:
 DESCRIPTION: CHEWING GUM
 FOUND ON DIRT WEST OF APT.
 .
 20'1"N,24'6"W
 OF REFERENCE POINT #1

0050 PKG 000 CODE:IC UK00
 ITEM: *MISC BRAND: MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: BLACK PVC PIPE
 FOUND ON REAR FENCE WEST OF APT.
 .
 18'3"N,32'0"W
 OF REFERENCE POINT #1

1999 91911277

2

Continued.

000025

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 10

DR NUMBER: 1999 91911277

2

0051 PKG 000 CODE:E UK00
 ITEM: *MISC BRAND: MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: REAR DOOR OF APT.
 ORIGINALLY THOUGHT TO BE DAMAGED BY "DOOR KICK" HOWEVER CLOSER EXAMINATION
 REVEALED THAT IT WAS OLD DAMAGE AND NOT INVOLVED IN THIS INCIDENT
 DOOR NOT TAKEN AS EVIDENCE
 16'0"N,20'0"W OF REFERENCE POINT #1

0052 PKG 006 CODE:IC UK00
 ITEM: *MISC BRAND: SYLVAN MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: LIGHT BULB
 FOUND IN REAR PORCH LIGHT SOCKET (UNSCREWED)
 .
 16'0"N,20'1"W
 OF REFERENCE POINT #1

0053 PKG 004 CODE:IC UK00
 ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
 SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: HALF FULL BEER CAN
 FOUND ON TOP OF FUSE BOX AT REAR OF APT.
 .
 4'0"N,20'1"W,5'8"AGL
 OF REFERENCE POINT #1

0054 PKG 002 CODE:IC UK00
 ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: SHELL CASING
 FOUND ON LIVING ROOM FLOOR OF APT.
 .
 7'4"N,2'10"W
 OF REFERENCE POINT #2

0055 PKG 003 CODE:IC UK00
 ITEM: YAMMUNI BRAND: MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: JACKETED PROJECTILE
 FOUND ON LIVING ROOM FLOOR OF APT.
 .
 3'1"N,4'7"W
 OF REFERENCE POINT #2

0056 PKG 002 CODE:IC UK00
 ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
 SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
 DESCRIPTION: SHELL CASING
 FOUND ON LIVING ROOM FLOOR OF APT.
 .

1999 91911277

2

Continued.

000026

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 11

DR NUMBER: 1999 91911277

2

11'10"N,3'3"W
OF REFERENCE POINT #2

0057 PKG 004 CODE:IC UK00
ITEM: YLIQUOR BRAND: BUDWEI MODEL: COLOR:
SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: HALF FULL BEER CAN
FOUND ON N/W/C OF LIVING ROOM FLOOR OF APT.

13'6"N,10'4"W
OF REFERENCE POINT #2

0058 PKG 004 CODE:IC UK00
ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BEER BOTTLE
FOUND ON LIVING ROOM FLOOR IN FRONT OF COUCH OF APT.

7'11"N,9'0"W
OF REFERENCE POINT #2

0059 PKG 004 CODE:IC UK00
ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BEER BOTTLE
FOUND ON S/W/C OF LIVING ROOM FLOOR OF APT.

2'6"N,10'6"W
OF REFERENCE POINT #2

0060 PKG 005 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
DESCRIPTION: BLOOD SAMPLE
FOUND ON NORTH LIVING ROOM WALL OF APT.

13'6"N,9'6"W,1'11"AGL
OF REFERENCE POINT #2

0061 PKG 005 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
DESCRIPTION: BLOOD SAMPLE
FOUND ON WEST WALL OF LIVING ROOM OF APT.

13'4"N,11'0"W,1'4"AGL
OF REFERENCE POINT #2

0062 PKG 000 CODE:IE UK00
ITEM: PCLOTHE BRAND: CONVER MODEL: ALLSTARS COLOR: WHI
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: PAIR OF ATHLETIC SHOES
FOUND ON LIVING ROOM FLOOR IN FRONT OF COUCH OF APT.

1999 91911277

2

Continued.

000027

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 12

DR NUMBER: 1999 91911277 2

12'5"N,6'2"W
OF REFERENCE POINT #2

0063 PKG 001 CODE:IC UK00
ITEM: PSPECIM BRAND: MODEL: COLOR:
DESCRIPTION: CIGARETTE BUTTS
FOUND IN CLAY POT ON TOP OF CABNET IN NORTHEAST CORNER OF LIVING ROOM OF
APT.

12'8"N,1'10",4'2"AGL OF REFERENCE POINT #2

0064 PKG 000 CODE:IC UK00
ITEM: YDRUGS BRAND: MODEL: COLOR:
DESCRIPTION: GLASS PIPE
FOUND INSIDE CLAY POT ON LIVING ROOM FLOOR AGAINST EAST WALL OF APT.

10'6"N,1'0"W
OF REFERENCE POINT #2

0065 PKG 000 CODE:IE UK00
ITEM: YDOCUME BRAND: MODEL: COLOR:
DESCRIPTION: RECEIPT DATED FROM 11-10-99 TO 12-10-99
FOUND IN CLAY POT ON LIVING ROOM FLOOR AGAINST EAST WALL OF APT.

10'6"N,1'0"W
OF REFERENCE POINT #2

0066 PKG 002 CODE:IC UK00
ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: SHELL CASING
FOUND ON TOP OF CABNET AGAINST NORTHEAST WALL OF LIVING ROOM IN APT.

12'11"N,2'0"W,3'6"AGL
OF REFERENCE POINT #2

0067 PKG 006 CODE:IC UK00
ITEM: *MISC BRAND: MODEL: COLOR:
DESCRIPTION: SMALL PLASTIC BAGGIE THAT CONTAINS ITEM #67A
FOUND IN TOP DRAWER IN KITCHEN SOUTH END OF WEST CABNET OF APT.

7'10"N,16'0"W,2'4"AGL
OF REFERENCE POINT #2

0067A PKG 000 CODE:IC UK00
ITEM: YDRUGS BRAND: MARIJU MODEL: COLOR:
DESCRIPTION: SMALL AMOUNT OF MARIJUANA
FOUND IN ITEM #67 IN TOP DRAWER OF KITCHEN CABNET AGAINST WEST WALL OF APT

0068 PKG 004 CODE:IC UK00

1999 91911277

2

Continued.

000028

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 13

DR NUMBER: 1999 91911277

2

ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BEER BOTTLE
FOUND TOP OF KITCHEN TABLE IN DINING ROOM OF APT.
.
1'5",15'6"W,2'5"AGL
OF REFERENCE POINT #2

0069 PKG 004 CODE:IC UK00
ITEM: YLIQUOR BRAND: NATURA MODEL: LIGHT COLOR:
DESCRIPTION: ONE EMPTY BOTTLE AND CARTON IN PLASTIC BAG
FOUND ON TOP OF TABLE IN DINING ROOM OF APT.
.
1'10"N,15'9"W,2'5"AGL
OF REFERENCE POINT #2

0070 PKG 002 CODE:IC UK00
ITEM: YAMMUNI BRAND: 71 MODEL: 93 COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: SHELL CASING
FOUND ON FLOOR BY CLOSET DOOR IN BEDROOM OF APT.
.
1'1"N,8'5"W
OF REFERENCE POINT #3

0071 PKG 000 CODE:IE UK00
ITEM: *MISC BRAND: MODEL: COLOR:
DESCRIPTION: MISC PAPERS LISTING NAMES AND NUMBERS, RESIDENT
ALIEN CARD TO RICARDO RODRIGUEZ 12-23-70, PHOTOS OF SUBJECTS, MACY'S CARD
TO DANIEL HEHDON 57-595-34-036, AND OTIS COMPANY CARD TO OSCAR RODRIGUEZ,
FOUND IN PILE ON FLOOR IN S/E/C OF BEDROOM OF APT.
2'6"N,1'1"W, OF REFERENCE POINT #3

0072 PKG 000 CODE:IE UK00
ITEM: PCLOTHE BRAND: MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BLOODSTAINED SHIRT
FOUND UNDER VICTIM #2, ON TOP OF COUCH IN LIVING ROOM OF APT.
.
12'2"N,10'4"W,2'0"AGL
OF REFERENCE POINT #2

0073 PKG 003 CODE:IC UK00
ITEM: YAMMUNI BRAND: MODEL: COLOR:
DESCRIPTION: JACKETED PROJECTILE
FOUND IN BULLET HOLE IN COUCH IN LIVING ROOM OF APT.
.
12'2"N,10'4"W,2'0"AGL
OF REFERENCE POINT #2

0074 PKG 000 CODE:IC UK00

1999 91911277

2

Continued.

000029

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 14

DR NUMBER: 1999 91911277

2

ITEM: PCLOTHE BRAND: MODEL: COLOR:
DESCRIPTION: PILLOW WITH PILLOW CASE (BULLET HOLES)
FOUND ON FLOOR OF BEDROOM IN FRONT OF CLOSET OF APT.
. .
2'8"N,5'8"W
OF REFERENCE POINT #3

0075 PKG 004 CODE:IC UK00
ITEM: YLIQUOR BRAND: BUD MODEL: LIGHT COLOR:
SIZE: 12OZ QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: BEER BOTTLE
FOUND FLOOR OF BEDROOM AT FOOT OF BED OF APT.
. .
3'6"N,5'11"W
OF REFERENCE POINT #3

0076 PKG 000 CODE:IC UK00
ITEM: HKNIFE BRAND: CHINA MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: KITCHEN KNIFE, OVER ALL LENGTH 12", BLADE 8"
FOUND ON FLOOR OF BEDROOM OF APT.
. .
4'0"N,4'3"W
OF REFERENCE POINT #3

0077 PKG 002 CODE:IC UK00
ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: SHELL CASING
FOUND BETWEEN VICTIM'S LEGS IN CLOSET OF APT.
. .
3'8"N,1'7"W
OF REFERENCE POINT #4

0078 PKG 000 CODE:IE UK00
ITEM: PCLOTHE BRAND: MODEL: COLOR: WHI
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: LEFT LADIES ATHLETIC SHOE
FOUND ON FLOOR AGAINST NORTH WALL BEDROOM OF APT.
. .
10'0"N,7'6"W
OF REFERENCE POINT #3

0079 PKG 002 CODE:IC UK00
ITEM: YAMMUNI BRAND: 71 93 MODEL: COLOR:
SIZE: QUANTITY: 0001 SERIAL/ACCT/ID:
DESCRIPTION: SHELL CASING
FOUND IN CLOSET IN DRAWER UNDER VICTIM #3.
. .
2'1"N,0'5"W
OF REFERENCE POINT #4

1999 91911277

2

Continued.

000030

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 15

DR NUMBER: 1999 91911277 2

0080 PKG 000 CODE:IE UK00
ITEM: YDOCUME BRAND: MODEL: COLOR:
DESCRIPTION: MISC DOCUMENTS
FOUND IN CLOSET ON SHELF OF APT.
NO MEASUREMENT

**** NARRATIVE ****

SERIAL NUMBER: 4689

PATROL OFFICERS ON SCENE:

SERGEANT PAUL BROWN
OFFICER DAVID ELTING #6292
OFFICER DON CEDERDHAL #6112
OFFICER PHIL AKINS #5977
OFFICER JIM JARVIS #6400

DETECTIVES ON SCENE:

LT. JAMES FARRIS
DETECTIVE SMALLMAN #3142
CASE SUPERVISOR

DETECTIVE TIMOTHY COONING #3338
CASE AGENT

DETECTIVE SALLIE DILLIAN #4689
SCENE AGENT

DETECTIVE DENNIS OLSON #2979
SCENE AGENT

DETECTIVE THOMAS D'AGUANNO #4324
INTERVIEWS

DETECTIVE ERNEST MORENO #4161
INTERVIEWS

DETECTIVE STEVE ORONA #4113
INTERVIEWS

EVIDENCE TECHNICIANS:

MRS. LOREINIA VEGA #A3724
SHOE PRINTS AND TIRE TRACK IMPRESSIONS, EDPL, 35MM PHOTOGRAPHS

MR. P. J. THOMPSON #A3815
35MM PHOTOGRAPHS

MR. LARRY SHEETS #A3668
35MM PHOTOGRAPHS AND LATENT PRINTS

MR. PAUL MATEK A#3619

1999 91911277

2

Continued.

000031

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 16

DR NUMBER: 1999 91911277

2

35MM PHOTOGRAPHS, EDPL

MS. SUZANNE FAHA #A3832
EDPL

EVIDENCE: 80 ITEMS OF EVIDENCE WERE COLLECTED.

REFERENCE POINTS:

RP1: SOUTHEAST EXTERIOR CORNER OF APARTMENT,
1808 EAST YALE #A.

RP2: SOUTHEAST INTERIOR CORNER OF THE
APARTMENT LIVING ROOM.

RP3: SOUTHEAST CORNER OF THE BEDROOM.

RP4: SOUTHEAST CORNER OF BEDROOM CLOSET.

ROOM MEASUREMENTS:

LIVING ROOM	14'6" NORTH/SOUTH, 11'5" EAST/WEST
KITCHEN	8'8" NORTH/SOUTH, 7'5" EAST/WEST
DINING ROOM	5'1" NORTH/SOUTH, 7'5" EAST/WEST
BATHROOM	7'0" NORTH/SOUTH, 5'0" EAST/WEST
BEDROOM	10'0" NORTH/SOUTH, 10'6" EAST/WEST
CLOSET	5'8" NORTH/SOUTH, 2'5" EAST/WEST

BODY MEASUREMENTS:

VICTIM #1	SERGIO MENDOZA MATA (DECEASED)
VICTIM #2	GUADALUPE RAMOS (DECEASED)
VICTIM #3	DELIA MARIA RAMOS (DECEASED)
VICTIM #4	DEBRA FORD (CRITICAL CONDITION)

** MORE NARRATIVE CONTINUED ON NEXT PAGE.

000032

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 17

DR NUMBER: 1999 91911277

2

**** NARRATIVE ****

ON 11-16-99 AT 0755 HOURS I WAS CONTACTED BY LT. JAMES FARRIS WHILE WORKING INSIDE OF MY OFFICE. LT. FARRIS ADVISED THAT THERE WAS A TRIPLE HOMICIDE WITH AN ADDITIONAL VICTIM THAT HAD BEEN TRANSPORTED TO THE HOSPITAL. THE LOCATION HE GAVE WAS 1808 EAST YALE STREET. HE REQUESTED THAT I RESPOND TO THAT LOCATION.

I ARRIVED AT THE SCENE AT 0815 HOURS.

WHEN I FIRST ARRIVED AT THE SCENE THE ENTIRE LOT OF THE RESIDENCE AND APARTMENTS TO THE NORTH AT 1808 EAST YALE HAD BEEN CORDONED OFF WITH YELLOW CRIME SCENE TAPE AND UNIFORM PATROL OFFICERS. MEDIA VEHICLES AND CAMERA PEOPLE WERE IN THE STREET AND SIDEWALK AREA SOUTH AND NORTH OF THE SCENE. SHORTLY AFTER I ARRIVED AT THE SCENE WE EXTENDED THE CRIME SCENE TO INCLUDE CLOSING EAST YALE STREET BETWEEN 18TH STREET TO 19TH STREET.

FROM THE STREET I COULD SEE THAT A LIGHT BLUE BLANKET LYING ON THE GROUND IN FRONT OF APARTMENT "A" WAS COVERING ONE OF THE VICTIMS. THE FRONT DOOR OF THE APARTMENT WAS STANDING OPEN.

AT 0830 HOURS I ATTENDED A BRIEFING GIVEN BY PATROL SERGEANT PAUL BROWN #3203. DURING THE BRIEFING WE WERE TOLD THAT PATROL OFFICERS HAD LOCATED FOUR VICTIM AT THIS LOCATION. THE FIRST VICTIM WAS A HISPANIC MALE. HE WAS LYING ON THE GROUND OUTSIDE OF THE FRONT DOOR OF THE APARTMENT. THE SECOND VICTIM A HISPANIC MALE WAS INSIDE THE LIVING ROOM SEATED ON THE COUCH. THE THIRD VICTIM A HISPANIC FEMALE WAS INSIDE OF THE CLOSET IN THE BEDROOM. ALL THREE VICTIMS HAD BEEN CHECKED AND PRONOUNCED DEAD AT THE SCENE BY PHOENIX FIRE DEPARTMENT PARAMEDICS. THE FOURTH VICTIM, A BLACK FEMALE, HAD BEEN TRANSPORTED TO MARICOPA COUNTY HOSPITAL AND WAS IN CRITICAL CONDITION.

AFTER THE BRIEFING, CASE ASSIGNMENTS WERE MADE BY DETECTIVE SERGEANT MICHAEL SMALLMAN. DETECTIVE COONING WAS ASSIGNED AS CASE AGENT, DETECTIVE OLSON AND I WERE ASSIGNED TO DO THE SCENE INVESTIGATION. DETECTIVE D'AGUANNO AND MORENO WERE ASSIGNED INTERVIEWS.

DETECTIVE OLSON WENT TO 620 WEST WASHINGTON TO DRAW A SEARCH WARRANT FOR THE APARTMENT. WHILE HE WAS GONE I BEGAN THE PROCESSING OF THE EXTERIOR SCENE. SEE THE SCENE NARRATIVE FOR THAT INFORMATION.

** MORE NARRATIVE CONTINUED ON NEXT PAGE.

000033

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 18

DR NUMBER: 1999 91911277

2

**** NARRATIVE ****

THE LOCATION OF THIS HOMICIDE IS 1808 EAST YALE STREET, APARTMENT #A. THE APARTMENT IS LOCATED ON THE NORTH SIDE OF THE STREET. THE APARTMENT IS ON A LARGE CITY LOT. THE LOT HAS A SINGLE FAMILY RESIDENCE THAT FACES SOUTH TOWARDS YALE STREET. BEHIND THE MAIN HOUSE TO THE NORTH IS A SMALL STORAGE SHED AND THEN THERE ARE TWO APARTMENTS. THE APARTMENTS ARE EACH SINGLE STRUCTURE BUILDINGS. THEY ARE LABELLED "A" AND "B". APARTMENT "A" IS THE FIRST APARTMENT BUILDING AND "B" IS DIRECTLY TO THE NORTH. THE APARTMENTS APPEAR TO BE IDENTICAL IN SIZE AND LAYOUT.

THE FRONT DOOR OF APARTMENT "A" FACES TO THE EAST AND IS NEAR THE CENTER OF THE BUILDING. CENTERED IN FRONT OF THE DOOR IS A RAISED CONCRETE SLAB AREA WHICH MEASURES 12'0" NORTH/SOUTH AND 4'0" EAST/WEST. THERE IS A PORCH ROOF OVER THIS SLAB. ABUTTED TO THE SLAB AND APPROXIMATELY AN INCH LOWER IS A 2' WIDE CONCRETE SIDEWALK THAT IS APPROXIMATELY 75+ FEET IN LENGTH. THE SIDEWALK RUNS FROM NORTH/SOUTH. THE SIDEWALK EXTENDS SOUTH OF THE APARTMENT "A" TO THE PARKING LOT AREA AND NORTH TO THE END OF THE 12' SLAB IN FRONT OF APARTMENT "B" TO THE NORTH. TO THE NORTH OF THE DOORWAY IS A PORCH LIGHT FIXTURE WITH NO BULB IN THE SOCKET. THERE WAS ALSO AN OUTDOOR SINGLE SPOTLIGHT ON THE SOUTHEAST CORNER OF THE APARTMENT WHICH DID NOT HAVE A LIGHT BULB IN THE LIGHT SOCKET AND WAS NOT PLUGGED INTO AN OUTLET.

THERE IS A LARGE DIRT LOT AREA TO THE EAST WHICH MEASURES 90' NORTH/SOUTH AND 42' EAST/WEST FROM THE EAST EDGE OF THE SIDEWALK TO THE OLEANDER BUSHES AND FENCE ON THE EAST SIDE OF THE PROPERTY. THE AREA IN FRONT OF THE APARTMENT "A" HAD THE APPEARANCE OF BEING RECENTLY RAKED. A RAKE WAS LEANING AGAINST A BUSH NORTH OF THE FRONT DOOR. THERE WAS A PILE OF CIGARETTE BUTTS AND OTHER SMALL TRASH JUST EAST OF THE RAKE. THERE ARE SMALL PATCHES OF GRASS ALONG THE FRONT AND SIDES OF THE APARTMENT. WITH THE EXCEPTION OF A VERY SMALL AREA NEAR THE SIDEWALK THE LARGE AREA EAST OF THE SIDEWALK IS DIRT.

THE BACK DOOR OF THE APARTMENT FACES WEST. THE REAR YARD IS 10' WIDE EAST/WEST. THE SURFACE IS DIRT AND MUD WITH SMALL PATCHES OF GRASS. THERE IS A FENCE AND MATURE OLEANDER BUSHES TO THE WEST SIDE OF THE PROPERTY. CENTERED OVER THE REAR DOOR IS A PORCH LIGHT. THERE IS A BULB INSIDE OF THE LIGHT SOCKET, HOWEVER, IT HAD BEEN LOOSENED AND DID NOT ILLUMINATE.

PRIOR TO PROCESSING THE SCENE AT MY REQUEST ID TECH VEGA AND THOMPSON RESPONDED TO MY LOCATION. AT MY DIRECTION THOMPSON TOOK 35MM PHOTOGRAPHS OF THE GENERAL AREA AND THEN THE EXTERIOR SCENE AREA OF THE APARTMENT.

THE DIRT LOT AREA TO THE EAST OF THE APARTMENT, AS EARLIER NOTED, APPEARED TO HAVE BEEN RECENTLY RAKED. FRESH FOOT PRINT PATTERNS AND TIRE TRACKS COULD BE SEEN IN THIS AREA AS WELL AS FOOT PRINT PATTERNS IN THE REAR YARD.

WEARING FOOT PROTECTION TO AVOID INTRODUCING MY FOOTWEAR PATTERN TO THE

1999 91911277

2

Continued.

000034

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 19

DR NUMBER: 1999 91911277

2

DIRT AREA, I MARKED AREAS WHERE GOOD FOOTWEAR PATTERNS COULD BE SEEN. FOR MEASUREMENTS OF THESE PATTERNS, PLEASE REFER TO DETECTIVE OLSON'S SUPPLEMENT #44 ON PAGES 5, 6 AND 7. ID TECHNICIANS VEGA AND MATEK WHO ALSO RESPONDED TO THE SCENE TOOK PHOTOGRAPHS OF THESE IMPRESSIONS USING BOTH COLOR 35MM PHOTOGRAPHS AND BLACK AND WHITE FILM. EACH SHOE PRINT OR TIRE TRACK WAS IDENTIFIED USING A LETTER OF THE ALPHABET A THROUGH U. THIS WAS DONE FOR THE PURPOSES OF PHOTOGRAPHS AND MEASUREMENTS.

I THEN BEGAN THE PROCESS OF LOCATING PHYSICAL EVIDENCE AROUND THE EXTERIOR OF THE APARTMENT. IN THE DIRT AREA TO THE EAST OF THE APARTMENT WERE NUMEROUS CIGARETTE BUTTS. IN THE FRESHLY RAKED AREA I MARKED 21 CIGARETTE BUTTS. THESE WERE MARKED AS ITEM #1, 7-21, 24, 26, 28-30. THERE WERE SEVERAL DIFFERENT BRANDS WITH DIFFERENT FILTER COLORS NOTED.

IN THE DIRT AREA NORTH AND EAST OF THE FRONT DOOR OF THE APARTMENT WAS CLOTHING WHICH BELONGED TO DEBRA MOORE. DEBRA HAD BEEN TREATED BRIEFLY AT THE SCENE AND THEN TRANSPORTED TO MARICOPA COUNTY HOSPITAL. THE ITEMS WERE A BLUE LADIES SHIRT, A BLACK BASEBALL CAP AND A PAIR OF BLACK LADIES SLIPPERS. THESE ITEMS WERE MARKED AS ITEMS 32, 33, 34 AND 37.

ITEMS #32 AND 33 WERE BLACK LADIES HOUSE SLIPPERS. THE TOP OF BOTH SHOES HAD A CONSIDERABLE AMOUNT OF DIRT ON THEM. IT APPEARED TO BE MORE THAN WOULD HAVE BEEN PRESENT FROM NORMAL OUTSIDE WEAR.

ITEM #34 IS A TEAL BLUE SHIRT WITH PINK TRIM AROUND THE COLLAR. THE SHIRT WAS VERY DIRTY. THE SHIRT HAD BEEN CUT OFF OF DEBRA BY FIRE DEPARTMENT PERSONNEL AND LEFT IN THE DIRT NEAR THE SLIPPERS. THE SHIRT HAD SOME BLOODSTAINS ON THE FRONT. THE SHIRT WAS NOT CLOSELY EXAMINED AT THE SCENE, HOWEVER, IT WAS MARKED, MEASURED AND COLLECTED.

ITEM #37 WAS AN ADJUSTABLE BASEBALL TYPE CAP. THE CAP ADJUSTMENT AREA IS A VELCRO STYLE NOT PLASTIC. TO THE REAR OF THE CAP IS AN AREA OF COAGULATED BLOOD. THE HAT WHEN LOCATED WAS UPSIDE DOWN.

THE SLIPPERS AND THE SHIRT WERE IN THE SAME GENERAL AREA. THE HAT WAS FARTHER EAST AND THERE WAS NOTHING ELSE AROUND IT.

ITEM #31 WAS IN BETWEEN THE HAT AND THE CLOTHING AND WAS AN AREA IN THE DIRT THAT APPEARED TO HAVE PARTIALLY DRIED BLOOD. THE HEAVIEST AREA OF BLOOD CONCENTRATION WAS APPROXIMATELY 4" SQUARE IN DIAMETER. THERE WAS A PATTERN AREA TO EACH SIDE OF THE CENTER OF THE HEAVIEST BLOOD CONCENTRATION. USING FRESH GLOVES I COLLECTED SOME OF THE BLOOD THAT HAD SOAKED INTO THE DIRT. THE BLOOD SAMPLE ALONG WITH DIRT WAS PLACED DIRECTLY INTO A PLASTIC VIAL AND SEALED. IT SHOULD BE NOTED THAT THE BLOOD HAD AIR-DRIED BEFORE IT WAS COLLECTED.

IN THE DIRT FROM THE PARKING LOT AREA TO JUST SOUTH OF THE ITEMS BELONGING TO DEBRA ARE VISIBLE TRACKS IN THE DIRT THAT WERE MADE BY THE GURNEY USED TO TRANSPORT DEBRA FROM THE SCENE. THE TRACKS SHOWED BOTH ENTRY AND EXIT. THE FIRE DEPARTMENT VEHICLES REMAINED OUT IN THE CENTER PARKING LOT AREA. THE IMMEDIATE AREA SURROUNDING WHERE DEBRA WAS TREATED AND THE PATH THE

1999 91911277

2

Continued.

000035

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 20

DR NUMBER: 1999 91911277

2

GURNEY HAD TRAVELED HAD A HEAVY CONCENTRATION OF BOOT PRINT PATTERNS, MANY OF WHICH COVERED EACH OTHER. AS PREVIOUSLY MENTIONED DEBRA HAD BEEN TREATED AND REMOVED FROM THE SCENE PRIOR TO MY ARRIVAL.

IN THE DIRT AREA EAST OF THE APARTMENT WERE SEVERAL OTHER ITEMS THAT WERE COLLECTED.

ITEM #35 WAS A CELLOPHANE CIGARETTE WRAPPER. THE WRAPPER WAS ON THE GROUND JUST EAST OF THE SIDEWALK. THE WRAPPER APPEARED CRUMPLED AND THERE DID NOT APPEAR TO BE ANYTHING INSIDE.

ITEM #36 WAS A SMALL METAL TOP PIECE TO A DISPOSABLE LIGHTER. THE PIECE APPEARED TO HAVE BEEN STEPPED ON AS IT WAS SLIGHTLY EMBEDDED INTO THE DIRT.

ITEM #38 WAS A SMALL GLASS CRACK/MARIJUANA PIPE. INSIDE OF THE BOWL WAS BLACK AND THERE WAS A SMALL AMOUNT OF WHITE RESIDUE PRESENT. THIS ITEM WAS THE FARTHEST NORTH AND EAST ITEM COLLECTED IN THE EAST YARD. THE PIPE DID NOT APPEAR TO HAVE BEEN LYING OUTSIDE IN THE DIRT FOR AN EXTENDED PERIOD OF TIME.

ITEMS #45 AND #46 ARE EXPENDED SHELL CASINGS. BOTH CASINGS WERE A DARK COPPER COLOR AND HAD THE HEAD STAMP OF "17 93." THESE CASINGS WERE FOUND IN THE DIRT EAST OF THE SIDEWALK AREA. CASING #45 WAS NORTH OF VICTIM #1 MATA AND CASING #46 WAS SOUTH.

CASING #45 WAS EMBEDDED INTO THE DIRT SURFACE AND THE CIRCULAR OPENING WAS SLIGHTLY COMPRESSED. THE CASING WAS FOUND INSIDE OF THE TIRE TRACK PATTERN. IT IS POSSIBLE THAT THIS CASING WAS RUN OVER BY A VEHICLE LEAVING THE AREA AFTER THE SHOOTING. CASING #46 WAS RESTING ON TOP OF THE DIRT AND WAS UNDAMAGED.

ITEM #47 WAS THE CENTER CORE FOR BROWN PACKAGING TAPE. THIS ITEM WAS FOUND ON THE GROUND WEST OF THE TRUCK PARKED SOUTH OF THE APARTMENT. THE TRUCK WAS DAMAGED AND DID NOT APPEAR TO BE DRIVEABLE. THE NEXT AREA TO BE ADDRESSED WAS THE AREA OF THE SIDEWALK AND THE GRASS AREA WEST OF THE SIDEWALK WITH THE EXCLUSION OF THE BODY OF THE FIRST VICTIM.

BETWEEN THE APARTMENT BUILDING AND THE SIDEWALK ON BOTH THE NORTH AND SOUTH SIDE IS AN OPEN AREA WITH SEVERAL LARGE BUSHES AND GRASS. THE AREA IS 4' WIDE FROM EAST TO WEST. IN EXAMINING THE AREA SEVERAL ITEMS WERE FOUND LYING IN AND ON THE GRASS.

ITEM #2 WAS AN EMPTY "GPC" CIGARETTE PACK WHICH HAD THE TOP TORN OFF. THE CIGARETTE PACK HAD NO CELLOPHANE OUTER WRAPPER. THE PACK THOUGH FLAT APPEARED TO BE "CRUMPLED" IN APPEARANCE. THE CIGARETTE PACK WAS JUST SOUTH OF THE PLANTER AREA AND WEST OF THE SIDEWALK.

ITEM #3 IS AN EMPTY CELLOPHANE CIGARETTE WRAPPER AND WAS WEST OF THE SIDEWALK AND NORTH OF ITEM #2. THE CELLOPHANE WRAPPER DID NOT APPEAR

1999 91911277

2

Continued.

000036

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 21

DR NUMBER: 1999 91911277

2

"CRUMBLED" AND WAS EMPTY.

ITEM #4 WAS A TORN PIECE OF A CIGARETTE PACK. THIS IS POSSIBLY THE TOP PORTION OF ITEM #2. NO COMPARISONS WERE DONE AT THE SCENE PRIOR TO BOTH ITEMS BEING EXAMINED FOR LATENT PRINTS. ITEM #4 WAS ON THE SIDEWALK JUST NORTH OF ITEM #3.

ITEM #5 WAS AN EMPTY NATURAL LIGHT BEER CAN. THE CAN WAS LYING ON THE GRASS AREA WEST OF THE SIDEWALK AND EAST OF THE APARTMENT.

ITEM #6 IS A TORN PIECE OF PACKAGING TAPE. THE TAPE WAS IN THE GRASS AND UP AGAINST THE SIDE OF THE APARTMENT.

PROGRESSING FROM SOUTH TO NORTH THE NEXT ITEM LOCATED WAS ON THE SIDEWALK AND SLAB AREA IN FRONT OF THE FRONT DOOR TO THE APARTMENT.

ITEM #22 IS A KITCHEN KNIFE. THE BLADE IS 5" LONG AND APPEARS TO BE STAINLESS STEEL. THE HANDLE IS BLACK PLASTIC AND 4" LONG. THE KNIFE FROM TIP TO END IS 9" LONG. THE BLADE IS THIN AND GIVES THE APPEARANCE OF A "STEAK KNIFE." THE BLADE AND HANDLE DO NOT GIVE THE APPEARANCE OF BEING CLEAN. THERE DOES NOT, HOWEVER, APPEAR TO BE ANY BLOOD OR TISSUE PRESENT ON THE KNIFE. WHEN OFFICERS ARRIVED THE KNIFE WAS ON THE SIDEWALK NORTH OF VICTIM #1. THE BLADE WAS FACING SOUTH AND THE HANDLE NORTH. THE KNIFE WAS APPROXIMATELY ONE FOOT NORTH OF THE VICTIM MATA'S LEFT CALF.

ITEM #23 IS A PAIR OF BLUNT EDGED TWEEZERS. THE TWEEZER BLADES WERE APART AND OPEN. THE TWEEZERS WERE ON THE SIDEWALK WEST OF THE KNIFE AND APPROXIMATELY 1-2 FEET NORTH OF VICTIM MATA'S BODY AT HIS LEFT THIGH LEVEL. THERE DID NOT APPEAR TO BE ANY BIOLOGICAL EVIDENCE ON THE TWEEZERS.

ITEM #25 IS A TELEPHONE CALLING CARD. THE CARD ADVERTISEMENT ON THE FRONT IS FOR A 76 GAS STATION. THIS IS ONE OF THE PREPAID TELEPHONE CARDS THAT ALLOW FOR A SPECIFIED TIME USAGE. THERE IS NO SPECIFIC NAME OF THE PURCHASER OR USER SIGNATURE REQUIRED. THE CARD IS THIN CARDBOARD. THE CARD IS LYING ON THE PORCH AREA NORTH OF THE BODY JUST TO THE SOUTH OF THE FRONT DOOR MAT. THERE IS NO BLOOD ON THE CARD.

ON THE FAR NORTH SIDE OF THE 12' FRONT PATIO AREA WAS A LARGE WHITE CLOTH OTTOMAN. ON THE SOUTH SIDE WAS A WOODEN CHAIR WITH A SOFA CUSHION ON THE SEAT AREA.

ITEM #27 WAS A LARGE (1 PINT 8 OUNCE) ALUMINUM CAN OF NATURAL LIGHT BEER. THE CAN HAD A SMALL AMOUNT (APPROXIMATELY 1/8) OF THE BEER INSIDE. THE CAN WAS ON THE GROUND TO THE EAST OF THE OTTOMAN. THE CAN WAS EMPTIED PRIOR TO IMPOUNDING THE CONTENTS, HAD THE ODOR, COLOR AND CONSISTENCY OF BEER.

ITEM #39 WAS A GROUP OF PAPERS THAT WERE SITTING ON TOP OF THE OTTOMAN. THE PAPERS WERE A SKETCHPAD WITH SEVERAL DRAWINGS AND AN OPEN PACKAGE OF DISPOSABLE RAZORS. ALL OF THE PAPERS AND ITEMS ON TOP OF THE OTTOMAN WERE

1999 91911277

2

Continued.

000037

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 22

DR NUMBER: 1999 91911277

2

IMPOUNDED UNDER ITEM #39.

PRIOR TO ME COMPLETING THE EXTERIOR SCENE, DETECTIVE OLSON RETURNED WITH THE WARRANT FOR THE APARTMENT.

STANDING AT THE EXTERIOR FRONT DOOR WE NOTED THAT THE FLOOR SURFACES IN THE FRONT ROOM AND KITCHEN WERE LINOLEUM. THIRTY FIVE MILLIMETER COLOR PHOTOGRAPHS WERE TAKEN FROM THE FRONT DOORWAY AND THEN AT MY DIRECTION AND AFTER THE ARRIVAL OF THE WARRANT EVIDENCE TECHNICIANS BEGAN PROCESSING THE FLOOR INSIDE OF THE APARTMENT WITH ELECTROSTATIC DUST PRINT LIFTING (EDPL) EQUIPMENT.

WHILE THE EVIDENCE TECHNICIANS WERE PROCESSING THE FLOOR, I BEGAN MY EXAMINATION OF THE FIRST VICTIM AT THE SCENE WHO WAS LOCATED OUTSIDE NEAR THE FRONT DOOR.

NAME: SERGIO MENDOZA MATA, H/M, [REDACTED]
 BODY MEASUREMENTS FROM REFERENCE POINT #1

HEAD	8'9"	NORTH	2'6"	EAST
RIGHT SHOULDER	9'4"	NORTH	3'10"	EAST
LEFT SHOULDER	10'0"	NORTH	2'9"	EAST
TORSO CENTER	10'8"	NORTH	4'4"	EAST
RIGHT KNEE	10'11"	NORTH	6'2"	EAST
LEFT KNEE	12'0"	NORTH	5'5"	EAST
LEFT KNEE	13'3"	NORTH	6'10"	EAST
RIGHT FOOT	12'8"	NORTH	6'6"	EAST
LEFT FOOT	13'3"	NORTH	6'10"	EAST
RIGHT HAND	10'7"	NORTH	5'1"	EAST
LEFT HAND	11'4"	NORTH	4'2"	EAST

THE VICTIM WAS A LIGHT SKINNED HISPANIC MALE. THE VICTIM WAS LYING ON HIS BACK, HIS FACE STRAIGHT UP. THE VICTIM'S HEAD AND UPPER TORSO WERE ON THE PORCH AND HIS MID TORSO AND LEGS WERE ON THE SIDEWALK AND HIS FEET WERE ON THE DIRT. THE VICTIM'S HEAD AND UPPER TORSO WERE ON THE PORCH AND HIS MID TORSO AND LEGS WERE ON THE SIDEWALK AND HIS FEET WERE ON THE DIRT. THE VICTIM'S HEAD WAS SOUTHWEST AND FEET NORTHEAST. THE VICTIM'S HEAD WAS SEVERAL INCHES EAST OF THE WOODEN CHAIR ON THE PORCH. IT DID NOT APPEAR THAT THE VICTIM HAD BEEN SITTING IN THE CHAIR WHEN SHOT FROM THE POSITION OF THE BODY AND THE BLOOD PATTERNS. BOTH OF THE VICTIM'S ARMS WERE DOWN ALONG THE SIDES OF HIS BODY. HIS RIGHT HAND WAS INSIDE OF HIS FRONT PANT POCKET. INSIDE OF THE POCKET WERE NUMEROUS PENNIES THAT WERE LOOSE, NOT ROLLED. THE FINGERS OF HIS LEFT HAND WERE CURLED TOWARDS THE PALM BUT NOT CLENCHED. THERE WERE NO SCRATCHES OR ABRASIONS TO THE FINGERS OR KNUCKLES OF EITHER HAND. THE VICTIM'S LEFT LEG WAS EXTENDED STRAIGHT OUT AND THE TOP OF THE FOOT AND TOES WERE POINTING UPWARD. THE VICTIM'S RIGHT LEG WAS BENT AT THE KNEE AND HIS FOOT WAS LYING TO THE RIGHT SIDE WITH THE TOE POINTING SOUTHWEST.

THE VICTIM WAS FULLY CLOTHED WEARING A BLACK LONG SLEEVED THERMAL COTTON PULLOVER SHIRT, BLUE JEANS, BLACK AND WHITE STRIPPED BOXER SHORTS, WHITE SOCKS AND BROWN ANKLE HIGH BOOTS. ON THE OUTER HEEL OF THE LEFT BOOT

1999 91911277

2

Continued.

000038

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 23

DR NUMBER: 1999 91911277

2

WRITTEN IN BLACK INK IN GOTHIC STYLE SCRIPT WAS THE NAME "SERGIO." THE SHIRT WAS A THREE-BUTTON STYLE AND NONE OF THE BUTTONS WERE BUTTONED. THE PANTS HAD A ZIPPER AND A TOP METAL BUTTON, BOTH WERE CLOSED. THE VICTIM'S LEFT SHOE WAS UNTIED AND LOOSE, HIS RIGHT SHOE WAS TIED IN A BOW. THE VICTIM WORE A MAROON BASEBALL CAP THAT WAS ON BACKWARDS WITH THE PLASTIC ADJUSTABLE STRAP ALONG HIS FOREHEAD. THE BRIM OF THE CAP WAS TURNED UP AND UNDER THE VICTIM'S HEAD.

THE VICTIM HAD SHORT BLACK HAIR WHICH TOUCHED THE TOP OF HIS SHIRT COLLAR. HE HAD A MUSTACHE AND GOATEE. THE GOATEE AND MUSTACHE WERE SHORT AND TRIMMED. THE VICTIM HAD STUBBLE ON THE REMAINDER OF HIS FACE CONSISTENT WITH NOT SHAVING FOR SEVERAL DAYS. BOTH THE VICTIM'S EYES AND MOUTH WERE SLIGHTLY OPEN. HIS IRIS' WERE BROWN AND HIS TEETH WERE IN POOR CONDITION AND YET SHOWED NO SIGN OF TRAUMA RESULTING FROM THIS SHOOTING.

IN EXAMINING THE BODY THERE WAS A VERY OBVIOUS BULLET ENTRY WOUND IN THE AREA JUST IN FRONT OF THE VICITM'S RIGHT EAR. THE ENTRANCE HAD SOOTING PRESENT WITH NO STIPPLING PATTERN NOTED. THERE WAS A CORRESPONDING EXIT WOUND ON THE LEFT SIDE OF THE VICITM'S FACE JUST BELOW HIS EAR. THE DIRECTIONALITY OF THE WOUND WAS RIGHT TO LEFT, DOWNWARD WITH A VERY SLIGHT FRONT TO BACK ANGLE. RIGOR WAS FULLY DEVELOPED AND LIVIDITY WAS PRESENT AND FIXED AND WAS CONSISTENT WITH THE BODY POSITION.

THE BACK OF THE VICTIM'S HEAD WAS LYING IN A LARGE POOL OF COAGULATING BLOOD WHICH APPEARS TO HAVE DRAINED FROM THE ENTRANCE AND EXIT WOUND FROM THE PATTERNS ALONG BOTH SIDES OF THE HEAD. TO THE SOUTH OF THE BODY IS AN AREA OF BLOOD SPATTER THAT HAS A SPURTING OR SPRAY TYPE PATTERN. THE SPATTER PATTERN WAS APPROXIMATELY 2 FEET FROM WEST TO EAST AND 3 1/2 FEET NORTH TO SOUTH. THERE ARE BLOOD DROPS ON THE SIDEWALK, EAST OF THE SIDEWALK AND ON THE VICTIM'S JEANS WHICH INDICATE A DOWNWARD DROP PATTERN AND IT APPEARS THAT THE VICTIM BLED BRIEFLY IN AN UPRIGHT POSITION EITHER IN A STANDING OR SEATED POSITION BEFORE FALLING ONTO HIS BACK. THE BLOOD WAS LOCALIZED AROUND THE AREA OF THE BODY AND DOES NOT INDICATE ANY DISTANCE MOVED BY THE VICTIM AFTER THE GUNSHOT WOUND. THE BLOOD PATTERNS WERE PHOTOGRAPHED WITH AND WITHOUT A RULER BEING PRESENT. SEVERAL BLOOD SAMPLES WERE COLLECTED.

ITEM #40 WAS BLOOD FROM A DRIED BLOOD DROP PATTERN FROM THE SIDEWALK AND WAS UNDERNEATH THE VICITM'S BODY. THE BLOOD HAD DRIED AND WAS COLLECTED BY MOISTENING SWABS WITH DISTILLED WATER AND THEN USING THE SWABS TO MOISTEN THE BLOOD AND TRANSFERRING IT TO THE SWABS. THE SWABS WERE RETURNED TO THE PLASTIC CONTAINER.

ITEM #41 WERE DRIED BLOOD DROPS FOUND ON THE DIRT AREA EAST OF THE SIDEWALK. THE BLOOD SAMPLES WERE COLLECTED BY HAND. THE BLOOD HAD ADHERED TO THE DIRT. BOTH THE BLOOD AND DIRT WERE COLLECTED AND PLACED INTO A CLEAN PIECE OF PAPER AND THEN INTO A PLASTIC VIAL.

ITEM #42 IS BLOOD FROM THE BLOOD SPATTER PATTERN SOUTH OF THE VICTIM. BECAUSE OF THE AMOUNT OF BLOOD IT WAS POSSIBLE TO SCRAPE A SAMPLE USING A DRY COTTON SWAB. THE SWABS WERE RETURNED TO THE PLASTIC CONTAINER. THIS

1999 91911277

2

Continued.

000039

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 24

DR NUMBER: 1999 91911277

2

WAS DONE WITHOUT NEEDING DISTILLED WATER.

ITEM #43 IS A BLOOD SAMPLE TAKEN FROM THE POOLED BLOOD UNDER THE VICTIM'S HEAD. THE BLOOD WAS STILL WET AND WAS COLLECTED BY DIPPING A COTTON SWAB INTO THE BLOOD. THE SAMPLE WAS THEN RETURNED TO THE PLASTIC CONTAINER.

ITEM #44 WAS AN UNLIT CIGARETTE. THE CIGARETTE WAS BLOOD SOAKED AND IN THE LARGE POOL OF BLOOD WEST OF THE VICTIM'S HEAD. THE CIGARETTE WAS GPC BRAND. THE CIGARETTE WAS ALLOWED TO AIR DRY AND THEN PACKAGED.

I COMPLETED A MARICOPA COUNTY MEDICAL EXAMINER'S IDENTIFICATION TAG AND CONTACTED THE MEDICAL EXAMINER'S OFFICE FOR TRANSPORT. THE TRANSPORT TEAM ARRIVED AND THE BODY WAS PLACED INTO A BODY BAG. CARE WAS TAKEN TO WRAP THE VICTIM IN SEVERAL WHITE SHEETS SO AS NOT TO DESTROY THE BLOOD EVIDENCE ON THE JEANS. WHEN THE BODY WAS ROLLED ONTO HIS SIDE PHOTOGRAPHS WERE TAKEN. THERE WAS NO SIGN OF TRAUMA TO THE BACK OF THE TORSO. THERE WAS A SMALL ABRADED AREA TO THE LEFT BACK AT WAIST LEVEL THAT WOULD COINCIDE WITH THE SLIGHT RISE IN THE PORCH FROM THE SIDEWALK. IN THE VICTIM'S RIGHT REAR PANTS POCKET WAS AN ARIZONA IDENTIFICATION CARD TO OSCAR RODRIGUEZ SILVA, H/M, [REDACTED]. THE PHOTOGRAPHS ON THE IDENTIFICATION CARD DID NOT MATCH THE VICTIM. WRITTEN IN BLACK ON THE BACK OF THE IDENTIFICATION CARD WAS "SERGIO MENDOZA MATA - EL NEGRO." THE IDENTIFICATION CARD AND PAPERS WERE RETURNED TO THE POCKET AND TRANSPORTED WITH THE BODY TO THE MEDICAL EXAMINER'S OFFICE. OTHER ITEMS IN THE POCKET WERE LEFT IN PLACE AND ALSO TRANSPORTED WITH THE BODY. THE BODY BAG WAS SEALED AT THE SCENE PRIOR TO TRANSPORT WITH IDENTIFICATION SEAL #0884854.

PRIOR TO ENTERING THE HOUSE I COMPLETED THE EXAMINATION OF THE APARTMENT EXTERIOR TO INCLUDE THE BACK YARD. IN THE BACK YARD, WHICH IS ON THE WEST SIDE OF THE APARTMENT SEVERAL ITEMS OF EVIDENCE WERE COLLECTED.

ITEM #48 WAS A PAIR OF BLACK PLASTIC FRAMED SUNGLASSES. THE GLASSES WERE ON THE RAISED CONCRETE PORCH AND NORTH OF THE BACK DOOR. THE GLASSES DID NOT APPEAR TO BE DIRTY OR DUSTY.

ITEM #49 WAS A PIECE OF PINK CHEWING GUM. THE GUM WAS CHEWED AND TEETH MARKS COULD BE SEEN. THE GUM DID NOT APPEAR TO BE DIRTY AND POSSIBLY NEWLY INTRODUCED TO THE AREA. THE GUM WAS IN THE DIRT WEST OF THE PORCH AND NORTH OF THE BACK DOOR. THE GUM WAS PLACED INTO A PLASTIC VIAL.

ITEM #50 WAS A PIECE OF PVC PIPE THAT WAS ALONG THE TOP EDGE OF THE FENCE TO THE WEST OF THE PROPERTY. THERE WAS AN AREA THAT APPEARED TO BE USED AS A CROSSOVER BETWEEN THE APARTMENT AND THE ADJACENT PROPERTY TO THE WEST. THE PVC PIPE HAD SEVERAL AREAS WHERE THE DUST HAD BEEN DISTURBED. THIS PORTION OF THE PVC PIPE WAS CUT AND THEN COLLECTED FOR LATER LATENT PRINT EXAMINATION.

ITEM #51 WAS THE REAR DOOR OF THE APARTMENT. WHEN INITIALLY IDENTIFYING ITEMS OF EVIDENCE IT WAS THOUGHT THAT THE DOOR HAD BEEN A POSSIBLE POINT OF ENTRY AS THE LOCK ASSEMBLY AND THE WOOD OF THE DOOR INDICATED DAMAGE. IN EXAMINING THE DOOR AND SURROUNDING AREA IT BECAME APPARENT FROM THE

1999 91911277

2

Continued.

000040

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 25

DR NUMBER: 1999 91911277

2

LACK OF WOOD PARTICLES ON THE GROUND THAT THE DAMAGE WAS PREEXISTING. THE DOOR WAS PHOTOGRAPHED BUT NOT COLLECTED AS AN ITEM OF EVIDENCE.

ITEM #52 WAS THE LIGHT BULB FROM THE LIGHT SOCKET OVER THE REAR DOOR. THE LIGHT BULB WAS IN THE SOCKET BUT HAD BEEN UNSCREWED TO THE POINT THAT IT DID NOT WORK. THE BULB WAS REMOVED AND COLLECTED AS EVIDENCE.

ITEM #53 WAS AN OPEN BEER CAN WHICH WAS APPROXIMATELY 1/2 FULL OF BEER. THE CAN WAS LOCATED ON TOP OF THE ELECTRICAL BOX LOCATED SOUTH OF THE BACK DOOR AND ATTACHED TO THE WALL OF THE APARTMENT. THE CONTENTS OF THE CAN WERE POURED OUT AT THE SCENE AND HAD THE ODOR, COLOR AND CONSISTENCY OF BEER. I EXAMINED THE ELECTRICAL PANEL WHICH WAS CLOSED AND ALL OF THE CIRCUIT BREAKERS WERE IN THE ON POSITION. THE METER INDICATED THAT POWER WAS PRESENT AND WORKING.

IN TALKING WITH DETECTIVE COONING HE INFORMED ME THAT ONE OF THE WITNESSES HAD TOLD HIM THAT HE WAS SLEEPING ON A COUCH WHICH WAS NORTH OF APARTMENT #B. I DID A CURSORY WALK AROUND APARTMENT B AND NOTED THAT BOTH THE FRONT AND REAR PORCH LIGHTS WERE ILLUMINATED. BOTH DOORS WERE SECURED. NO ONE WAS AT THE RESIDENCE WHEN POLICE ARRIVED AT THE SCENE. DURING OUR PROCESSING OF THE SCENE NO ONE FROM APARTMENT B ARRIVED HOME.

I LOCATED A COUCH NORTH OF APARTMENT B. THE COUCH MEASURING FROM RP1 WAS 83' NORTH AND 11' WEST. FROM THE COUCH A PERSON WOULD NOT BE ABLE TO SEE THE FRONT DOOR OR EITHER APARTMENT BUT WOULD BE ABLE TO SEE SOME OF THE OPEN DIRT AREA EAST OF THE APARTMENTS. BETWEEN APARTMENT B AND THE COUCH WAS A SMALL YELLOW TOYOTA PICKUP WITH ARIZONA LICENSE PLATE HZJ914. THE TRUCK APPEARED TO BE IN DRIVEABLE CONDITION.

AFTER COMPLETING THE OUTDOOR SCENE I BEGAN WITH THE INTERIOR OF THE APARTMENT. IDENTIFICATION TECHNICIANS HAD COMPLETED THE EDPL.

THE FRONT DOOR OF THE APARTMENT IS ON THE EAST SIDE, HINGED ON THE SOUTH SIDE AND OPENS INTO A FAMILY/LIVING ROOM AREA. IN A CLOCKWISE DIRECTION FROM THE FRONT DOOR IS A THREE PILLOW COUCH ALONG THE SOUTH WALL WITH A SMALL END TABLE TO THE WEST COVERED WITH A WHITE SHEET AND A HUMIDIFIER. THERE IS AN OPENING TO THE WEST THAT OPENS INTO THE DINING AND KITCHEN AREA. ALONG THE WEST WALL IS A TWO-PILLOW LOVE SEAT. THERE IS NOTHING ON THE ENTERTAINMENT CENTER WITH A TELEVISION AND A CASSETTE TAPE HOLDER FULL OF CASSETTE TAPES. IN FRONT OF AND ON BOTH SIDES OF THE ENTERTAINMENT CENTER WERE CLAY POTTERY POTS AND CHIMINEA'S. ALONG THE EAST WALL WAS A STANDING FLOOR TYPE LAMP AND BLUE PLASTIC LAUNDRY BASKET. THE DECORATIONS ARE SPARSE. THE FLOOR IS LINOLEUM AND IS SOILED AND DUSTY.

SEVERAL ITEMS OF EVIDENCE WERE LOCATED ON THE LIVING ROOM FLOOR AND WERE MARKED, MEASURED AND IMPOUNDED BEFORE THE BODY WAS REMOVED.

THREE EXPENDED SHELL CASINGS WERE FOUND AND MARKED AS ITEMS #54, 56 AND 66. ALL HAD THE SAME HEAD STAMP OF "71 93" AND WERE A DARK COPPER COLOR. THESE WERE THE SAME IN HEAD STAMP AND APPEARANCE AS THE TWO CASINGS FOUND OUTSIDE IN THE DIRT.

1999 91911277

2

Continued.

000041

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 26

DR NUMBER: 1999 91911277

2

TWO OF THE CASINGS #54 AND #56 WERE FOUND ON THE LIVING ROOM FLOOR. ITEM 54 WAS SOUTHEAST OF THE BODY AND ITEM 56 WAS NORTHEAST. THE THIRD CASING WAS FOUND ON TOP OF THE SHELF UNIT IN THE NORTHEAST CORNER OF THE ROOM. THE CASING WAS RESTING AGAINST THE CASSETTE TAPE HOLDER ON THE TOP SURFACE. THIS WOULD ALSO BE NORTHEAST OF THE BODY.

ITEM #55 WAS A PROJECTILE. THE PROJECTILE WAS FOUND ON THE FLOOR IN FRONT OF THE COUCH ALONG THE SOUTH WALL. THE PROJECTILE IS SEVERAL FEET WEST OF THE FRONT DOOR. IT IS BELIEVED THAT THIS PROJECTILE IS POSSIBLY FROM VICTIM MATA WHO WAS STANDING OUTSIDE AT THE TIME OF THE SHOOTING AND WHOSE INJURY WAS A THROUGH AND THROUGH WOUND.

SEVERAL BEER CANS WERE FOUND IN THE FRONT ROOM AND IMPOUNDED. ITEM #57 WAS AN OPEN ALUMINUM CAN OF BUDWEISER BEER. THE CAN WAS ON THE FLOOR. IT WAS TURNED ON ITS SIDE AND WAS PARTIALLY FULL. THE CONTENTS HAD NOT SPILLED ONTO THE FLOOR OR HAD DRIED PRIOR TO US REACHING THIS POINT IN THE SCENE INVESTIGATION. THE CAN WAS IN THE NORTHWEST CORNER OF THE LIVING ROOM ON THE FLOOR NORTH OF THE SMALL COUCH WHERE VICTIM GUADELUPE HAD BEEN LOCATED.

ITEM #58 WAS A GLASS NATURAL LIGHT BEER BOTTLE WHICH WAS EMPTY. THIS BOTTLE WAS ON THE FLOOR AND SOUTH OF THE SMALL COUCH WHERE GUADELUPE HAD BEEN LOCATED.

ITEM #59 WAS A GLASS NATURAL LIGHT BEER BOTTLE WHICH WAS EMPTY. THE BOTTLE WAS ON THE FLOOR IN FRONT OF THE SMALL TABLE AND WEST OF THE LARGE COUCH ALONG THE SOUTH WALL.

FOUND INSIDE OF THE LIVING ROOM WAS VICTIM #2.

NAME: GUADELUPE RAMOS H/M ██████████ SOC ██████████
BODY MEASUREMENTS FROM REFERENCE POINT #2

HEAD: 12'8" NORTH 10'5" WEST 2'4" AGL
TORSO CENTER 10'8" NORTH 8'9" WEST 1'5" AGL
RIGHT FOOT 9'3" NORTH 6'10" WEST
LEFT FOOT 10'0" NORTH 5'11" WEST

VICTIM GUADELUPE WAS WEARING A BLACK TEE SHIRT, BLUE BAGGIE PANTS WITH NO BELT AND A PAIR OF GREEN UNDERWEAR. THERE WAS NO PROPERTY OR IDENTIFICATION FOUND IN HIS POCKETS. GUADELUPE WAS BAREFOOT AND THERE WAS A PAIR OF TENNIS SHOES FOUND ON THE FLOOR NEAR THE COUCH NORTH OF THE BODY. BOTH SHOES WERE UNTIED. THE SHOES WERE IMPOUNDED AS ITEM #62.

THE VICTIM WAS FOUND ON THE LOVE SEAT COUCH IN THE LIVING ROOM. THE COUCH WAS AGAINST THE WEST WALL AND FACED EAST. THE VICTIM WAS WRAPPED IN A HEAVY TEAL BLUE AND BLACK BLANKET. THE BLANKET WAS UNDER THE BODY AND THEN FOLDED OVER THE TOP AS THOUGH HE WERE SLEEPING. THE BLANKET DID NOT COVER THE VICTIM'S FACE, RIGHT SHOULDER, RIGHT ARM AND PART OF HIS HEAD. IT IS NOT KNOWN THE POSITION OF THE BLANKET WHEN OFFICERS AND PARAMEDICS

1999 91911277

2

Continued.

000042

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 27

DR NUMBER: 1999 91911277

2

FIRST ARRIVED AT THE SCENE.

THE VICTIM WAS LYING ON HIS BACK. HIS HEAD WAS IN THE NORTHWEST CORNER OF THE COUCH BELOW THE TOP OF THE CUSHION BACK. HIS BODY WAS "SLOUCHED" DOWN IN THE COUCH WITH HIS BUTTOCKS RESTING ON THE FRONT EDGE OF THE COUCH. BOTH OF HIS LEGS WERE EXTENDED IN A SOUTHEAST DIRECTION AND STRAIGHT OUT IN FRONT OF HIS BODY. BOTH OF HIS FEET WERE RESTING ON THE FLOOR. HIS ARMS WERE BENT AT THE ELBOW AND HIS HANDS WERE IN FRONT OF HIS BODY RESTING ON HIS UPPER CHEST JUST BELOW NIPPLE LEVEL. HIS RIGHT HAND WAS IN A LOOSE FIST AND HIS LEFT HAND WAS BENT AT THE WRIST WITH THE FINGERS OPEN AND THE PALM FACING TOWARDS HIS LEFT ELBOW. THE VICTIM'S EYES WERE CLOSED AND HIS MOUTH SLIGHTLY OPEN.

THE VICTIM HAD THREE OBVIOUS GUNSHOT WOUNDS TO THE HEAD. THE FIRST WAS TO THE RIGHT SIDE, SLIGHTLY FORWARD OF THE TEMPLE AND AT THE POINT WHERE THE EYEBROW ENDS. THERE WAS SOME BRAIN MATTER ON THE BLANKET DIRECTLY BELOW THE ENTRY WOUND. THE SECOND AND THIRD GUNSHOT WOUNDS WERE TO THE RIGHT SIDE OF THE CHEEK LESS THAN AN INCH APART. THERE WAS BLOOD DRAINING FROM ALL THREE WOUNDS IN A DOWNWARD DIRECTION. THE PATTERNS INDICATED THAT THERE WAS SOME MOVEMENT OF THE HEAD DUE TO A SLIGHT CHANGE IN DIRECTION.

I COMPLETED A MARICOPA COUNTY MEDICAL EXAMINERS IDENTIFICATION TAG AND CONTACTED THE MEDICAL EXAMINERS OFFICE FOR TRANSPORT. THE TRANSPORT TEAM ARRIVED AND THE BODY WAS PLACED INTO A BODY BAG. THE BODY AFTER EXAMINATION WAS SEALED WITH SEAL #0122533 PRIOR TO BEING REMOVED FROM THE SCENE.

WHILE THE BODY WAS BEING REMOVED BY THE MEDICAL EXAMINERS OFFICE A GREY AND WHITE SWEATSHIRT WAS FOUND UNDERNEATH THE BODY. THIS WAS IMPOUNDED AS ITEM #72. THERE WAS ALSO A BLOOD PATTERN ON THE BACK OF THE COUCH THAT WAS NOT CONSISTENT WITH IT BEING A DRAINING OF THE BLOOD FROM THE NOTED ENTRY WOUNDS. IN EXAMINING THE VICTIM'S BACK AN EXIT WOUND WAS OBSERVED NEAR THE CENTER OF THE BACK AND SEVERAL INCHES BELOW THE SHOULDERS. A SMALL HOLE WAS SEEN IN THE COUCH CUSHION BACK SEVERAL INCHES SOUTH OF THE BLOOD PATTERN. USING A SCALPEL A CUT WAS MADE IN THE FABRIC AND APPROXIMATELY 1/2" INTO THE CUSHION MATERIAL A PROJECTILE WAS LOCATED. THE PROJECTILE WAS REMOVED AND IMPOUNDED AS ITEM #73.

THE BULLET HOLE IN THE COUCH WAS MARKED AND MEASURED AS "U". THE BULLET HOLE DIRECTION WAS FROM EAST TO WEST AND DOWNWARD. THE COUCH WAS AGAINST THE WEST WALL. THE BULLET STRIKE MEASUREMENTS WERE:

4'0" NORTH OF THE SOUTH END OF THE COUCH
2'6" WEST OF THE EAST END OF THE COUCH
2'0" AGL

THERE WERE NO OTHER EXIT WOUNDS FOUND ON THE HEAD OR BODY OF THE VICTIM.

THERE WAS A VERY SMALL AMOUNT OF BLOOD SPATTER THAT APPEARED TO BE CONSISTENT WITH BEING FROM THE GUNSHOT WOUNDS OF GUADELUPE. THE BLOOD WAS OBSERVED ON THE WALL TO THE NORTH AND TO THE WEST OF WHERE VICTIM

1999 91911277

2

Continued.

000043

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 28

DR NUMBER: 1999 91911277

2

GUADELUPE WAS SEATED ON THE COUCH. SEVERAL BLOOD SAMPLES WERE TAKEN, ONE FROM THE NORTH AND ONE FROM THE WEST WALL. THE BLOOD SAMPLE FROM THE NORTH WALL WAS MARKED, MEASURED AND COLLECTED AS ITEM #60. THE LARGEST BLOOD PATTERN NOTED WAS APPROXIMATELY TWO INCHES LONG AND APPEARED TO BE A STRIKE AND DRIP PATTERN. THE HIGHEST POINT WAS 2" AGL. THE BLOOD SAMPLE WAS COLLECTED USING A CLEAN SCALPEL BLADE AND CUTTING THE SAMPLE AND A SMALL AMOUNT OF THE DRYWALL OUT. THE SAMPLE WAS PLACED INTO A CLEAN PIECE OF WHITE PAPER AND THEN PLACED INTO A PLASTIC VIAL.

ON THE WEST WALL THE SAMPLE TAKEN WAS OF TWO SMALL BLOOD DRIPS. THE DRIPS WERE BETWEEN 1'3" - 1'6" AGL AND NEAR THE AREA WHERE THE WEST AND NORTH WALL JOIN TOGETHER. THE BLOOD SAMPLE FROM THE NORTH WALL WAS MARKED, MEASURED AND COLLECTED AS ITEM #61. THE BLOOD SAMPLES WERE COLLECTED USING A CLEAN SCALPEL BLADE AND CUTTING THE SAMPLE AND A SMALL AMOUNT OF DRYWALL OUT. THE SAMPLE WAS PLACED INTO A CLEAN PIECE OF WHITE PAPER AND THEN PLACED INTO A PLASTIC VIAL.

THE REMAINDER OF THE LIVING ROOM WAS SEARCHED. ON TOP OF THE SHELF UNIT IN THE NORTHEAST CORNER OF THE LIVING ROOM WAS A SMALL CLAY FLOWERPOT. INSIDE OF THIS POT WERE SEVERAL CIGARETTE BUTTS INCLUDING WHAT MAY BE SEVERAL "MARIJUANA ROACHES." THE CONTENTS OF THE POT WERE IMPOUNDED AS EVIDENCE AS ITEM #63.

THERE WAS A CLAY "CHIMINEA" POT TO THE SOUTH OF THE SHELF UNIT WITH MISCELLANEOUS ITEMS INSIDE. FROM THE POT A SMALL GLASS "CRACK PIPE" AND A RECEIPT DATED FROM 11-10-99 TO 12-10-99 WERE IMPOUNDED AS ITEMS #65 AND #66 RESPECTIVELY.

THE KITCHEN IS WEST OF THE LIVING ROOM AND WHEN SEARCHED SEVERAL ITEMS WERE TAKEN. IN THE TOP DRAWER ON THE SOUTH END OF THE COUNTER ITEM #67 WAS LOCATED. THIS WAS A SMALL PLASTIC BAGGIE WHICH CONTAINED A GREEN LEAFY SUBSTANCE BELIEVED TO BE MARIJUANA. THE CONTENTS OF THE BAGGIE WERE PLACED INTO A PLASTIC VIAL AND IMPOUNDED AS ITEM #67A.

THE ITEMS WERE SEPARATED TO FACILITATE THE SCIENTIFIC ANALYSIS PROCESS. THE BAGGIE WILL BE SUBMITTED FOR LATENT PRINTS AND THE MARIJUANA TO THE LAB FOR CONFIRMATION OF MARIJUANA AND QUANTITY DETERMINED.

ON THE KITCHEN TABLE LOCATED IN THE SOUTHWEST CORNER OF THE ROOM WAS A PLATE WITH UNEATEN FOOD, AN EMPTY NATURAL LIGHT GLASS BEER BOTTLE AND A WHITE PLASTIC BAG WITH A CARDBOARD BEER SIX PACK HOLDER AND ONE EMPTY BEER BOTTLE. THE BAG AND CONTENTS WERE IMPOUNDED AS ITEM #69. THE SINGLE BEER BOTTLE WAS IMPOUNDED AS ITEM #68. THE PLATE WITH FOOD WAS NOT TAKEN. THE BATHROOM WAS SEARCHED AND NOTHING OF EVIDENTIARY NATURE OBSERVED.

THERE IS ONE BEDROOM AND THIS IS IN THE SOUTHEAST CORNER OF THE APARTMENT. THERE IS A DOUBLE BED ON THE NORTH WALL. THE BED DOES SIT ON A FRAME BUT HAS NO HEADBOARD. CLOTHING AND OTHER ITEMS WERE STACKED ON THE FLOOR IN THE NORTHEAST CORNER. AT AN ANGLE IN THE NORTHEAST CORNER WAS A BAR WHICH WAS ATTACHED TO THE NORTH AND EAST WALL AND WAS BEING USED TO HANG CLOTHES. ON THE EAST WALL WAS A WINDOW THAT WAS COVERED WITH A MEXICAN

1999 91911277

2

Continued.

000044

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 29

DR NUMBER: 1999 91911277

2

RUG. THE RUG WAS NAILED TO THE WALL AT THE TOP OF THE WINDOW AND COULD BE PUSHED BACK ON EITHER SIDE TO LOOK OUT TOWARDS THE FRONT YARD. IN THE SOUTHEAST CORNER OF THE BEDROOM WERE A RELIGIOUS PICTURE, UNLIT CANDLE AND SEVERAL CLAY POTS BEING USED FOR STORAGE. ON THE SOUTH WALL WAS A RUG NAILED TO THE WALL. THERE WAS A TYPEWRITER IN A BLACK PLASTIC CASE AND A WOODEN CHAIR WHICH WAS SIMILAR IN APPEARANCE TO THE CHAIR ON THE FRONT PORCH. THE CHAIR HAD CLOTHES AND A RUG STACKED ON THE SEAT. ON THE WEST WALL IS A SMALL WALK IN CLOSET, A KITCHEN STYLE TABLE WITH A TELEVISION AND THE DOOR ENTERING THE BEDROOM WHICH WAS ON THE WEST WALL NEAR THE NORTH SIDE OF THE ROOM. THE ROOM WAS CLUTTERED, BUT IT DID NOT HAVE THE APPEARANCE OF BEING RANSACKED OR SEARCHED. THE BEDROOM FLOOR AND THE CLOSET WERE CARPETED WITH A SOILED GREY COLORED CARPET.

THE THIRD VICTIM WAS LOCATED INSIDE OF THE BEDROOM CLOSET. THE CLOSET MEASURED 5'8" NORTH/SOUTH BY 2'5" EAST/WEST, THE DOOR WAS ON THE EAST SIDE.

NAME: DELIA MARIE RAMOS H/F ██████████ SOC # ██████████
BODY MEASUREMENTS ARE FROM REFERENCE POINT #4

HEAD: 5'0" NORTH 0'2" WEST
RIGHT SHOULDER 5'3" NORTH 1'6" WEST
TORSO CENTER: 4'5" NORTH 1'5" WEST
RIGHT KNEE: 3'0" NORTH 1'9" WEST
LEFT KNEE: 3'7" NORTH 0'8" WEST
RIGHT FOOT: 1'4" NORTH 2'5" WEST
LEFT FOOT: 1'10" NORTH 0'6" WEST
RIGHT HAND: 4'3" NORTH 1'4" WEST
LEFT HAND: 4'6" NORTH 0'0" WEST

THE VICTIM WAS 5'4" TALL, THE BODY WAS SCRUNCHED ONTO POSITION THAT WAS 3'7" IN LENGTH. THE VICTIM WAS LYING ON HER BACK; IT APPEARED SHE MIGHT HAVE BEEN PARTIALLY IN A SEATED POSITION WHEN SHE WAS SHOT. HER RIGHT SHOULDERS AND NECK WERE NEAR THE NORTHWEST CORNER OF THE CLOSET. HER HEAD WAS BENT FORWARD AND LEANING TOWARDS THE EAST. THE RIGHT HIP AND RIGHT UPPER LEG WERE EXTENDED STRAIGHT OUT AND WERE ALONG THE WEST WALL. HER RIGHT LEG WAS BENT AT THE KNEE AND HER RIGHT FOOT WAS AGAINST THE WEST WALL. THE VICTIM'S LEFT UPPER LEG WAS RESTING ON TOP OF A DRAWER THAT WAS ON THE FLOOR OF THE CLOSET. HER LEFT LEG WAS BENT AT THE KNEE AND HER LEG STRAIGHT OUT. THE VICTIM'S RIGHT ARM WAS BENT AT THE ELBOW AND THE HAND WAS RESTING IN HER LAP JUST LEFT OF THE CENTER OF HER BODY. THE FINGERS OF HER RIGHT HAND WERE LOOSELY CURLED INWARD, THERE WAS NOTHING IN HER HAND. THE VICTIM'S LEFT ARM WAS EXTENDED STRAIGHT OUT FROM THE BODY AND THEN BENT AT THE ELBOW WITH THE FOREARM AND HAND ALONG THE LEFT SIDE OF HER BODY. THE FINGERS WERE LOOSELY CURLED INWARD AND THE HAND EMPTY.

THE VICTIM WAS DRESSED IN A PAIR OF BLACK AND WHITE PLAID COTTON BOXER SHORTS, BLACK BIKINI UNDERWEAR, AND A BLACK STRING BRA. THE VICTIM HAD ON ONE WHITE LEATHER TENNIS SHOE ON HER RIGHT FOOT; THE SHOE WAS PROPERLY LACED AND TIED IN A BOW. THERE WAS NO SHOE ON THE LEFT FOOT.

1999 91911277

2

Continued.

000045

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 30

DR NUMBER: 1999 91911277

2

THE VICTIM WAS A YOUNG HISPANIC FEMALE. SHE HAD SHOULDER LENGTH BLACK HAIR WITH BANGS WHICH WAS NOT TIED BACK. THE VICTIM'S EYES WERE SLIGHTLY OPEN, AS WAS HER MOUTH. HER TEETH WERE IN POOR CONDITION BUT DID NOT SHOW ANY SIGNS OF DAMAGE FROM THE SHOOTING. THE VICTIM HAD SEVERAL TATTOOS VISIBLE. SHE HAD A TATTOO COMPRISED OF THREE HEARTS GROUPED TOGETHER ON HER LEFT SHOULDER BLADE. THE NAME "VALINTINO" WAS PRINTED ON THE WEB OF HER LEFT HAND.

IN EXAMINING THE VICTIM'S BODY THERE WERE FOUR ENTRY WOUNDS OBSERVED. THESE WERE FROM THREE ACTUAL SHOTS AS TWO OF THE ENTRY WOUNDS WERE AN ENTRY/EXIT AND REENTRY ONTO THE VICTIM. THE VICTIM HAD A GUNSHOT WOUND TO THE RIGHT UPPER ARM THAT EXITED INTO THE ARMPIT AND THEN REENTERED THE BODY INTO THE RIGHT SIDE OF THE CHEST. THE SECOND GUNSHOT WOUND WAS TO THE RIGHT UPPER CHEST. THE THIRD SHOT WAS TO THE BACK OF THE VICTIM'S HEAD. OTHER THAN THE EXIT AND IMMEDIATE REENTRY, I DID NOT OBSERVE ANY EXIT WOUNDS. EACH OF THE WOUNDS HAD A WHITE SYNTHETIC TYPE FIBER IN OR NEAR THE POINT OF ENTRY. THERE WAS VERY LITTLE BLEEDING FROM ANY OF THE ENTRY WOUNDS. THE AREA OF THE HEAD IN THE HAIR HAD SOME DRIED BLOOD BUT NOT A GREAT DEAL. RIGOR WAS FULLY DEVELOPED AND LIVIDITY WAS PRESENT AND FIXED AND WAS CONSISTENT WITH THE BODY POSITION.

I COMPLETED A MARICOPA COUNTY MEDICAL EXAMINERS IDENTIFICATION TAG AND CONTACTED THE MEDICAL EXAMINERS OFFICE FOR TRANSPORT. THE TRANSPORT TEAM ARRIVED AND THE BODY WAS PLACED INTO A BODY BAG. THE BODY AFTER EXAMINATION WAS SEALED WITH SEAL #0858757 PRIOR TO BEING REMOVED FROM THE SCENE.

INSIDE OF THE BEDROOM THREE EXPENDED SHELL CASINGS WERE LOCATED. THE SHELL CASING WERE A DARK COPPER COLOR AND HAD THE HEAD STAMP OF "71 93". THIS WAS THE SAME AS THE OTHER CASINGS LOCATED OUTSIDE AND IN THE LIVING ROOM.

THE FIRST CASING MARKED AND MEASURED AS ITEM #70 WAS IN THE BEDROOM AREA OUTSIDE OF THE CLOSET BUT NEAR THE CLOSET DOOR. THE CASING WAS ON THE CARPETED FLOOR.

ITEM #77 WAS A SHELL CASING. THIS WAS FOUND IN THE DRAWER BETWEEN THE VICTIM'S LEGS. THE CASING WAS RESTING ON TOP OF SEVERAL OTHER ITEMS THAT WERE IN THE DRAWER.

ITEM #79 WAS THE THIRD CASING. THIS CASING WAS LOCATED AFTER THE VICTIM'S BODY HAD BEEN REMOVED FROM THE CLOSET. THE CASING WAS IN ANOTHER DRAWER THAT WAS IN THE CLOSET UNDER THE UPPER BODY AREA OF THE VICTIM.

IT SHOULD BE NOTED THAT THE CLOSET WAS VERY CLUTTERED. THERE WERE SEVERAL DRESSER DRAWERS INSIDE ON THE FLOOR AND YET NO CORRESPONDING DRESSER WAS FOUND IN THE BEDROOM OR THE APARTMENT.

ITEM #74 WAS A SYNTHETIC FIBER FILLED PILLOW WHICH WAS COVERED WITH A WHITE PILLOWCASE. THE PILLOW WAS ON THE FLOOR OUTSIDE OF THE CLOSET, SOUTH OF THE FOOT OF THE BED. IN EXAMINING THE PILLOW THERE WERE THREE

1999 91911277

2

Continued.

000046

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NUMBER: 31

DR NUMBER: 1999 91911277

2

HOLES THAT LOOKED LIKE BULLET HOLES. THE HOLES WERE THROUGH AND THROUGH. PROTRUDING OUT OF ONE SIDE OF THE PILLOW WAS A WHITE SYNTHETIC FIBER THAT HAD THE SAME APPEARANCE AS THE WHITE FIBER FOUND AROUND THE ENTRY WOUNDS TO THE BODY. IT WOULD APPEAR THAT THE VICTIM WAS SHOT WHILE THE PILLOW WAS COVERING HER HEAD AND UPPER TORSO. IT APPEARS THAT THE VICTIM WAS SHOT IN THE CLOSET AND THE PILLOW WAS MOVED BY EITHER POLICE OR FIRE DEPARTMENT PERSONNEL WHEN CHECKING THE VICTIM FOR SIGNS OF LIFE.

ITEM #71 WERE MISCELLANEOUS PAPERS AND IDENTIFICATION CARDS. THESE ITEMS WERE FOUND IN THE PILE OF CLOTHING AND PAPERS THAT WERE IN THE SOUTHEAST CORNER OF THE BEDROOM.

ITEM #75 WAS AN EMPTY BUD LIGHT GLASS BEER BOTTLE. THE BOTTLE WAS LYING ON THE SIDE AND NEAR THE FOOT OF THE BED UNDER THE PILLOW.

ITEM #76 WAS A KITCHEN KNIFE. THE KNIFE WAS PARTIALLY UNDER THE BED NEAR THE SOUTH END. THE KNIFE BLADE WAS EXTENDING OUT FROM UNDER THE BED. THE KNIFE WAS 12" IN OVERALL LENGTH WITH AN 8" BLADE. THE KNIFE BLADE WAS DIRTY WITH NUMEROUS FINGERPRINTS AND A LAYER OF DUST. THERE WAS NO SIGN OF BLOOD OR TISSUE PRESENT ON THE KNIFE.

ITEM #78 WAS THE MATCH TO THE ONE LEATHER TENNIS SHOE THAT THE VICTIM HAD BEEN WEARING. THE SHOE WAS FOUND NEAR THE NORTH WALL ON THE FLOOR NEAR THE DOOR TO THE BEDROOM. THE SHOELACES WERE TIED IN A BOW.

ITEM #80 WERE DOCUMENTS WHICH WERE FOUND ON THE SOUTH SHELF OF THE BEDROOM CLOSET.

IT SHOULD BE NOTED THAT WHILE PROCESSING THE CLOSET I NOTICED THAT THE CARPET AREA WAS DAMP. THE WEST WALL OF THE CLOSET BUTTED UP TO THE BATHROOM AND I THOUGHT THIS POSSIBLY WAS THE SOURCE OF THE DAMPNESS. THERE WAS PARTICULAR ODOR NOTED.

WHEN ALL ITEMS OF EVIDENCE AND THE BODIES HAD BEEN REMOVED WE SECURED FROM THE SCENE. THE BACK AND FRONT DOOR WERE LOCKED WITH A KEY THAT HAD BEEN FOUND INSIDE OF THE HOUSE.

WE SECURED FROM THE SCENE AT 2320 HOURS. ALL ITEMS OF EVIDENCE WERE RETAINED IN MY CUSTODY AND TRANSPORTED TO 620 WEST WASHINGTON WHERE THEY WERE PLACED INTO A TEMPORARY LOCKER UNTIL THEY WERE IMPOUNDED.

A2979/A3667/011400/0105/GIB DESK/

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES: 2665456 2665457

DR ENTERED BY : 2979 DR FINALIZED BY : A2955

END OF REPORT

DR NO: 1999 91911277 002

000047

APPENDIX 6

FPD Request for
Scientific Analysis
Re: Item # 22 (as depicted
in State's Exhibit 109+110)
& Related Documentation

PHOENIX POLICE CRIME LAB:
COMMUNICATIONS / INFORMATION LOG

D# 1999-91911277

Phx Case Agent: D. Olson Phone 495-7661

Date 11-22-99 Time 10:30 (Phone / Personal Contact / Electronic)

Individual ~~D. J. ...~~ Olson Phone No. same

Summary: msg to call

By: [Signature]

Date 11-23-99 Time 1053 (Phone / Personal Contact / Electronic)

Individual ~~D. J. ...~~ Olson Phone No. same

Summary: msg to call

By: [Signature]

Date 11-24-99 Time 1023 (Phone / Personal Contact / Electronic)

Individual Det Olson Phone No. same

Summary: msg

By: [Signature]

Date 12-15-99 Time 7:30am (Phone / Personal Contact / Electronic)

Individual Olson Phone No. same

Summary: no need to do DNA requested ident

By: [Signature]

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 2

DR NO.: 1999 91911277 36

CHECK ITEM #74 FOR BULLET HOLES

CHECK ITEM #76 FOR BLOOD AND PRESERVE FOR DNA TESTING

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 1999 91911277 03

PHOENIX POLICE DEPARTMENT REPORT

11/19/99
unk

SUPPLEMENT

PAGE NO. 1

DR NO.: 1999 91911277

36

REPORT DATE: 19991119 TIME: 1237

TYPE OF REPORT: HOMICIDE

OFFENSE: 451

LOCATION: 001808 E YALE ST A

BEAT: 0521 GRID: BE31

REPORTING OFFICER(S): DENNIS OLSON

2979

UNIT: C31

PREMISES: APARTMENT

OCCUPIED:

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= *** REQUEST FOR SCIENTIFIC ANALYSIS ***
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CURRENT DR IS: 1999 91911277 036 BIOLOGICAL EVID (BLOOD, SEMEN, TISSUE): Y
 NAM: UNK
 NAM:
 LOCATION: 001808 E YALE ST OFF: HOMICIDE JAILED: N
 OFCR REQ OF ANALYSIS: OLSON, DENNIS DATE OCC: 111799 TIME: 0000
 (LAST, FIRST, MIDDLE) FIRM NAME USE BUS. DATE REQ: 111999 TIME: 1100
 VIC: UNK DUI RELATED: N
 BUS:

MARIJUANA: DRUGS: BLOOD ALC: BREATH ALC: OTHER: Y PER INVOICE: N

INVOICE	ITEM #	SFX	TYPE	INVOICE	ITEM #	SFX	TYPE
0002665456	0022		HKNIFE	0002665456	0023		*MISC
0002665456	0037		PCLOTHE	0002665456	0038		YDRUGS
0002665456	0064		YDRUGS	0002665456	0074		PCLOTHE
0002665456	0076		HKNIFE				

BLOOD DRAWN BY: 1. DATE/TIME DRAW: 000000 / 0000
 LOC OF DRAWING: 2. DATE/TIME DRAW: 000000 / 0000

*** NARRATIVE ***

SERIAL NUMBER: 2979

- CHECK ITEM #22 FOR BLOOD AND PRESERVE FOR DNA TESTING
- CHECK ITEM #23 FOR DRUGS
- CHECK ITEM #37 AND PRESERVE BLOOD FOR DNA TESTING
- CHECK ITEM #38 FOR DRUGS AND PRESERVE FOR DNA TESTING
- CHECK ITEM #64 FOR DRUGS AND PRESERVE FOR DNA TESTING

1999 91911277 36

Continued.

11/19/99 10:12:16

PHOENIX POLICE DEPARTMENT REPORT

11/19/99
KMM

SUPPLEMENT

PAGE NO. 1

DR NO.: 1999 91911277

33

REPORT DATE: 19991119 TIME: 1228

TYPE OF REPORT: HOMICIDE

OFFENSE: 451

LOCATION: 001808 E YALE ST A

BEAT: 0521 GRID: BE31

REPORTING OFFICER(S): DENNIS OLSON

2979

UNIT: C31

PREMISES: APARTMENT

OCCUPIED:

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=                                     =
=          *** REQUEST FOR SCIENTIFIC ANALYSIS ***          =
=                                     =
=====

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CURRENT DR IS: 1999 91911277 033 BIOLOGICAL EVID (BLOOD, SEMEN, TISSUE): Y

NAM: UNK

NAM:

OFF: HOMICIDE

LOCATION: 001808 E YALE

ST

JAILED: N

OFFCR REQ OF ANALYSIS: OLSON, DENNIS

DATE OCC: 111799 TIME: 0000

(LAST, FIRST, MIDDLE) FIRM NAME USE BUS.

DATE REQ: 111999 TIME: 1100

VIC: UNK

DUI RELATED: N

BUS:

MARIJUANA: DRUGS: BLOOD ALC: BREATH ALC: OTHER: Y PER INVOICE: N

INVOICE	ITEM #	SFX	TYPE	INVOICE	ITEM #	SFX	TYPE
0002665456	0005		YLIQUOR	0002665456	0027		YLIQUOR
0002665456	0053		YLIQUOR	0002665456	0057		YLIQUOR
0002665456	0058		YLIQUOR	0002665456	0068		YLIQUOR

BLOOD DRAWN BY:

1. DATE/TIME DRAW: 000000 / 0000

LOC OF DRAWING:

2. DATE/TIME DRAW: 000000 / 0000

**** NARRATIVE ****

SERIAL NUMBER: 2979

MAKE SURE CAN IS FINGER PRINTED

CHECK FOR DNA AND PRESERVE

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 1999 91911277

UNRECORDED 12/20/99

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 2

DR NO.: 1999 91911277 32

END OF REPORT

DR NO: 1999 91911277 032

11/17/99 8:12 AM

PHOENIX POLICE DEPARTMENT REPORT

11/19/99

SUPPLEMENT

PAGE NO. 1

DR NO.: 1999 91911277

32

REPORT DATE: 19991119 TIME: 1224

TYPE OF REPORT: HOMICIDE

OFFENSE: 451

LOCATION: 001808 E YALE ST A

BEAT: 0521 GRID: BE31

REPORTING OFFICER[S]: DENNIS OLSON

2979

UNIT: C31

PREMISES: APARTMENT

OCCUPIED:

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#
=          *** REQUEST FOR SCIENTIFIC ANALYSIS ***          =
#
=====

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CURRENT DR IS: 1999 91911277 032 BIOLOGICAL EVID (BLOOD, SEMEN, TISSUE): Y

NAM: UNK

NAM:

OFF: HOMICIDE

LOCATION: 001808 E YALE

ST

JAILED: N

OFCR REQ OF ANALYSIS: OLSON, DENNIS

DATE OCC: 111799 TIME: 0000

(LAST, FIRST, MIDDLE) FIRM NAME USE BUS.

DATE REQ: 111999 TIME: 1100

VIC: UNK

DUI RELATED: N

BUS:

MARIJUANA: DRUGS: BLOOD, ALC: BREATH ALC: OTHER: Y PER INVOICE: N

INVOICE	ITEM #	SFX	TYPE	INVOICE	ITEM #	SFX	TYPE
0002665456	0031		PSPECIM	0002665456	0041		PSPECIM
0002665456	0040		PSPECIM	0002665456	0042		PSPECIM
0002665456	0043		PSPECIM	0002665456	0044		PSPECIM
0002665456	0060		PSPECIM	0002665456	0061		PSPECIM

BLOOD DRAWN BY:

1. DATE/TIME DRAW: 000000 / 0000

LOC OF DRAWING:

2. DATE/TIME DRAW: 000000 / 0000

**** NARRATIVE ****

SERIAL NUMBER: 2979

CHECK AND PRESERVE FOR DNA

COMPARE TO VICTIMS BLOOD

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

1999 91911277 32

Continued.

11/19/99

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 2

DR NO.: 1999 91911277

31

*** NARRATIVE ***

SERIAL NUMBER: 2979

CHECK AND PRESERVE FOR DNA

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 1999 91911277 03:

1/12/00 0 12/21/00

PHOENIX POLICE DEPARTMENT REPORT

11/19/99 ✓
unk

SUPPLEMENT

PAGE NO. 1

DR NO.: 1999 91911277

31

REPORT DATE: 19991119 TIME: 1219

TYPE OF REPORT: HOMICIDE

OFFENSE: 451

LOCATION: 001808 E YALE ST A

BEAT: 0521 GRID: BE31

REPORTING OFFICER(S): DENNIS OLSON

2979

UNIT: C31

PREMISES: APARTMENT

OCCUPIED:

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=
= *** REQUEST FOR SCIENTIFIC ANALYSIS ***
=
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CURRENT DR IS: 1999 91911277 031 BIOLOGICAL EVID (BLOOD, SEMEN, TISSUE): Y

NAM: UNK

NAM:

LOCATION: 001808 E YALE

ST

OFF: HOMICIDE

JAILED: N

OFCR REQ OF ANALYSIS: OLSON, DENNIS

DATE OCC: 111799 TIME: 0000

(LAST, FIRST, MIDDLE) FIRM NAME USE BUS.

DATE REQ: 111999 TIME: 1100

VIC: UNK

DUI RELATED: N

BUS:

MARIJUANA: DRUGS: BLOOD ALC: BREATH ALC: OTHER: Y PER INVOICE: N

INVOICE	ITEM #	SFX	TYPE	INVOICE	ITEM #	SFX	TYPE
0002665456	0001		PSPECIM	0002665456	0007		PSPECIM
0002665456	0008		PSPECIM	0002665456	0009		PSPECIM
0002665456	0010		PSPECIM	0002665456	0011		PSPECIM
0002665456	0012		PSPECIM	0002665456	0013		PSPECIM
0002665456	0014		PSPECIM	0002665456	0015		PSPECIM
0002665456	0016		PSPECIM	0002665456	0017		PSPECIM
0002665456	0018		PSPECIM	0002665456	0019		PSPECIM
0002665456	0020		PSPECIM	0002665456	0021		PSPECIM
0002665456	0024		PSPECIM	0002665456	0026		PSPECIM
0002665456	0028		PSPECIM	0002665456	0029		PSPECIM
0002665456	0030		PSPECIM	0002665456	0063		PSPECIM

BLOOD DRAWN BY:

1. DATE/TIME DRAW: 000000 / 000

LOC OF DRAWING:

2. DATE/TIME DRAW: 000000 / 000

1999 91911277 31

Continued.

V. Melus 12/1/99

RESULTS OF SCIENTIFIC ANALYSIS WORKSHEET

FOR DR# 999-91911277 31,32,33

FOR NAME _____

OFFENSE _____

RECEIVED ON THE 19 DAY OF November, 1999 FROM Printer LBS AT 1130

OTHER _____

PER PROPERTY INVOICE <Y/N> Y INVOICE # 2665456
INV. DESCRIPTION: _____

RESULTS BY: A3676

CONCLUSION ON THE 15 DAY OF Dec, 1999 RELEASED TO PROP. Y
RELEASED TO _____

RESULTS OF ANALYSIS:

Request for preservation of DNA evidence withdrawn by Detective Olson, 2979, on December 15, 1999.
This supplement is in response to supplements 31, 32, 33 and 36.

SERLOGY

LABORATORY

*** DRAFT ***

PHOENIX POLICE DEPARTMENT REPORT

*** DRAFT ***

SUPPLEMENT

PAGE NO. 2

DR NO.: 1999 91911277 1 54

[Handwritten signature]

INVOICES:

END OF REPORT

DR NO: 1999 91911277 1 054

[Handwritten text]

*** DRAFT ***

PHOENIX POLICE DEPARTMENT REPORT

*** DRAFT ***

SUPPLEMENT

PAGE NO. 1

DR NO.: 1999 91911277 1 54

REPORT DATE: 19991215 TIME: 1334

TYPE OF REPORT: HOMICIDE

OFFENSE: 451

LOCATION: 001808 E YALE ST

BEAT: 0521 GRID: BE31

REPORTING OFFICER(S): KELCEY MEANS

A3676 UNIT: LAB

 *
 * *** RESULTS OF SCIENTIFIC ANALYSIS ***
 *

CURRENT DR IS: 1999 91911277 1 054
 OFCR REQ OF ANA:2979 OLSON, DENNIS
 FOR NAM:UNK
 FOR NAM:
 RESULTS BY: MEANS, KELCEY

OFFENSE:
 DATE OCC:111799 TIME:0000
 FOR DR:1999 91911277 031

RECEIVED ON THE: 19 DAY OF: NOVEMBER ,1999
 FROM: OLSON, DENNIS
 MARIJUANA: DRUGS: BLOOD-ALC: BREATH-ALC:
 INVENTORY PER PROPERTY INVOICE : Y F.C.U: 0000

AT: 1130
 OTHER: Y
 DUI RELATED:N

ALCOHOL CONCENTRATION:	.	FOR INVOICE	ITEM	SFX
ALCOHOL CONCENTRATION:	.	FOR INVOICE	ITEM	SFX

INVOICE, ITEM DESCRIPTION:

INVOICE #2665456

BLOOD/BREATH DESCRIPTION:

CONCLUSION COMPLETED ON THE: 15 DAY OF: DECEMBER ,1999
 RELEASED TO POLICE PROPERTY: Y
 RELEASED TO:

TYPED ON THE: 121599 AT: 1445 BY: PAETZ, MICHAEL

**** NARRATIVE ****

SERIAL NUMBER: A3676

THIS SUPPLEMENT IS IN RESONSE TO SUPPLEMENTS 31, 32, 33 AND 36.

REQUEST FOR PRESERVATION OF DNA EVIDENCE WITHDRAWN BY DETECTIVE OLSON, 2979, ON DECEMBER 15, 1999.

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

1999 91911277 1 54

Continued.

1 means 12/15/99

APPENDIX 7



55a

APPENDIX 8



57a

APPENDIX 9



59a

APPENDIX 10

Patrick C. Coppen, Esq.
Law Office of Patrick Coppen, P.C.
7229 N. Thornydale Rd., #155
Tucson, Az. 85741
Telephone: (520) 624-4022 Facsimile: (520) 579-0331
E-mail address: coppenfpr@aol.com
Az. Bar #014756 PCC #64767
Attorney for Capital Defendant Julius Jarreau Moore

IN THE SUPERIOR COURT OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,	)	CASE NO.: CR1999-016742-001DT
	)	2ND SUPPLEMENTAL AFFIDAVIT
Respondent/Plaintiff,	)	SUPPORTING POST CONVICTION
and	)	RELIEF IN CAPITAL PCR CASE
)	
JULIUS JARREAU MOORE,	)	(Assigned to:
	)	THE HONORABLE
<u>Petitioner/Defendant.</u>	)	JOSEPH WELTY)

STATE OF ARIZONA)
) ss.
County of Maricopa)

Richard Watkins, being sworn upon his oath, does hereby depose and state that the following statements are true and within his own personal knowledge, information and belief based upon affiant's recent work and additional developments in the present case:

1. That affiant is still a resident of Maricopa County, and is an individual with some additional particular knowledge and information regarding the present case, over and above that previously submitted in affiant's previous affidavits;
2. That as previously submitted, affiant previously worked as a Criminalist for the Phoenix Police Department (PPD)

Crime Lab for approximately twenty-seven (27) years, and ultimately was a Supervisor/Assistant Director at the Crime Lab itself prior to his retirement in 1997 (If necessary, please see Affiant's Curriculum Vitae attached to his previously submitted affidavit as Exhibit A);

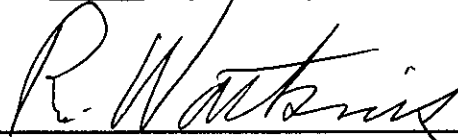
3. That as previously described in earlier affidavits, part of affiant's duties as a Criminalist working for the PPD Crime Lab, affiant worked as both a firearms expert and a tire track/shoe print expert;
4. That as previously described in earlier affidavits, with regard to affiant's duties as a Supervisor/Assistant Director of the PPD Crime Lab, it was actually affiant's responsibility to supervise the forensic testing related activities of a number of scientists employed by said Crime Lab from the various forensic scientific disciplines;
5. That as previously described in earlier affidavits, since affiant's retirement from the PPD Crime Lab in 1997, he has worked in the private sector as a forensic scientist analyzing firearm (or ballistics) and tire track/shoe print related evidence, as well as a consulting criminalist in various criminal cases, being retained by attorneys in various capacities;
6. That affiant is still currently listed as a sub-contractor working for the Maricopa County Office of Public Defense Services;
7. That in the present case, affiant had been previously retained by Petitioner Moore's Rule 32 defense team to review firearm and tire track/shoeprint related evidence, as well as other types of forensic evidence within the purview of affiant's expertise as a criminalist as it pertains to Mr. Moore's case or the 1999 Yale Crackhouse shooting;
8. That since the time of rendering his earlier supplemental affidavit, and in recent weeks, additional forensic work has

been done by affiant in this case which has resulted in additional forensic evidence that may be important for the Superior Court's consideration;

9. That the key additional discovery occurred when Rule 32 counsel contacted affiant concerning reviewing Superior Court exhibits in this case including pictures of Item 26A (cartridge casing purportedly found in Petitioner Moore's bed following Yale Crackhouse homicides on or after 11/20/99) or Superior Court Exhibit #53 and Item #45 (cartridge casing found on 11/16/99 during investigation of Yale Crackhouse homicides) or Superior Court Exhibit #107 to see if under magnification either or both items evidenced having a compression consistent with being run over;
10. That upon review of both Item #26A (Exhibit #53) and Item #45 (Exhibit #107) affiant found that under magnification both items appeared to be compressed or crushed with the open end of each cartridge casing definitely appearing to be wider than the base of each, consistent with the description made by Phoenix Police Dept. Detective Sally Dillian during her 9/19/01 trial testimony (pp. 13, 24, 27-29, and 73-74) regarding Item #45 which Det. Dillian had properly suggested had been run over by a vehicle following the shooting;
11. That affiant wholeheartedly believes that it is important to obtain the negatives of the crimescene and search warrant photos depicting Items 45 and 26A in order to make further scientific determinations;
12. That affiant further supplements his earlier testimony by affidavit by attaching to this supplemental affidavit actual 360 degree (or quadrant) and top view pictures of each and every shell casing released to him for examination by Court Order and examined as part of the firearm or ballistics analysis ordered in this case;


13. That these pictures include both present Item #26A (cartridge casing purportedly found in Petitioner Moore's bed following Yale Crackhouse homicides on or after 11/20/99), and present Items 45 (cartridge casing found on 11/16/99 during investigation of Yale Crackhouse homicides), 46, 54, 56, 66, 70, 77 and 79 (Items 46, 54, 56, 66, 70 and 77 being the other cartridge casings received by affiant in this case for examination Court Order);
14. That the attached pictures were taken by affiant on Sunday, May 17, 2015, and specifically show the specific condition of each item of evidence at the present time, and further confirm affiant's previous testimony by affidavit that Items 26A (as shown in Exhibit #53) and 45 (as shown in both Exhibit #107 and described by testimony of Det. Sally Dillian on 9/19/01 at pp. 13, 24, 27-29 and 73-74) are no longer the same items of evidence, and have been improperly removed from the present case; and
15. That affiant has further forwarded copies of the referenced pictures taken by affiant on 5/17/15 to Crimescene Expert Frank Rogers for his review.

DATED this 26 day of May, 2015.



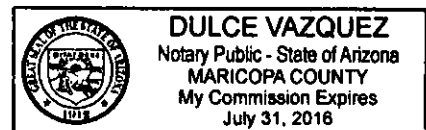
RICHARD WATKINS

SUBSCRIBED AND SWORN to before me this 26 day of May, 2015.



Notary Public

My Commission Expires: July 31, 2016



APPENDIX 11

Patrick C. Coppen, Esq.
 Law Office of Patrick Coppen, P.C.
 7229 N. Thornydale Rd., #155
 Tucson, Az. 85741
 Telephone: (520) 624-4022 Facsimile: (520) 579-0331
 E-mail address: coppenfpr@aol.com
 Az. Bar #014756 PCC #64767
 Attorney for Capital Defendant Julius Jarreau Moore

**IN THE SUPERIOR COURT OF ARIZONA
 IN AND FOR THE COUNTY OF PIMA**

STATE OF ARIZONA,	)	CASE NO.: CR1999-016742-001DT
	)	2ND SUPPLEMENTAL AFFIDAVIT
	)	SUPPORTING POST
Respondent/Plaintiff,	)	CONVICTION RELIEF IN
and	)	CAPITAL RULE 32 CASE
)	
JULIUS JARREAU MOORE,	)	(Assigned to:
	)	THE HONORABLE
Petitioner/Defendant.	)	JOSEPH WELTY)
_____)	

STATE OF ARIZONA)
) ss.
County of Maricopa)

Frank J. Rodgers, being sworn upon his oath, does hereby depose and state that the following additional statements/opinions are true and within his own personal knowledge, information and belief:

1. That as previously stated affiant worked as Crime Scene Technician for the Phoenix Police Dept. (PPD) from 1966-1985, subsequently worked as a Latent Fingerprint Examiner for the PPD Crime Lab from 1985-2001, and retired as Asst. Director of the PPD Crime Lab, serving in that capacity from 1998-2001;
2. That it is important for the purposes of the present 2nd supplemental affidavit that affiant further expound on his work experience as including being a Crimescene

Technician for fifteen (15) years and ultimately supervising the entire Crimescene Response Section for the last five (5) years of that period;

3. That as a Crimescene Technician and Supervisor affiant photographed and processed crimescenes for physical evidence, whereby affiant became very familiar with policies, procedures and protocols involved with same, and became a recognized expert with regard to crimescene photographs, giving expert testimony on hundreds of occasions;
4. That as previously referenced, it is specifically noteworthy that while working for the PPD Crime Lab from 1985-2001, that affiant was Supervisor and Section Supervisor prior to becoming an Assistant Director of the PPD Crime Lab itself;
5. That as previously stated in earlier affidavits, affiant has a Bachelor of Science Degree in Applied Science, attended the FBI Academy related to latent fingerprints and crimescenes, is a Certified Latent Print Examiner, has received substantial additional training and education in the area of crimescene photography, and additionally has taught police photography at the college level;
6. That affiant had been previously retained as the Crime Scene Expert by the Rule 32 defense team in the present case;
7. That following the rendering of affiant's 1st Supplemental Affidavit on or about December 11, 2014, and specifically in recent weeks, affiant has either been part of the discovery process, or has personally discovered additional evidence that may be important for the Superior Court's consideration in this case;
8. That the first additional discovery affiant became involved with in this case occurred when Rule 32 counsel contacted affiant concerning reviewing Superior Court exhibits in this


case including pictures of Item 26A (shell casing purportedly found in Petitioner Moore's bed following Yale Crackhouse homicides on or after 11/20/99) or Superior Court Exhibit #53 and Item #45 (shell casing found on 11/16/99 during investigation of Yale Crackhouse homicides) or Superior Court Exhibit #107 to see if under magnification either or both items evidenced having a compression consistent with being run over;

9. That upon review of both Item #26A (Exhibit #53) and Item #45 (Exhibit #107), affiant found that under magnification original Item #26A appears to be compressed on the open end of the shell casing, and Item #45 has visible compression consistent with the description made by Phoenix Police Dept. Detective Sally Dillian during her 9/19/01 trial testimony (pp. 13, 24, 27-29, and 73-74) regarding Item #45;
10. That such a finding now suggests that there are similarities between former Item #26A (shell casing purportedly found in Petitioner Moore's bed following Yale Crackhouse homicides on or after 11/20/99) or Exhibit #54 and former Item #45 (shell casing found on 11/16/99 during investigation of Yale Crackhouse homicides) or Superior Court Exhibit #107 because as such similar compression was actually described by Phoenix Police Dept. Detective Sally Dillian during her 9/19/01 trial testimony (pp. 13, 24, 27-29, and 73-74) describing original Item #45;
11. That the second discovered has to do with Item #46 which was the other shell casing found outside of 1808 E. Yale at the Yale Crackhouse crimescene;
12. That affiant discovered that a magnified examination of Item #46 (Superior Court Exhibit #108) definitely shows that the said evidence has damage the entire length of the casing, which is in sharp contradiction of present or existing Item #46, pictures of which were reviewed by affiant after they were received from Criminalist Richard Watkins and

personally reviewed in both black and white and color with Rule 32 counsel (copies of which are attached hereto);

13. That as the result of the review of both former and present Item #46, affiant hereby opines that based on his training and experience that Item #46 as pictured in Exhibit 108 is not the same item of evidence that was originally collected at the Yale Crackhouse crimescene; and
14. That affiant suggests that obtaining the original negatives of the crimescene photographs of these and other shell casings may be important to the determination of the present because the negatives may enlarged and contain additional information not available with present digital technology.

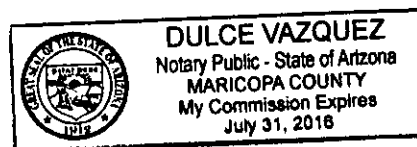
DATED this 26 day of May, 2015.


FRANK J. RODGERS
RETAINED CRIME SCENE/
LATENT FINGERPRINT EXPERT

SUBSCRIBED AND SWORN to before me this 26 day of May, 2015.


Notary Public

My Commission Expires: July 31, 2016



APPENDIX 12

Patrick C. Coppen, Esq.
 Law Office of Patrick Coppen, P.C.
 7229 N. Thornydale Rd., #155
 Tucson, Az. 85741
 Telephone: (520) 624-4022 Facsimile: (520) 579-0331
 E-mail address: coppenfpr@aol.com
 Az. Bar #014756 PCC #64767
 Attorney for Capital Defendant Julius Jarreau Moore

**IN THE SUPERIOR COURT OF ARIZONA
 IN AND FOR THE COUNTY OF PIMA**

STATE OF ARIZONA,	)	CASE NO.: CR1999-016742-001DT
	)	3RD SUPPLEMENTAL AFFIDAVIT
Respondent/Plaintiff,	)	SUPPORTING POST
and	)	CONVICTION RELIEF IN
	)	CAPITAL RULE 32 CASE
JULIUS JARREAU MOORE,	)	(Assigned to:
	)	THE HONORABLE
Petitioner/Defendant.	)	JOSEPH WELTY)
_____)	

STATE OF ARIZONA)
) ss.
County of Maricopa)

Frank J. Rodgers, being sworn upon his oath, does hereby depose and state that the following additional statements/opinions are true and within his own personal knowledge, information and belief:

1. That as previously stated, affiant worked as Crime Scene Technician for the Phoenix Police Dept. (PPD) from 1966-1985, subsequently worked as a Latent Fingerprint Examiner for the PPD Crime Lab from 1985-2001, and retired as Asst. Director of the PPD Crime Lab, serving in that capacity from 1998-2001;
2. That it is very important for the purposes of the present 3rd Supplemental Affidavit that affiant has previously testified by affidavit that his work experience has included being a

Crime scene Technician for fifteen (15) years and ultimately supervising the entire Crime scene Response Section of the Phoenix Police Department (PPD) Crime Lab for the last five (5) years of that period;

3. That as also previously asserted in his 2nd Supplemental Affidavit, as a Crime scene Technician and Supervisor affiant photographed and processed crime scenes for physical evidence, whereby affiant became very familiar with policies, procedures and protocols involved with same, and became a recognized expert with regard to crime scene photographs, giving expert testimony on hundreds of occasions;
4. That as further previously asserted, it is specifically noteworthy that while working for the PPD Crime Lab from 1985-2001, that affiant was also a Supervisor and Section Supervisor prior to becoming an Assistant Director of the PPD Crime Lab itself;
5. That as previously stated in his 2nd Supplemental Affidavit, affiant has Bachelor of Science Degree in Applied Science, attended the FBI Academy related to latent fingerprints and crime scenes, is a Certified Latent Print Examiner, has received substantial additional training and education in the area of Crime scene Photography, and additionally has taught Police or Forensic Photography at the College level;
6. That in the present case, affiant has been retained as the Fingerprint and Crime Scene Expert by the Rule 32 defense team;
7. That following the rendering of affiant's 2nd Supplemental Affidavit on or about May 26, 2015, and specifically in recent weeks, affiant was asked to consider the issue of whether evidence has been intentionally or purposely destroyed in the present case by Rule 32 defense counsel, yet after considering the issue, affiant has become more and more professionally concerned with the validity of the

State's evidence in this case, especially given affiant's thirty-five (35) year tenure with the Phoenix Police Department Crime Lab;

8. That as the result, affiant has not only fully considered the issue of whether evidence in the present case had been intentionally or purposely destroyed [ie. both shell or cartridge casings (including Items 26A, 45 and 46 which are definitely not the same as the original items of evidence gathered which have been switched out), as well as the apparent blood on the tip of Item #22 no longer in existence and presently entirely missing while in police custody prior to Court ordered DNA testing (knife found by foot of first chronological victim Sergio Mata at Yale Crack house Crime scene)], yet was subsequently independently led to review all of the crime scene photos related to this case related to the shell or cartridge casings collected at the Yale Crack house crime scene, and personally discovered additional evidence that may be important for the Superior Court's consideration in this case;
9. That with regard to whether evidence may have been intentionally or purposely destroyed in the present case, affiant had originally considered the following items of evidence:
 - a. Item #26A (shell casing purportedly found in Petitioner Moore's bed with dent in side of casing)
 - b. Item #45 (shell casing found outside in tire track in dirt area at crime scene of Yale Crack house homicides);
 - c. Item #46 (2nd shell casing found in dirt area at crime scene of Yale Crack house homicides); and
 - d. Item #22 (knife found by first chronological victim's foot with apparent blood on tip).
10. That as previously discussed in affiant's 2nd Supplemental Affidavit, it is affiant's opinion that after reviewing both contemporaneous photographs and/or testimony regarding shell casings designated as Items 26A, 45 and 46, that these

particular items of evidence are no longer the same, and in fact, have been substituted with totally different shell or cartridge casings;

11. That given that the original shell or cartridge casings constituting Items 26A, 45 and 46 have been replaced by wholly different shell or cartridge casings, such intentional replacement reflects not only a conscious effort to remove, replace and inherently destroy the original items of evidence as they are no longer in existence in the case at bar, yet such conscious effort has brought into question the validity of all of the physical evidence in the present case;
12. That as the direct result of affiant personally realizing that the integrity of Items 26A, 45 and 46 had been compromised, affiant came to further believe over the last two (2) weeks that perhaps none of the shell or cartridge casings in the case at bar were trustworthy, leading affiant to re-examine the crime scene photos of such evidence and compare them to the photographs of the presently existing shell casings as memorialized in the 2nd Supplemental Affidavit of Firearms Expert R. Watkins or Exhibit #63 in the present post conviction case which contained quadrant photos and a top view of all eight (8) shell casing rendered available for examination including Items 26A, 45, 46, 54, 66, 70, 77 and 79;
13. That upon subsequent close or concentrated examination of the crime scene photographs which has included two (2) separate viewings of the actual crime scene photographs themselves at the Criminal Exhibits Unit of the Maricopa County Superior Court on 8/21/15 and 8/28/15, affiant has discovered and confirmed that the attached original crime scene picture dated 11/16/99 of Item #66 (shell casing found inside Yale Crackhouse located at 1808 E. Yale on 11/16/99) shows a visible dent in its side that is entirely consistent with the dent appearing in the attached picture of original Item #26A which evidence had been reported to police as being photographed on or about 11/20/99.

being purportedly recovered vis a vis a search warrant of Petitioner's home/bedroom on that date located at 1833 E. Coronado;

14. That as affiant has also compared the attached photograph of Item #66 with the photographs of presently existing Item #66 as memorialized in the 2nd Supplemental Affidavit of Firearms Expert Richard Watkins (Exhibit #63 in the present capital post conviction appeal with specific photos of present Item #66 also hereto attached), affiant has also determined that present Item #66 is not the same item of evidence as that collected on 11/16/99 as the pictures of present Item #66 show none of the defects apparent from the crime scene photo of original Item #66;
15. That in recently reviewing the Yale Crack house crime scene photos in this case, affiant has also discovered that photographed Item #70 (shell or cartridge casing on carpet attached hereto) is also not the same item of evidence as present Item #70 as memorialized in the 2nd Supplemental Affidavit of Firearms Expert R. Watkins or Exhibit #63 in the present capital post conviction appeal (compare the attached crime scene photos of Item #70 with the attached pictures of present Item #70);
16. That based upon the foregoing, affiant has determined to a reasonable degree of certainty that due to their apparent consistent attributes (ie. size, location, position and shape) that there is a high probability that original Item #26A is the very same shell casing as that displayed in the crime scene photo of original Item #66;
17. That in the present case, and based upon affiants review of both the original crimescene photos of the shell or cartridge casings related to the 11/16/99 Yale Crack house homicides currently held at the Criminal Exhibits Unit of the Maricopa County Superior Court and the pictures of the currently existing shell or cartridge casings as memorialized in the 2nd Supplemental Affidavit of Firearms

Expert R. Watkins or Exhibit #63 in the present capital post conviction appeal, that to a reasonable degree of certainty, current evidence Items 26A, 45, 46, 66 and 70 are definitely not the same items of evidence as original evidence Items 26A, 45, 46, 66 and 70;

18. That it is noteworthy that in reviewing the original crime scene photographs of the other remaining shell casings Item 54, Item 77 and Item 79 and comparing same to the pictures of the existing shell casings as memorialized in the 2nd Supplemental Affidavit of Firearms Expert R. Watkins (or Exhibit #63 in the present capital post conviction appeal) that affiant was not able to make a determination one way or the other as to whether said original items are the same items as memorialized by Expert Watkins, or if they may have been switched out as well; and
19. That it is affiant's belief based upon his experience as a forensic or crime scene photographer/forensic photographic expert that obtaining the negatives of the above referenced photographs (ie. Items 26A, 45, 46, 54, 66, 70, 77 and 79) and enlarging photographs from said negatives may provide additional information as to the integrity of current Items 54, 77 and 79.

DATED this 1st day of Sept 2015.

Frank J. Rodgers

FRANK J. RODGERS
RETAINED CRIME SCENE/
LATENT FINGERPRINT EXPERT

FR
September
August, 2015. SUBSCRIBED AND SWORN to before me this 1st day of

Monica L. Switzer
Notary Public

My Commission Expires: 1/5/2018



Notarized in Maricopa County

APPENDIX 13

Patrick C. Coppen, Esq.
 Law Office of Patrick Coppen, P.C.
 7229 N. Thornydale Rd., #155
 Tucson, Az. 85741
 Telephone: (520) 624-4022 Facsimile: (520) 579-0331
 E-mail address: coppenfpr@aol.com
 Az. Bar #014756 PCC #64767
 Attorney for Capital Defendant Julius Jarreau Moore

IN THE SUPERIOR COURT OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,	)	CASE NO.: CR1999-016742-001DT
	)	3 RD SUPPLEMENTAL AFFIDAVIT
Respondent/Plaintiff,	)	SUPPORTING POST CONVICTION
and	)	RELIEF IN CAPITAL PCR CASE
)	
JULIUS JARREAU MOORE,	)	(Assigned to:
	)	THE HONORABLE
<u>Petitioner/Defendant.</u>	)	JOSEPH WELTY)

STATE OF ARIZONA)
) ss.
 County of Maricopa)

Richard Watkins, being sworn upon his oath, does hereby depose and state that the following statements are true and within his own personal knowledge, information and belief, and are based upon affiant's additional work and recent developments in the present case:

1. That affiant is still a resident of Maricopa County, and is an individual with additional particular knowledge and information regarding the present case, over and above that previously submitted in affiant's earlier affidavits;
2. That as previously submitted, affiant worked as a Criminalist for the Phoenix Police Department (PPD) Crime Lab for

approximately twenty-seven (27) years, and became a Supervisor and ultimately the Assistant Director at the PPD Crime Lab itself prior to his retirement in 1997 (If necessary, please see Affiant's Curriculum Vitae attached to his original affidavit as Exhibit A);

3. That as previously described in earlier affidavits, part of affiant's duties as a Criminalist working for the PPD Crime Lab included being both a firearms expert and a tire track/shoe print expert;
4. That as further previously described in earlier affidavits, with regard to affiant's duties as both a Supervisor and Assistant Director of the PPD Crime Lab, it was actually affiant's responsibility to supervise the forensic testing related activities of a number of scientists employed by said Crime Lab from the various forensic scientific disciplines;
5. That as additionally described in earlier affidavits, since affiant's retirement from the PPD Crime Lab in 1997, he has worked in the private sector as a forensic scientist analyzing firearm (or ballistics) and tire track/shoe print related evidence, as well as a consulting criminalist in various criminal cases, being retained by attorneys in various capacities;
6. That affiant is still currently listed as a sub-contractor forensic expert working for the Maricopa County Office of Public Defense Services;
7. That in the present case, affiant had been previously retained by Petitioner Moore's Rule 32 defense team to review firearm and tire track/shoeprint related evidence, as well as other types of forensic evidence within the purview of affiant's expertise as a criminalist as it pertains to Mr. Moore's case or the 1999 Yale Crackhouse shooting;
8. That since the time of rendering his 2nd Supplemental Affidavit, and over the course of the last several weeks,

affiant has considered the issue of whether evidence in the present case, and particularly, the following evidence had been intentionally fabricated, planted and/or purposely tampered with/destroyed:

- a. Item #26A (original cartridge casing purportedly found in Petitioner Moore's bed with dent in side of casing as depicted in the attached picture of State's Exhibit #53);
 - b. Item #45 (original cartridge casing found outside of Crackhouse yet inside tire track in dirt area at Yale Crackhouse homicides crimescene as depicted in the attached picture of State's Exhibit #107); and
 - c. Item #22 (knife found by first chronological victim's foot at crimescene of Yale Crackhouse homicides with apparent stain on tip as depicted in the attached picture of State's Exhibit #110).
9. That as previously discussed in affiant's 2nd Supplemental Affidavit, it is affiant's opinion that after reviewing both the foregoing referenced contemporaneous or 1999 Yale Crackhouse homicides crime scene photographs and/or testimony regarding cartridge casings designated as Items 26A and 45 and comparing them to the presently existing or purported Items 26A and 45 (as depicted in the quadrant and top view pictures of *currently* existing or purported Items 26A and 45 previously submitted in this case and attached to Petitioner's 2nd Supplemental Affidavit) that these particular items of evidence are no longer the same, and in fact, have been substituted, switched out or replaced with totally different cartridge casings;
10. That most significantly, affiant has specifically found in comparing original Item #26A (as depicted in State's Exhibit #53 which definitely shows a substantial dent in the side of the cartridge casing) with presently existing Item #26A (which affiant has meticulously examined and photographed as described in affiant's 2nd Supplemental

Affidavit with attached supporting photographs of all existing cartridge casings in the present case) that the currently existing Item #26A no longer has any dent whatsoever or other notable damage;

11. That it may be noteworthy that according to related police reports reviewed by affiant, the original cartridge casings from the Yale Crackhouse shooting were gathered by police on 11/16/99, with original Item #26A depicted in State's Exhibit #53 purportedly found by police in Petitioner's bed and gathered thereby on 11/19/99;
12. That affiant has reviewed documentation showing that present Item #26A was not impounded by police until 11/23/99;
13. That with respect to Item #45 (original cartridge casing found inside the tire track in dirt area at crime scene of Yale Crackhouse homicides as depicted in the attached picture of State's Exhibit #107), affiant has not only reviewed said photograph under magnification (with the magnified photograph showing apparent compression of the mouth of the cartridge casing) but also has reviewed the 2001 trial testimony of former PPD Detective Sally Dillian describing Item #45 as being compressed or crushed and having other damage;
14. That in comparing both the contemporaneous or 1999 photograph of Item #45 (or State's Exhibit #107) and the 2001 trial testimony of Det. Dillian with presently existing Item #45, it is readily apparent that although original Item #45 (or State's Exhibit #107) had both visually apparent and police reported compression, that presently existing Item #45 (which affiant has meticulously examined and photographed as described in affiant's 2nd Supplemental Affidavit with attached supporting photographs of all existing cartridge casings in the present case) has no compression or damage;

15. That with regard to Item #22 (knife found by first chronological victim's foot at crime scene of Yale Crackhouse homicides with apparent stain on tip as depicted in the attached picture of State's Exhibit #110), affiant previously dealt with Item #22 in his 1st Supplemental Affidavit (Petitioner's Exhibit #52), and had discussed his observation of the apparent stain on the tip of the knife photographed by police on 11/16/99, the later observation of Bode Technology DNA Analyst Michelle Donohue (attached to Petitioner's Exhibit #52 as Exhibit J) with attached present day picture of Item #22 establishing that the stain no longer exists at the time of her examination whereby it could not be tested for DNA by Bode Technology, and the PPD Crime Lab document memorializing that prior to Bode's receipt of Item #22, PPD Detective Olson had "withdrawn" the "[r]equest for preservation of DNA evidence" on 12 /15/99;
16. That given this history regarding Item #22 which strongly evidences or shows that the stain on the knife in question was *intentionally* removed while in police custody, it is troubling that such evidence was destroyed in the present capital case given affiant's training and experience which consistently supported the preservation of forensic evidence wherever possible;
17. That in affiant's further opinion police in the present case should have merely requested that the evidence not be tested, rather not be preserved, especially in a capital or murder case such as this one where forensic evidence may be especially important and later required to be tested;
18. That given that the original cartridge casings constituting Items 26A and 45 have been replaced by wholly different cartridge casings while said items of evidence were in the custody of the Phoenix Police Department, such intentional replacement by the police reflects a *conscious or knowing* effort to remove, replace and inherently destroy said

original items of evidence as they are no longer in existence in this case;

19. That it is affiant's understanding that at the same time that he was asked by Rule 32 counsel to consider the issue of whether evidence in the present case, and particularly Items 26A and 45 had been intentionally fabricated, planted and/or purposely tampered with/destroyed, that Crime Scene/Fingerprint Expert Frank Rogers was asked to consider the same issue;
20. That it is affiant's further understanding that as the result of Mr. Roger's consideration of Rule 32 counsel's query, that Mr. Rogers was independently led of his own accord to review all of the crime scene photos concerning this case related to the cartridge casings collected at the Yale Crack house crime scene, and that Mr. Rogers may have discovered additional evidence related to marked similarities between Item #66 (cartridge casing found inside Yale Crackhouse and depicted in the attached picture of State's Exhibit #35) and Item #26A (original cartridge casing purportedly found in Petitioner Moore's bed with dent in side of casing as depicted in the attached picture of State's Exhibit #53) which evidence may also be important for the Superior Court's consideration in this case;
21. That following Mr. Roger's recent discovery related to the suggested marked similarities between Items #66 (cartridge casing found inside Yale Crackhouse and depicted in the attached picture of State's Exhibit #35) and Item #26A (original cartridge casing purportedly found in Petitioner Moore's bed with dent in side of casing as depicted in the attached picture of State's Exhibit #53) affiant has examined pictures of both items of evidence;
22. That as the result of the apparent similarities affiant observed in the pictures of both Exhibit #35 (cartridge casing found inside Yale Crackhouse related to shooting) and Exhibit #53 (original cartridge casing purportedly

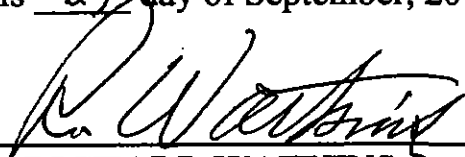
found in Petitioner Moore's bed) affiant actually went down to the Maricopa County Superior Court Criminal Exhibits Section on multiple occasions to personally inspect the original crimescene photographs in the case at bar under magnification, including State's Exhibits #35 (cartridge casing found inside Yale Crackhouse related to shooting) and 53 (original cartridge casing purportedly found in Petitioner Moore's bed), with his last viewing taking place last week on Wed., 9/16/15;

23. That after personally inspecting Exhibits #35 (cartridge casing found inside Yale Crackhouse related to shooting) and 53 (original cartridge casing purportedly found in Petitioner Moore's bed) under magnification, affiant has determined that said items of evidence have marked similarities, and are even comparable in that they both appear from said photographs to have a dent in the side of each cartridge casing that is consistent in terms of location, length or size, angle or orientation and shape;
24. That it is noteworthy that affiant also subsequently compared Exhibit #35 (earlier or contemporaneous 1999 picture depicting Item #66 cartridge casing found inside Yale Crackhouse related to shooting) with present day Item #66 (which affiant has meticulously examined and photographed as described in affiant's 2nd Supplemental Affidavit with attached supporting photographs of all existing cartridge casings in the present case) and has further determined that present day Item #66 does *not* appear to be the same as that depicted in State's Exhibit #35 or original Item #66 because present day Item #66 (photographs attached hereto and previously attached to Petitioner's 2nd Supplemental Exhibit) does *not* have an apparent defect or dent as that which is visible in State's Exhibit #35;
25. That during his recent trips to the Maricopa County Superior Court Exhibits Unit to view the crimescene photos in the present case and especially those depicting the

cartridge casings found at the Yale Crackhouse Crimescene, affiant also noted possible dissimilarities between both the 1999 crimescene photos of other cartridge casings, namely Items # 46 and #70, and the presently existing cartridge casings or present day Items #46 and 70 (pictures of which are attached to affiant's 2nd Supplemental Affidavit); and

- 26. Affiant is concerned about possible dissimilarities related to the crime scene pictures of Items #46 and 70 as compared to those items in existence at present.
- 27. Affiant would require an ability to view enlarged photographs from the negatives of the original crimescene photographs in order to make an appropriate determination as to whether these items of evidence may or may not be the same.

DATED this 29 day of September, 2015.



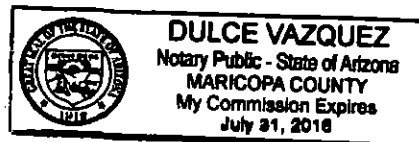
RICHARD WATKINS

SUBSCRIBED AND SWORN to before me this 29 day of September, 2015.



Notary Public

My Commission Expires: July 31, 2016



APPENDIX 14

materials (including metals and plastics) as well as with regard to lighting and its effects on given materials, and has worked/testified in both civil and criminal cases;

3. That in the present case affiant was asked to conduct a preliminary review from a Forensic Engineering standpoint multiple items of forensic evidence related to the present case in order to either possibly confirm or disprove earlier forensic findings submitted for consideration by the Superior Court through both Criminalist Richard Watkins and Crime Scene Expert Frank Rogers;
4. That as part of affiant's requested review of evidence he went to the Maricopa County Superior Court Criminal Exhibits Unit to view crime scene photographs previously admitted into evidence in the present case, and has further reviewed the affidavits of various forensic experts and applicable attached exhibits [including the affidavits of both Watkins (Petitioner's Exhibits #52) and Rogers (Petitioner's Exhibit #53), as well as the affidavit of Bode Technology DNA Analyst M. Donohue (Petitioner's Exhibit #34)], which affidavits also included attached exhibits including pictures of the particular items of evidence of interest as well as photographs of the those items of evidence *currently* in existence;
5. That the particular items of evidence affiant was asked to consider included the following:
 - a. Item #22 (a knife collected by police at Yale Crackhouse Crime scene next to foot of first chronological victim S. Mata and memorialized in crimescene pictures submitted in evidence as State's Exhibits #109 and #110);
 - b. Item #45 (a shell casing collected by police in yard at Yale Crackhouse Crimescene in tire track and memorialized in crimescene pictures submitted in evidence as State's Exhibit #107);
 - c. Item #66 (a shell casing collected by police apparently inside the Yale Crackhouse Crimescene lying on its side on

top of a wooden surface memorialized in crimescene pictures submitted in evidence as State's Exhibit #35); and

- d. Item #26A (a shell casing purportedly collected by police from Petitioner's bed/bedroom at a different location and on a later date submitted in evidence as State's Exhibit #53).

6. That with respect to each item of evidence, affiant has reviewed pictures of said evidence (including enlargements of the pictures) with the assistance of magnification by magnifying glass and microscope and hereby submits the following preliminary findings:

- a. That Item #26A depicted in State's Exhibit #53 shows a dent or defect on the side of the shell casing that actually exists as the image depicted is consistent with an actual artifact or dent which displays a darkened area or shadow resulting from the dent and illumination from a lighting source at the time the photograph or State's Exhibit #53 was actually taken, which artifact does not conform to an optical illusion made by the refraction, reflection or dyfraction of light through the plastic bag onto the metal surface of the shell casing as evidenced by the *darkened* area or shadow produced by the dent or defect itself;

- b. That Item #26A depicted in State's Exhibit #53 when compared to the quadrant and top view photographs of the Item #26A currently in existence (*see* Petitioner's Exhibit #63, 3rd Supplemental Affidavit of Criminalist R. Watkins w/ attached photos) establishes that the currently existing Item #26A is *not* the same item of evidence depicted in State's Exhibit #53 because it has no apparent defect whatsoever;

- c. That Item #45 depicted in States Exhibit #107 showing shell casing that was apparently run over by a vehicle as it is within the treadmark of said vehicle displays a compression at the lip of the shell casing consistent with the trial testimony of Detective Sally Dillian who described

it as being compressed and/or crushed and having other damage, which compression is also consistent with that shown in the crime scene picture of Item #26A or State's Exhibit #53;

- d. That it is noteworthy that the type of dent depicted in Item #26A or State's Exhibit #53 is consistent with damage that may have resulted from a shell casing, such as Item #45 depicted in State's Exhibit #107 and described by Det. Dillian as being "compressed or crushed w/ other damage", being run over by a vehicle while having a small rock underneath the shell casing, which dent may have resulted or been caused by the weight and force of a vehicle rapidly running it over;
- e. That Item #45 depicted in State's Exhibit #107 when compared to the quadrant and top view photographs of the Item #45 currently in existence (*see* Petitioner's Exhibit #63, 3rd Supplemental Affidavit of Criminalist R. Watkins w/ attached photos) establishes that the currently existing Item #45 is *not* the same item of evidence depicted in State's Exhibit #107 or described by Det. Dillian during testimony because it has no apparent compression or damage whatsoever;
- f. That Item #66 depicted in State's Exhibit #35 when compared to the quadrant and top view photographs of the Item #66 currently in existence (*see* Petitioner's Exhibit #63, 3rd Supplemental Affidavit of Criminalist R. Watkins w/ attached photos) establishes that the currently existing Item #66 is *not* the same item of evidence depicted in State's Exhibit #35, because it has no apparently substantial defect at the top of the shell casing as that displayed in the crime scene photograph of Item #66 or State's Exhibit #35; and
- g. That Item #22 or knife depicted in State's Exhibits #109 and 110 has a prominent reddish brown stain that is not apparent or viewable when compared to the recent photo-

document of the same knife (as it has apparently same markings or landmarks) attached to Petitioner's Exhibit #34 or the Affidavit of Bode Technology DNA Analyst M. Donohue, evidencing that the stain has been removed, leaving a *shiny* surface and suggesting that the stain may have been either buffed out with an abrasive surface or removed by some other process which may be discernable or identifiable if the actual knife is viewed through an electron microscope.

7. That affiant respectfully submits that he requires additional information in the form of or inspection of both the actual photographic negatives of the shell casings herein described (ie. Items 26A, 45 and 66), as well as the actual knife or Item #22 for enlargement and scientific analysis, respectively, if such may be possible through discovery; and
8. That the foregoing is a preliminary scientific or forensic engineering analysis provided for verification, comparison with or disproval of other forensic findings in this case, and provided for a possible basis for allowing additional discovery in this matter for further scientific testing and or comparison.

DATED this 24 day of November 2015.



DR. DAVID R. BOSCH
FORENSIC ENGINEERING

APPENDIX 15

1 **A. Moore has not shown his actual innocence.**

2 Moore’s primary claim appears to be that he is actually innocent and that—
3 for reasons that are unclear—scores of law-enforcement officials and witnesses
4 risked their jobs and reputations to ensure his wrongful conviction through various
5 misdeeds. *See* I. Pet. 60, 64, 70–74; Supp. Pet. 1–11; 2nd Supp. Pet. 3–10; 3rd
6 Supp. Pet. 1–21; Am. 3d Supp. Pet. 1–32. Moore’s actual-innocence claim, like his
7 related law-enforcement-misconduct claims, *see* § IV(B), *infra*, rests on
8 speculation devoid of evidentiary support and lacking any “link to provable
9 reality.” *Atwood v. Ryan*, 870 F.3d 1033, 1050 (9th Cir. 2017). Moreover, Moore
10 fails entirely to undermine the most compelling evidence of his guilt.
11 Consequently, he has not stated a colorable claim of his factual innocence under
12 the applicable clear-and-convincing evidence standard. *See* Ariz. R. Crim. P.
13 32.1(h). This Court should deny relief without an evidentiary hearing.

14 **1. Applicable law.**

15 Arizona Rule of Criminal Procedure 32.1 provides an avenue for relief when
16 “the defendant demonstrates by clear and convincing evidence that the facts
17 underlying the claim would be sufficient to establish that no reasonable fact-finder
18 would find the defendant guilty beyond a reasonable doubt.”¹² “[C]lear and
19 convincing evidence is evidence that makes the existence of the issue propounded
20 ‘highly probable.’” *State v. King*, 158 Ariz. 419, 426 (1988) (quotations omitted).

21 Further, “‘actual innocence means factual innocence, not mere legal
22 insufficiency.’” *State v. Pineda-Navarro*, 2017 WL 4927692, *2, ¶ 5 (Ariz. Ct.
23 App. Oct. 31, 2017) (quoting *Bousley v. United States*, 523 U.S. 614, 623 (1998))

24 _____
25 ¹² Moore devotes significant energy to preserving for further review the argument
26 that the Constitution would prohibit the execution of an innocent person. I. Pet.
27 71–73. The State does not disagree with this argument. Moore, however, is not
28 such a person.

1 (additional quotations omitted). And evidence that merely “contradict[s] some of
2 the evidence presented at trial” but does not “conclusively demonstrate ...
3 innocence” does not warrant relief. *State v. Denz*, 232 Ariz. 441, 448, ¶ 22 (App.
4 2013) (rejecting actual-innocence claim that was based on new expert report and
5 character witnesses because it did not conclusively demonstrate the defendant’s
6 innocence).

7 **2. Moore has not shown his factual innocence.**

8 Because Moore has the burden of proving his *factual* innocence, *see*
9 *Bousley*, 523 U.S. at 623; *Pineda-Navarro*, 2017 WL 4927692, at *2, ¶ 5, this
10 Court should begin its evaluation with the presumption that, as the jury found, he is
11 guilty of three counts of first-degree murder, one count of attempted murder, and
12 one count of burglary. The trial evidence of Moore’s guilt—all of which he would
13 have to overcome to show his *factual* innocence—is set forth in § II(A), above, and
14 summarized as follows:

- 15
- 16 • Before leaving his mother’s residence hours before the murders,
17 armed with the Makarov handgun, Moore told Borghetti that he
18 was going to the area of 17th Street and Palm to avenge a
19 perceived wrong. R.T. 9/18/01, at 1168-19, 127–29, 162–69; R.T.
20 9/20/01, at 77–82;
- 21 • Moore sought Brown’s assistance in “smok[ing] the people” who
22 lived in the Yale residence. R.T. 9/13/01, at 104–05, 113–14;
- 23 • After returning home immediately after the shooting, Moore
24 handed Borghetti his handgun, with the magazine empty, and
25 stated, “I just shot four people. I don’t need this shit right now.”
26 R.T. 9/18/01, at 133, 162-63, 167-68;
- 27 • When Ortiz drove them by the crime scene, Moore refused to let
28 Borghetti get out the car and said, “Those are the people I just
shot.” *Id.* at 135–37;

- 1 • Ortiz described Moore as “nervous” when they were at the crime
2 scene, and testified that he told her, “You don’t see any bodies” and
3 tried to steal her car. *Id.* at 43–44, 82;
- 4 • Moore provided crack cocaine to Ortiz and told her she could
5 provide his alibi. *Id.* at 83–84;
- 6 • Ford gave police Moore’s nickname, “Jay,” and his physical
7 description within hours of the shooting; later, she specifically
8 excluded Brown as the shooter and then identified Moore at a
9 pretrial deposition and at trial. R.T. 9/13/01, at 55–56; R.T.
9/17/01, at 14–19, 72–74; R.T. 9/24/01 (a.m.), at 30–39; Ex. FF;
- 10 • Moore and Borghetti went into hiding after the shooting, and
11 Moore altered his appearance. R.T. 9/18/01, at 15–58;
- 12 • While in hiding, after seeing the composite of Brown on media
13 reports, Moore told Borghetti, 9/18/01, at 148–49, 168–72:
- 14 ○ That Brown had been at the Yale house but had left before
15 the shooting;
- 16 ○ That Moore had taken care not to leave trace evidence at the
17 scene, including collecting his cigarette butts; and
- 18 ○ That Moore had killed the person who tried to run him over
19 but that he felt bad about shooting the others;
- 20 • Reading and instructional material concerning Makarov handguns
21 and other firearms was found in Moore’s bedroom. R.T. 9/21/01,
22 at 83–93; R.T. 9/19/01, at 44–46;
- 23 • Moore’s Makarov handgun fired the bullets collected from the Yale
24 crime scene and the bodies of Delia and Guadalupe Ramos, as well
25 as a bullet packaged with a casing in a plastic baggie found in his
26 bedroom. R.T. 9/21/01, at 83–92; R.T. 9/19/01, at 44–46;
- 27
- 28

- 1 • Moore traded his Makarov handgun for two of Sam Derby’s guns,
2 and Derby was ultimately arrested with the Makarov. R.T. 9/18/01, at 154; R.T. 9/13/01, at 153–54.
3

4 In addition, evidence not presented at trial, but admissible in this Rule 32
5 proceeding, further supports Moore’s *factual* guilt. *Bousley*, 523 U.S. at 623;
6 *Pineda-Navarro*, 2017 WL 4927692, at *2, ¶ 5. Specifically, Moore told Megan
7 Lockwood that he had made a mistake by killing the victims and that he had not
8 planned to kill them but “things just got out of hand.” Ex. B, at 5. He described
9 the surviving victim (Ford) as a “crackhead” who lived in an apartment complex
10 and was friends with the other victims. *Id.* He also mentioned that he had let a
11 woman (Ortiz) go without harming her because she was frightened, and remarked
12 that killing her would be the only way to get away with his crimes. *Id.* And he
13 planned to either kill himself with the Makarov and thus be found with the murder
14 weapon, or to rob others and thereby obtain money to escape. *Id.* at 4, 6. With
15 respect to the second option, Moore vowed to kill the robbery victims if he had to,
16 as he was going to prison for life anyway and thus had nothing to lose. *Id.* at 6.
17 Moore asked Lockwood and Derby to dispose of the murder weapon. *Id.* at 2–3.

18 Derby told police that he had learned from Borghetti that Moore had shot
19 three people and that he had spoken of either killing himself or shooting and
20 robbing other persons. Ex. C, at 4. Moore told Derby that, if he could go back in
21 time, he would not have done what he did. *Id.* at 5–6. He explained that one of the
22 victims had attempted to run him over. *Id.* Against this overwhelming evidence of
23 guilt, the State addresses Moore’s specific factual assertions below.

24 **Allegations relating to Tony Brown:** Moore points to various facts that, in
25 his view, suggest that Brown (perhaps aided by a criminal called “Gordo”) killed
26 the victims. I. Pet. & Supplements, *passim*. He also suggests that the police failed
27 to investigate Brown. *Id.* As discussed in detail in § IV(C)(3), *infra*, Moore falls
28

1 far short of meeting his less-than-probable-cause burden of proving prejudice from
2 counsel's omission of a third-party culpability defense centered on Brown. He
3 comes nowhere close to meeting his much higher clear-and-convincing burden of
4 proving actual innocence. *See* Ariz. R. Crim. P. 32.1(h).

5 Moore observes that Brown was seen at and around the crime scene before
6 the time of the shootings, that he had an altercation with Mata, and that he had
7 threatened to kill Ford in the days before the murders.¹³ I. Pet. 24, 27, 41, 70, 73.
8 As a preliminary matter, these facts do not undermine the most compelling
9 evidence of guilt: Ford's identification of Moore and specific exclusion of Brown
10 as the assailant; the inculpatory statements Moore made to Borghetti, Lockwood,
11 and Derby; the ballistics evidence connecting the fatal shots to Moore's weapon;
12 and Moore's furtive behavior in Ortiz's presence. *See* § II(A), *infra*; *see generally*
13 *Moore*, 222 Ariz. at 5–6, ¶¶ 2–11. For these reasons alone, Moore's observations
14 about Brown do not show Moore's factual innocence. *Bousley*, 523 U.S. at 623;
15 *Pineda-Navarro*, 2017 WL 4927692, at *2, ¶ 5.

16 In any event, that Brown was present at the crime scene and fought with
17 Mata has never been disputed and proves neither Moore's factual innocence nor
18 Brown's guilt. In fact, the jurors heard—from Brown himself—that he was at the
19 Yale house the night of the shooting and that he had physically fought with, and
20 even threatened, Mata. R.T. 9/13/04, at 98–99. As the jurors necessarily found,
21 this altercation does not prove that Brown killed the victims. Likewise, Brown's
22

23
24 ¹³ Moore also provides a handwriting expert's opinion that Brown's handwriting
25 suggests he is left-handed, as the evidence suggested Mata's killer may have fired
26 the weapon with his left hand. 3rd Supp. Pet. 16 & Ex. 71. Not only does Brown's
27 purported left-handedness not show his guilt, but it is also not probative of Moore's
28 innocence, as the trial testimony established Moore is ambidextrous. R.T. 9/18/01,
at 196–87.

1 threat toward Ford does not prove Moore’s innocence. This threat, too, was known
2 to Moore at the time of trial; in fact, Moore’s attorney mentioned it in his opening
3 statement but subsequently declined to elicit testimony on that point. *See* R.T.
4 9/12/01 (a.m.) at 9; *see also* §§ IV(B)(3)(a), *infra*.¹⁴ At most, this threat suggests
5 that Brown may have had a *motive* to harm Ford; it does not prove that he did so.

6 Moreover, information the jurors did not hear further supports that Moore,
7 not Brown, is the killer.¹⁵ When he testified, Brown was in custody for a felony
8 offense. R.T. 9/13/01, at 85–86. Prior to his testimony, officers placed him in the
9 same holding tank as Moore. *Id.* at 48–53. Moore thereafter caused Brown to be
10 assaulted by showing several other inmates paperwork reflecting Brown’s status as
11 a State’s witness. *Id.* Initially, Brown refused to testify based on this incident. *Id.*
12 When he ultimately did testify, Brown departed from his prior statements and did
13 not identify Moore in court.¹⁶ *Id.* at 129–30. Brown’s fear of Moore was so
14 pronounced that, when Moore’s attorney asked him to stand next to Moore to
15 permit the jurors to assess their relative heights, Brown refused to do so. *Id.* at
16 139–40. This act further reflects Moore’s consciousness of guilt, evidences his
17

18 ¹⁴ Moore also argues that officers failed to document a post-indictment interview
19 with Ford’s son A.C., in which A.C. implicated Brown. I. Pet. 41. The State
20 addresses this claim in detail in § IV(B)(3)(a), *infra*. However, assuming (without
21 conceding) that this follow-up interview occurred in the first place, A.C. provided
22 materially the same information to police as he did immediately after the
23 shootings, in an interview that Moore does not claim was suppressed. *See* Ex. A, at
24 65–69.

24 ¹⁵ The trial court precluded the State from eliciting testimony concerning Brown’s
25 assault. R.T. 9/13/01, at 134. However, that evidence is now admissible to rebut
26 Moore’s claim that he is factually innocent.

26 ¹⁶ Moore emphasizes Brown’s failure to identify him at trial but omits the
27 circumstances surrounding that failure. I. Pet. 9 n.5, 30.

1 efforts to influence Brown’s testimony and, as discussed below, rebuts his good-
2 character evidence.

3 Moore’s newly obtained statements from Sarry Ortiz do not to support his
4 argument that Brown was the killer.¹⁷ I. Pet. 25–26; Supp. Pet. 15–17 & Ex. 51.
5 Ortiz claims to have seen a man in a Dallas Cowboys hat¹⁸ running from the Yale
6 crime scene shortly after she was awakened by what she initially believed to have
7 been a car backfiring but now thinks might have been gunshots. Supp. Pet. Ex. 51.
8 She also claims to have seen a car driving “donuts” in the driveway of the Yale
9 house.¹⁹ *Id.* But as stated above, Brown’s presence at and around the crime scene
10 the night of the murders is not disputed. Further, Ortiz does not claim to have seen
11 the shooting itself, nor does she profess with certainty that the backfires she heard
12 were in fact gunfire. *Id.* And as Moore’s own exhibits establish, Ortiz has
13 previously identified *Moore* as the man wearing the Cowboys beanie. I. Pet. Exs.
14 25, 26. And perhaps most important, Ortiz does not claim that the person to whom
15

16 ¹⁷ Moore also attaches an interview with neighbor Sylvia Villegas, in which
17 Villegas claims Ortiz told her that Ortiz had seen a man wearing a baseball cap
18 with a star on it ran from the shooting scene and been told by Ford that she was
19 shot by a “man of color.” I Pet. Ex. 14. He further supplies an affidavit from
20 Sylvia’s husband, Pedro, who recalls Ortiz speaking to his wife but does not
21 divulge the content of that discussion. *Id.* at Ex. 15. Pedro Villegas devotes the
22 bulk of his affidavit to discussing an unrelated and irrelevant murder in the
neighborhood 5 years later. *Id.* The Villegas’ daughter also recalls Ortiz speaking
to her mother. *Id.* at Ex. 19.

23 ¹⁸ The initial composite sketch of the suspect was a man in a Dallas Cowboys
24 beanie cap. Brown admitted at trial that he is the man depicted in the composite.
R.T. 9/13/01, at 101.

25 ¹⁹ Moore has also supplied an affidavit from a mechanic defining a “donut” and
26 interpreting certain tread marks as having been made by a car driving a “donut.”
27 This evidence is of marginal relevance for the reasons set forth above.

1 she gave a ride the night of the murder was not Moore and does not depart from
2 her trial testimony that Moore attempted to steal her car and asked her to serve as
3 his “alibi.” R.T. 9/18/01, at 83–84.

4 Moore also accuses police of failing to follow up on Janel Early’s report that
5 “Gordo” committed the homicides. I. Pet. 40–41. The officer who interviewed
6 Early, however, doubted her story’s credibility. Ex. A at 86. And in fact Early’s
7 account, both as given to police in 1999 and to Moore’s post-conviction attorney in
8 2014, *see* I. Pet. Ex. 22, is inconsistent with evidence at the crime scene. *See State*
9 *v. Krum*, 183 Ariz. 288, 294 (1995) (affirming trial court’s rejection of statements
10 in affidavits, without first holding evidentiary hearing, where the affiant’s
11 statements lacked any “reliable factual foundation”). First, no other witness,
12 including Ortiz, has reported seeing a large group of armed men leaving the scene.
13 Second, the ballistics evidence indicates the presence of a single weapon and, thus,
14 a single shooter. *See* § II(A), *supra*. Third, Early claims that she entered the Yale
15 house and nearly tripped over a body; however, neither Delia nor Guadalupe, who
16 were the only victims killed inside the home, was lying on the floor near a
17 doorway. *Id.* at 10–11; *see* § II(A), *supra*. Moreover, Early’s post-conviction
18 affidavit specifically implicates Brown (who is black), while she told police in
19 1999 that the four Yale assailants were Hispanic. *Compare* I. Pet. Ex. 22, at 6–8
20 *with* Ex. A, at 86.

21 Apart from these inconsistencies, Early’s account does not explain how the
22 fatal shots were fired by Moore’s Makarov handgun. Nor do Early’s statements
23 explain why Moore would have told Borghetti and others that he was involved in
24 the homicides. Exs. B, C, E; R.T. 9/18/01, at 133, 149, 162–63, 167–72. Further,
25 Early’s statements do not account for Ford’s specific exclusion of Brown as the
26 assailant. R.T. 9/24/01 (a.m.) at 33–35. As a result, Early’s statements do not
27 constitute clear-and-convincing evidence of Moore’s factual innocence. *See Krum*,

1 183 Ariz. at 295 (affidavits did not constitute clear-and-convincing evidence of
2 innocence in light of significant other evidence supporting a finding of guilt).

3 Likewise, Alan Feliciano’s account of neighborhood rumors concerning the
4 perpetrators of the Yale murders, as well as Early’s account of Brown’s criminal
5 associations, does not show Moore’s innocence. I. Pet. 40 & Exs. 22, 26. And
6 because Moore has apparently been unable to locate witness Alejandro Rios
7 Barrios, he has not shown what further questioning of Barrios would have
8 produced.²⁰ See I. Pet. at 43 & Ex. 16, ¶ 11 (describing Barrios’ deportation from
9 United States.)

10 Finally, Moore’s allegation that the police did not sufficiently investigate
11 Brown does not prove Moore’s innocence where—as Moore has now shown—
12 additional investigation would have revealed nothing but speculation and
13 innuendo. I. Pet. 39–44. However, as shown in § IV(B)(2), *infra*, the police
14 thoroughly investigated Brown.²¹ To summarize: Brown became a suspect in the
15 homicides after detectives learned from Ford’s children that he had threatened Ford
16 and that he resembled the composite of the man whom Barrios reported had fought
17 with Mata. See § IV(B)(2), *infra*. Even though Ford ruled Brown out as the
18 shooter the day after the murders, detectives continued investigating him,
19 contacting his parole officer, detaining him for questioning, interviewing his
20 girlfriend, and searching his apartment. *Id.* It was not until Ortiz led police to
21

22 ²⁰ Pointing to Exhibits 11 and 13 to his Initial Petition, Moore contends that police
23 believed Barrios “knew more about [the] shooting than he told them.” I. Pet. 24,
24 43. Nothing in Moore’s cited exhibits even remotely suggests this. See I. Pet. Ex.
25 11.

26 ²¹ Moore states that Brown had an injury to his arm that could have been caused by
27 Mata stabbing him. I. Pet. 43. Moore does not support his assertion of Brown’s
28 injury with a citation to the record or any exhibit. *Id.*

1 *Moore's residence* on November 19 that Moore became a suspect. *Id.* From there,
2 the evidence pointed to Moore, not Brown: Moore matched Ford's description of
3 the assailant, including having the nickname "Jay"; Ortiz, Brown, and Brown's
4 girlfriend separately identified Moore from a lineup; spent ammunition found in
5 Moore's bedroom appeared to match that found at the Yale crime scene; the murder
6 weapon was ultimately recovered from Derby and traced back to Moore; and
7 Derby, Lockwood, and Borghetti recounted Moore's inculpatory statements and
8 behavior to police. *Id.* Moore has not shown that he is factually innocent and that
9 Brown is guilty.

10 **Alibi:** Moore has produced an affidavit from an incarcerated prisoner
11 named Alan Feliciano, attesting that he was with Moore from approximately 9:30
12 p.m. on November 15, 1999, to 5:00 a.m. on November 16, 1999.²² I. Pet. 31, 70,
13 73 & Ex. 26. Feliciano admits he was interviewed by Moore's trial counsel but
14 claims that counsel told him "they did not believe him" and were concerned about
15 having him testify because he is a felon.²³ *Id.* at ¶¶ 19–20; *see also* § IV(C), *infra*.

16
17
18 ²² Moore also offers his own self-serving affidavits denying having committed the
19 offenses and offering the same version of events as Feliciano. *See* Defendant's
20 affidavit, filed separately on February 23, 2017 and "corrected" and re-filed on
21 March 7, 2017. This affidavit is entitled to no weight in the actual-innocence
22 analysis. *See State v. Goswick*, 142 Ariz. 582, 585 (1984) (finding, in the context
of an ineffective-assistance claim, defendant's self-serving affidavit insufficient "to
persuade us to set aside the conviction").

23 ²³ This statement is corroborated by the sealed transcript dated March 1, 2002.
24 Because the transcript has not been unsealed, the State directs this Court to
25 counsel's comments in that transcript but does not recite them here. Finally, while
26 the precise date of counsel's interview with Feliciano is unclear, Maricopa County
27 Superior Court records show that Feliciano had incurred two felony convictions by
28 the time of Moore's guilt-phase trial. Ex. I; *see* I. Pet. 46 (arguing that Feliciano
did not have a felony conviction at the time of counsel's interview).

APPENDIX 16

COPY

Patrick C. Coppen, Esq.
 Law Office of Patrick Coppen, P.C.
 63 E. Pennington, Suite 112
 Tucson, Az. 85701
 Telephone: (520) 624-4022 Facsimile: (520) 579-0331
 E-mail address: coppenfpr@aol.com
 Az. Bar #014756 PCC #64767
 Attorney for Capital Defendant Julius Jarreau Moore



AUG 28 2012

MICHAEL K. JEANES, CLERK
 J. HARBOUR
 DEPUTY CLERK

IN THE SUPERIOR COURT OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,	)	CASE NO.: CR1999-016742-001DT
Respondent/Plaintiff,)	
and	)	AFFIDAVIT SUPPORTING POST
	)	CONVICTION RELIEF IN CAPITAL
	)	RULE 32 CASE & DNA TESTING
)	
JULIUS JARREAU MOORE,	)	(Assigned to:
	)	THE HONORABLE
Petitioner/Defendant.	)	DOUGLAS RAYES)
_____)	

STATE OF NEVADA)
) ss.
County of Tershing)

Mr. Alan D. Feliciano, being sworn upon his oath, does hereby depose and state that the following statements are true and within his own personal knowledge, information and belief:

1. That affiant is currently an inmate at Lovelock Correctional Center (Inmate #1039548) which is part of the Nevada Department of Corrections;
2. That affiant was born in New York City, and is of Puerto Rican descent;
3. That affiant met the Petitioner, Julius J. Moore, in the early to mid-1990's, during which time they became friends;
4. That when affiant later came back to Phoenix, Arizona in the beginning 1998, he and Petitioner continued their friendship;
5. That affiant's name was given to Petitioner's former defense attorneys (Canby and Jones) as an alibi witness because affiant was actually with Petitioner at the time that the homicides in the present case took place;

6. That Petitioner had come affiant's apartment located just east of 52nd St. and Thomas Rd., in Phoenix, Arizona on the evening of November 15, 1999 at approximately 9:00 or 9:30am in the evening, and was with affiant until approximately 5:00am on November 16, 1999;
7. That during that time, Petitioner, after coming to affiant's apartment, went upstairs to another friend's apartment, and then came back down to affiant's apartment and smoked some type of marijuana cigarettes dipped in "sherm" or "PCP" which produces an intense marijuana high;
8. That during the time that affiant and Petitioner were together, affiant's ex-girlfriend (Tanisha Jordan) was there at the apartment with them;
9. That affiant and Ms. Jordan presently have a 13 year old son together whose name is Alan James Jordan;
10. That at the time Petitioner had come to affiant's apartment on the 15th and 16th of November, 1999, both affiant and Petitioner had "G-rides", which are basically vehicles that are stolen for a short period of time and then parked on the street to be recovered;
11. That following the time in which affiant, Ms. Jordan, and Petitioner were smoking together, both affiant and Petitioner drove in affiant's "G-ride" at approximately 4:00am to a location near 7th St. and Camelback where affiant had business to attend to, yet Petitioner did not want to leave his "G-ride" back at affiant's apartment for fear it may be discovered by police due to a police substation located nearby, so affiant drove Petitioner back to the apartment, and affiant then followed Petitioner back to a location near Petitioner's neighborhood where Petitioner park the "G-ride" on the side of the road at around 5:00am;
12. That affiant subsequently went to the jail following Petitioner's arrest in this case, and spoke to him about coming forward with the present information, yet Petitioner was concerned about the safety of his family due to the fact that Petitioner had expressed concern to affiant that the actual perpetrator of the homicides (Tony Brown) was known to be associated with both Mexican Mafia ("La Emme") and Garfield Gang, who were known to harshly retaliate against individuals who would testify or implicate them in criminal activities;
13. That Petitioner had further told affiant that Petitioner had been in hot water with a Gordo and Juero from the Palm Lane Crackhouse, who were the suppliers for the Crackhouse where the homicides had taken place in this case (at 1808 E. Yale), and that he was in hot water due to incident in which Petitioner had been chased by police into the back yard of the Palm Lane Crackhouse, bringing unwanted "heat" or police attention on that Crackhouse;
14. That affiant had told Petitioner to stay over on 52nd Street because Gordo and Juero did not know where affiant lived;

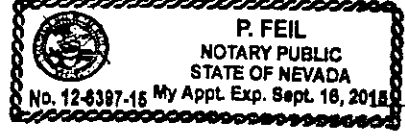
15. That at the time of the Yale Crackhouse murders, Tony Brown was an "enforcer" for the Palm Lane Crackhouse, who worked for Gordo and Juero, and always carried a gun;
16. That although affiant was not present at the time of the homicides at 1808 E. Yale, the word on the street was that Tony Brown had committed the murders, because following the murders Mr. Brown had a lot of money in his pockets and was not buying any drugs from any of the local crack houses because he had his own supply, and had told someone that he had "caught a good lick over on Yale";
17. That the Yale Crackhouse at which the homicides took place in this case located at 1808 E. Yale was actually known as a drug and money drop house where it was known 3 bricks of Crack and undisclosed amount of cash had been stolen at the time of the homicides;
18. That affiant actually saw Petitioner later in the afternoon/evening of November 16, 1999 and Petitioner did not have any money even for cigarettes;
19. That although affiant was later contacted twice by Petitioner's former counsel through their case investigator (T.J. Horrel), affiant was told that since affiant had a prior felony (which affiant had incurred after the homicides in this case) that he could not testify on Petitioner's behalf, whereby affiant was never called as a witness at Petitioner's 2001 trial;
20. That it is noteworthy that when affiant had met briefly with Petitioner's former attorneys Canby and Jones, that they only met with affiant for 10 minutes, and further told affiant that they did not believe him;
21. That when affiant got out of prison in 2005, affiant actually went to the Maricopa County Prosecutor's office over on Jefferson St. to give the State the same information that affiant had tried to tell Petitioner's former counsel, yet he was told that the case had already been taken care of, and that neither Petitioner's former counsel, nor the State, needed affiant's help;
22. That the first attorney that ever showed any actual interest in what affiant had to say was Petitioner's present Rule 32 counsel, Patrick Coppen;
23. That affiant originally was not willing to come forward with the full information he knew in this case due to his concern for the safety of Petitioner's Mother and sisters from the above referenced groups, yet when Petitioner's Rule 32 counsel came to see affiant in Nevada, and just mentioned the name "Tony Brown", affiant became very excited because he believed that Petitioner would be exonerated and going home to his family soon;
24. That affiant knew Deborah Ford, and to affiant's knowledge, information and belief, she was not only a crack smoker, yet also sold crack to support her habit;

- 25. That it should be further noted that both Tony Brown and Petitioner looked a lot alike in 1999, and if you saw them from a distance you could mistake them for each other;
- 26. That due to the foregoing information, and Petitioner's presence with affiant at the time of the Yale Crackhouse homicides, affiant firmly believes Petitioner is innocent and that he should not be in prison for charges or on death row; and
- 27. That affiant is willing to testify on Petitioner's behalf in the future at any hearing or trial related to the present case.

DATED this 10th day of August, 2012.

Alan Feliciano
ALAN D. FELICIANO

SUBSCRIBED AND SWORN to before me this 10 day of August, 2012.



P. Feil
Notary Public

My Commission Expires:
9-16-2015