

**SUPPLEMENTAL REPORT**

Date Prepared: 05-16-11

1. Original File No. <b>P11-068393</b>	2. [Redacted]	3. Off. ID <b>605</b>	4. NPC <b>W</b>	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date / Time Occurred <b>05-08-11 / 1757</b>	9. Day
10. Date / Time Assigned <b>/</b>	11. Date / Time Inv. Start <b>/</b>	12. Date / Time Inv. Term. <b>/</b>	13. Type Clr. <b>EXC</b>	14. Type Cont. <b>REL</b>	15. Additional Adults Arr.	16. Additional Juv. Arr.		

17. Address of Occurrence (Street No. - Name - City - Zip) <b>11532 Trailway Dr Riverside, CA</b>	18. Type of Place <b>Residence</b>
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For ID USE: V = Victim, I = Informant, W = Witness, O = Other

19. ID: <b>V</b>	20. Last Name - First - Middle (Firm Name if Business) <b>Bradford, Arabella L.</b>	21. Race - Sex <b>B - F</b>	22. DOB [Redacted]
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23. Residence Address <b>11532 Trailway Dr</b>	24. Business or School Address	25. Home Phone	26. Bus. Phone
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27. ID: <b>V</b>	28. Last Name - First - Middle (Firm Name if Business) <b>Conley, Malvin Harold Jr.</b>	29. Race - Sex <b>B - M</b>	30. DOB [Redacted]
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31. Residence Address <b>7241 Arcata Fontana, Ca</b>	32. Business or School Address	33. Home Phone	34. Bus. Phone
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S U S P E C T	35. Last Name - First - Middle <b>Mallon, Virgil Anthony</b>	36. Race - Sex <b>B - M</b>	37. Age <b>46</b>	38. Ht. <b>6-00</b>	39. Wt. <b>210</b>	40. Hr. <b>BLK</b>	41. Eyes <b>BRO</b>	42. DOB or ID [Redacted]	43. Arrested Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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44. Address - Clothing - Other Marks or Identifying Characteristics <b>11531 Trailway Dr. Riverside, CA</b>
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45. Juv. Other Disp. Juris. ( ) <b>2</b>	Juv. Ct. Prob. ( ) <b>5</b>	Within Dept. ( ) <b>6</b>	Detained ( ) <b>1</b>	Not Detained ( ) <b>2</b>
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S U S P E C T	46. Last Name - First - Middle	47. Race - Sex	48. Age	49. Ht.	50. Wt.	51. Hr.	52. Eyes	53. DOB or ID	54. Arrested Yes <input type="checkbox"/> No <input type="checkbox"/>
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55. Address - Clothing - Other Marks or Identifying Characteristics
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56. Juv. Other Disp. Juris. ( ) <b>2</b>	Juv. Ct. Prob. ( ) <b>5</b>	Within Dept. ( ) <b>6</b>	Detained ( ) <b>1</b>	Not Detained ( ) <b>2</b>
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ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

Cat.	A Currency Notes	B Jewelry Prec. Met.	C Clothing Furs	E Office Equip.	F T.V. - Radio Cameras	G Firearms	H Household Goods	I Consum. Goods	J Livestock	K Misc.
PS	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
PR	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

60. Originally Reported Offenses (Code - Crime) <b>(1) 187 PC</b> <b>(2)</b>	61. Original Offenses Changed to (Code - Crime) <b>(1)</b> <b>(2)</b>	58. Stolen Auto Value ASP	59. Recovered Auto Value A2
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62. Narrative of Supplemental Report <b>W/ Marvin Wooten interview. See narrative.</b>	62a. Audio Recording Available? <b>No</b>	62b. Incident Number:
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Reporting Officer <b>Rowe</b>
Reviewed By <b>[Signature]</b>
COPIES TO
VCLC ( )
ACTIONS
APB Sent
APB Cancld.
APR Sent
APR Cancld.
DOJ - NCIC
Entered Cancld.
ENTERED
STATS ARBK ANI

**RIVERSIDE POLICE DEPT.  
INITIAL REPORT  
M.O. SHEET**

PAGE NO: 2

FILE NO. P11-068393

DATE <b>05-10-11</b>	TYPE OF REPORT <b>187 PC</b>	REPORTING OFFICER <b>Rowe</b>
<b>-ADDITIONAL CONTACTS-</b>		
FOR CODE USE V- Victim W- Witness DC- Discovered Crime RP- Reporting Party P- Parent O- Other		
Code <b>W</b>	63. Name <b>Wooten, Marvin</b>	64. Residence Address <b>7241 Arcata Fontana, CA</b>
66. Sex/Race <b>M / B</b>	Height	Weight
	Hair	Eyes
	67. D.O.B.	68. Business Address
Code	70. Name	71. Residence Address
73. Sex/Race <b>I</b>	Height	Weight
	Hair	Eyes
	74. D.O.B.	75. Business Address
		65. Res. Phone
		69. Bus. Phone
		72. Res. Phone
		76. Bus. Phone

<b>PREMISES (BUSINESS)</b> <input type="checkbox"/> 1. Bank/Sav. Loan Finance/Credit Union <input type="checkbox"/> 2. Bar <input type="checkbox"/> 3. Cleaners/Laundry <input type="checkbox"/> 4. Construction Site <input type="checkbox"/> 5. Theater <input type="checkbox"/> 6. Fast Foods <input type="checkbox"/> 7. Gas Station <input type="checkbox"/> 8. Hotel/Motel <input type="checkbox"/> 9. Dept./Disc. Store <input type="checkbox"/> 10. Drug/Pharm. Store <input type="checkbox"/> 11. Gun/Sport Store <input type="checkbox"/> 12. Jewelry Store <input type="checkbox"/> 13. Liquor Store <input type="checkbox"/> Photo Stand <input type="checkbox"/> Convenience Store <input type="checkbox"/> 16. Tire Store <input type="checkbox"/> 17. Restaurant <input type="checkbox"/> 18. Supermarket <input type="checkbox"/> 19. Video/TV/Radio <input type="checkbox"/> 20. Auto Parts <input type="checkbox"/> 21. Bicycle Store <input type="checkbox"/> 22. Clothing Store <input type="checkbox"/> 23. Hardware <input type="checkbox"/> 24. Medical <input type="checkbox"/> 25. Office Building <input type="checkbox"/> 26. Shoe Store <input type="checkbox"/> 27. Warehouse <input type="checkbox"/> 28. Entertainment <input type="checkbox"/> 29. Storage Facility <input type="checkbox"/> 30. Other: <b>(RESIDENCE)</b> <input type="checkbox"/> 31. Apartment <input type="checkbox"/> 32. Condo/Townhouse <input type="checkbox"/> 33. Duplex/Fourplex <input type="checkbox"/> 34. Garage Attached <input type="checkbox"/> 35. Garage Detached <input type="checkbox"/> 36. House <input type="checkbox"/> 37. Mobile Home <input type="checkbox"/> 38. Retirement Home <input type="checkbox"/> 39. Other: <b>(PUBLIC)</b> <input type="checkbox"/> 40. Church <input type="checkbox"/> 41. Hospital <input type="checkbox"/> 42. Park/Playground <input type="checkbox"/> 43. Public Building <input type="checkbox"/> 44. School <input type="checkbox"/> 45. Shopping Center <input type="checkbox"/> Street/Hwy/Fwy <input type="checkbox"/> Pkg Lvl/Garage <input type="checkbox"/> 48. Other:	<b>POINT OF ENTRY</b> <input type="checkbox"/> 1. Front <input type="checkbox"/> 2. Rear <input type="checkbox"/> 3. Side <input type="checkbox"/> 4. North <input type="checkbox"/> 5. South <input type="checkbox"/> 6. East <input type="checkbox"/> 7. West <input type="checkbox"/> 8. Window <input type="checkbox"/> 9. Door <input type="checkbox"/> 10. Sliding Glass Door <input type="checkbox"/> 11. Basement <input type="checkbox"/> 12. Roof <input type="checkbox"/> 13. Floor <input type="checkbox"/> 14. Wall <input type="checkbox"/> 15. Duct/Vent <input type="checkbox"/> 16. Garage <input type="checkbox"/> 17. Adj. Building <input type="checkbox"/> 18. Ground Level <input type="checkbox"/> 19. Upper Level <input type="checkbox"/> 20. Other: <b>METHOD OF ENTRY</b> <input type="checkbox"/> 1. No Force Used <input type="checkbox"/> 2. Attempt Only <input type="checkbox"/> 3. Bodily Force <input type="checkbox"/> 4. Bolt Cut/Pliers <input type="checkbox"/> 5. Channel Lock/Pliers <input type="checkbox"/> Wrench/Vice Grips <input type="checkbox"/> 6. Saw/Drill/Burn <input type="checkbox"/> 7. Screwdriver <input type="checkbox"/> 8. Tire Iron <input type="checkbox"/> 9. Unk Pry Tool <input type="checkbox"/> 10. Coat Hanger/Wire Slim Jim <input type="checkbox"/> 11. Key Slip/Shim <input type="checkbox"/> 12. Punch <input type="checkbox"/> 13. Remove Louvers <input type="checkbox"/> 14. Window Smashed <input type="checkbox"/> 15. Brick/Rock <input type="checkbox"/> 16. Hid in Building <input type="checkbox"/> 17. Lock Box <input type="checkbox"/> 18. Unlocked Door/Window <input type="checkbox"/> 19. Other:	<b>PROPERTY TAKEN (See \$ Amount Below)</b> <input type="checkbox"/> 1. Cash/Notes <input type="checkbox"/> 2. Jewelry/Metals <input type="checkbox"/> 3. Clothing/Furs <input type="checkbox"/> 4. Office Equipment <input type="checkbox"/> 5. TV/Cam/Stereo <input type="checkbox"/> 6. Firearms <input type="checkbox"/> 7. Household Goods <input type="checkbox"/> 8. Consumer Goods <input type="checkbox"/> 9. Livestock <input type="checkbox"/> 10. Misc. <input type="checkbox"/> 11. Car Radio/Spkrs <input type="checkbox"/> 12. Narcotics/Drugs <input type="checkbox"/> 13. Tools <input type="checkbox"/> 14. Other: <b>TYPE OF SECURITY</b> <input type="checkbox"/> 1. Audible Alarm <input type="checkbox"/> 2. Silent Alarm <input type="checkbox"/> 3. Security Patrol <input type="checkbox"/> 4. Dog <input type="checkbox"/> 5. Standard Locks <input type="checkbox"/> 6. Auxiliary Locks <input type="checkbox"/> 7. Deadbolts <input type="checkbox"/> 8. Window Bars/Grill <input type="checkbox"/> 9. Outside Lights On <input type="checkbox"/> 10. Inside Lights On <input type="checkbox"/> 11. Garage Door Lock <input type="checkbox"/> 12. Obscured Int. View <input type="checkbox"/> 13. Comm/Business <input type="checkbox"/> 14. Other: <b>BURGLARY ONLY</b> Is Victim Member of Neighborhood Watch? <input type="checkbox"/> Yes <input type="checkbox"/> No Interested in Neighborhood Watch? <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>APPROACH</b> <input type="checkbox"/> 1. Taking a Survey <input type="checkbox"/> 2. Customer/Client Delivery <input type="checkbox"/> 3. Person <input type="checkbox"/> 4. Stranded Motorist <input type="checkbox"/> 5. Drunk Employee <input type="checkbox"/> 6. Drunk Employer <input type="checkbox"/> 7. Friend/Relative <input type="checkbox"/> 8. Ill/Injured <input type="checkbox"/> 9. Needed Telephone <input type="checkbox"/> 10. Police/Law Official <input type="checkbox"/> 11. Renter <input type="checkbox"/> 12. Repair Man <input type="checkbox"/> 13. Sales-Lawful Goods <input type="checkbox"/> 14. Sales-Unlawful Goods <input type="checkbox"/> 15. Seeking Assistance <input type="checkbox"/> 16. Seeking Directions <input type="checkbox"/> 17. Seeking Someone <input type="checkbox"/> 18. Other: <b>SOLVABILITY FACTOR</b> <input type="checkbox"/> 1. Will Not Prosecute <input type="checkbox"/> 2. There is a Witness <input type="checkbox"/> 3. Suspect Arrested <input type="checkbox"/> 4. Suspect Named <input type="checkbox"/> 5. Suspect Described <input type="checkbox"/> 6. Suspect Can Be IDed <input type="checkbox"/> 7. Susp Can Be Found <input type="checkbox"/> 8. Susp Veh Can Be IDed <input type="checkbox"/> 9. Identifiable 496 <input type="checkbox"/> 10. Good Phys. Evidence <input type="checkbox"/> 11. Major Inj/Sex Crime <input type="checkbox"/> 12. Significant MO <input type="checkbox"/> 13. Witness Needs Cont. <input type="checkbox"/> 14. ID Called Out <input type="checkbox"/> 15. Inf. Contacted <input type="checkbox"/> 16. Neighbors Checked <input type="checkbox"/> 17. Other:	<b>SUSPECT REL/VICTIM</b> <input type="checkbox"/> 1. Husband <input type="checkbox"/> 2. Wife <input type="checkbox"/> 3. Mother <input type="checkbox"/> 4. Father <input type="checkbox"/> 5. Daughter <input type="checkbox"/> 6. Son <input type="checkbox"/> 7. Brother <input type="checkbox"/> 8. Sister <input type="checkbox"/> 9. Other Fam Member <input type="checkbox"/> 10. Acquaintance <input type="checkbox"/> 11. Friend <input type="checkbox"/> 12. Boyfriend <input type="checkbox"/> 13. Girlfriend <input type="checkbox"/> 14. Neighbor <input type="checkbox"/> 15. Business Associate <input type="checkbox"/> 16. Stranger <input type="checkbox"/> 17. Other: <b>VICTIM PHYSICAL CONDITION</b> <input type="checkbox"/> 1. Under Influence <input type="checkbox"/> 2. Sick/Injured <input type="checkbox"/> 3. Senior Citizen <input type="checkbox"/> 4. Blind <input type="checkbox"/> 5. Handicapped <input type="checkbox"/> 6. Deaf <input type="checkbox"/> 7. Mute <input type="checkbox"/> 8. Mentally Impaired <input type="checkbox"/> 9. Other: <b>VEHICLE TYPE</b> <input type="checkbox"/> 1. Passenger Car <input type="checkbox"/> 2. Motorcycle/Moped <input type="checkbox"/> 3. Pickup Truck <input type="checkbox"/> 4. Trailer <input type="checkbox"/> 5. Truck <input type="checkbox"/> 6. Van <input type="checkbox"/> 7. Camper <input type="checkbox"/> 8. Motorhome <input type="checkbox"/> 9. Other:
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<b>TOTAL AMOUNT STOLEN</b>	<b>TOTAL AMOUNT RECOVERED</b>
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RIVERSIDE POLICE DEPT.  
CONTINUATION PAGES

PAGE NO: 3

FILE NO: P11068393

DATE 5/16/2011	TYPE OF REPORT 187 PC	INVESTIGATING OFFICER Rowe #605
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**Assisting personnel:**

Detective Rick Wheeler  
Detective Rick Cobb  
Detective Mike Medici  
Detective Dave Smith

**Narrative:**

On 5-10-11 at approximately 1800 hours I responded to a double murder/ officer involved shooting at 11532 Trailway Dr. Riverside, CA. Upon arrival Detective Rick Wheeler was assigned as the case agent, Detective Rick Cobb assisted and I was assigned to conduct interviews with Detectives Dave Smith and Mike Medici. I was advised that several of the witnesses had been transported to the Magnolia Station for interviews. The following is a summary of the recorded interview with W/ Marvin Wooten at the Magnolia Station.

W/ Wooten stated he was best friends with V/ Malvin Conley. He stated V/ Conley was his landlord at 7241 Arcata Dr. in Fontana, Ca. W/ Wooten stated on 5-10-11 they drove to a uniform store in Rancho Cucamonga where V/ Conley bought some uniforms and boots for his job as a Correctional Deputy in Chino. W/ Wooten said they were on their way home when V/ Conley received a call from V/ Arabella Bradford. W/ Wooten said V/ Bradford was having problems with her electrical outlets and was asking V/ Conley for help. V/ Conley was not able to help her, so he asked W/ Wooten to walk her through it. W/ Wooten said V/ Bradford was still not able to fix her problem, so they decided to go to V/ Bradford's house and help her fix it. W/ Wooten said he got to V/ Bradford's house at approximately 1600 hours. W/ Wooten said he was able to fix the problem. W/ Wooten said V/ Bradford asked them to stay and eat dinner and watch the game. W/ Wooten said V/ Conley called his work about coming in late. W/ Wooten said they decided to stay.

W/ Wooten said V/ Conley, V/ Bradford, V/ Bradford's mother and sister, a small child and the pool guy were at the residence. W/ Wooten said they were barbequing chicken in the backyard. W/ Wooten said he was barbequing the chicken, V/ Bradford was in the kitchen and V/ Conley was in the backyard. W/ Wooten said he heard V/ Conley say, "What the fuck." W/ Wooten said he looked up and saw S/ Virgil Mallon in the kitchen with V/ Bradford. W/ Wooten said V/ Bradford was screaming. W/ Wooten said S/ Mallon had V/ Bradford by the hair with a gun to her head. W/ Wooten described the gun as a black revolver. W/ Wooten said S/ Mallon was pulling V/ Bradford by her hair to the backyard. W/ Wooten heard S/ Mallon saying, "I'm tired of this shit, bitch. This has got to end." W/ Wooten said once S/ Mallon got to the backyard he started shooting at V/ Conley. W/ Wooten said he saw S/ Mallon shoot three shots at V/ Conley, while holding V/ Bradford by the hair. W/ Wooten said he immediately ran to the side of the house. W/ Wooten grabbed the "pool guy" and they jumped the fence on the side of the house. W/ Wooten said they ran across the street and approximately two houses east of V/ Bradford's. W/ Wooten said as they were running from the residence he heard at least six more gunshots coming from the backyard.

W/ Wooten said they were hiding on the side of the house and he was looking around the corner at V/ Bradford's house. W/ Wooten said he could see everything. W/ Wooten saw V/ Conley lying on the front yard and wasn't moving. W/ Wooten said he saw S/ Mallon pulling V/ Bradford to the front yard by her hair. W/ Wooten said it looked like V/ Bradford had already been shot, because of the blood on her shirt. W/ Wooten said it looked like S/ Mallon shot her up close and he saw V/ Bradford fall to the ground. W/ Wooten said V/ Bradford rolled under the pool guy's truck that was parked to the front of her residence. W/ Wooten said S/ Mallon pointed the gun under the truck in V/ Bradford's direction and fired approximately six more shots at her. W/ Wooten said S/ Mallon reloaded and fired a couple more shots at V/ Bradford. W/ Wooten said it looked like S/ Mallon was looking around the neighborhood. W/ Wooten said S/ Mallon then started backing up across

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DATE 05/16/11	TYPE OF REPORT 187 PC	INVESTIGATING OFFICER Rowe #605
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the street with the gun still in his hand. W/ Wooten said that was when he saw the officer start firing at S/ Mallon. W/ Wooten said the officer was across the street from the residence they were hiding at. W/ Wooten said the officer fired 2-3 shots at S/ Mallon.

W/ Wooten couldn't tell if the officer said anything to S/ Mallon or if S/ Mallon saw the officer. W/ Wooten did not know if S/ Mallon fired at the officer or see if he pointed the gun him, because he couldn't see him after he crossed the street. W/ Wooten said the pool guy was with him, but he was standing behind him and could not see anything. W/ Wooten said other police officers arrived shortly after the shooting. W/ Wooten said the officers gathered up and approached S/ Mallon. W/ Wooten said the officers handcuffed S/ Mallon and drug him up the sidewalk in front of the location where they were hiding.

W/ Wooten said he later found out from W/ Bradford's sister that S/ Mallon came through the back gate into the backyard. W/ Wooten said the sister told him S/ Mallon came into the house through the back sliding glass door. W/ Wooten said he never saw S/ Mallon come into the backyard. W/ Wooten said he was concentrating on the chicken on the barbeque.

W/ Wooten said V/ Conley and V/ Bradford had been dating for about two years. W/ Wooten was aware of an incident where S/ Mallon had pointed a gun at V/ Bradford in the past. W/ Wooten said he heard from V/ Conley that V/ Bradford was having problems with S/ Mallon recently. He heard that S/ Mallon and V/ Bradford had houses together and S/ Mallon received a check. W/ Wooten said S/ Mallon cashed the check. W/ Wooten said V/ Bradford recently served him with some kind of paperwork, but didn't know what it involved.

W/ Wooten could not offer any further information on the shooting, the victims or the suspect.

RIVERSIDE POLICE DEPT. - Public Records Request  
Public Records Request  
ROZ 6/5/2012 12:58:13 PM Inaudible

**INTERVIEW WITH MARVIN WOOTEN**

**Q=Det. Rowe**

**A=Marvin Wooten**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12 Q: All right. This is Detective Rowe. It's, uh, 5-10-11 at approximately 2123  
13 hours. Um, #P11068393. Um, I'm here at the Magnolia Station. And what -  
14 what's your name, sir?

15  
16 A: Marvin Wooten.

17  
18 Q: Marvin Wooten?

19  
20 A: W-O-O-T-E-N.

21  
22 Q: All right. W-O-O-T-E-N. And what's your birth date, Marvin?

23  
24 A: [REDACTED]

25  
26 Q: And your address?

27  
28 A: Is, uh, 7241 Arcata Street. A- A, uh, A-R-C-A-T-A. And that's in Fontana.

29  
30 Q: And how about a phone number?

31  
32 A: Uh, [REDACTED]

33  
34 Q: Is that a cell?

35  
36 A: Yeah.

37  
38 Q: Okay.

39  
40 A: Yeah, it's a cell phone.

41  
42 Q: Okay. Um, if you can just do me a favor. Start off from what, uh...

43  
44 A: I saw?

45

46 Q: ...tonight and...

47

48 A: Yeah.

49

50 Q: ...and what happened. And then once you, uh, once you go through it then I'll  
51 probably have some questions. I might interrupt a little bit and ask a few. But  
52 I'll try and let you go through it. And then I'll have some more detailed  
53 questions when we...

54

55 A: Do you want me to start from when, uh, I saw the guy with the gun?

56

57 Q: Well, uh, you said you live in Fontana. How do - how do - how - were you  
58 over in that area?

59

60 A: Oh, I - the guy that, uh, was datin' a girl that owns the house...

61

62 Q: Okay.

63

64 A: ...he's my landlord. And best friend.

65

66 Q: Okay.

67

68 A: So we went over there. She - I'm an electrician, union electrician. So she had  
69 some problems with her, um, her GFIs in the bathroom. So all the - so many  
70 women in the house they usin' blow dryers and - and trippin'...

71

72 Q: Mm-hm.

73

74 A: ...breakers.

75

76 Q: Okay.

77

78 A: So we were talkin' on the phone.

79

80 Q: And when - and when - when we talk about the...

81

82 A: This is...

83

84 Q: ...the woman...

85

86 A: ...earlier - yeah.

87

88 Q: Who - who - who...

89

90 A: Arabella.

91  
92  
93  
94  
95  
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97  
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135

Q: Arabella?

A: Yeah. I don't know what her last name is. Her mom is - is in the other room.

Q: Her mom's in the other room?

A: Yeah.

Q: Okay. Um, and she's the one that lives at the house?

A: Exactly, yeah.

Q: Okay. And - and who was your friend?

A: Malvin Conley.

Q: Malvin?

A: Yeah. That was the other guy that got killed.

Q: M-A-L?

A: Yeah. M-A-L-V-I-N.

Q: Okay. And what's the last name?

A: Conely. C-O-N-L -- Conly -- C-O-N-L-Y, I think - C-O-N-L-Y.

Q: L-Y?

A: I think that's right.

Q: Okay.

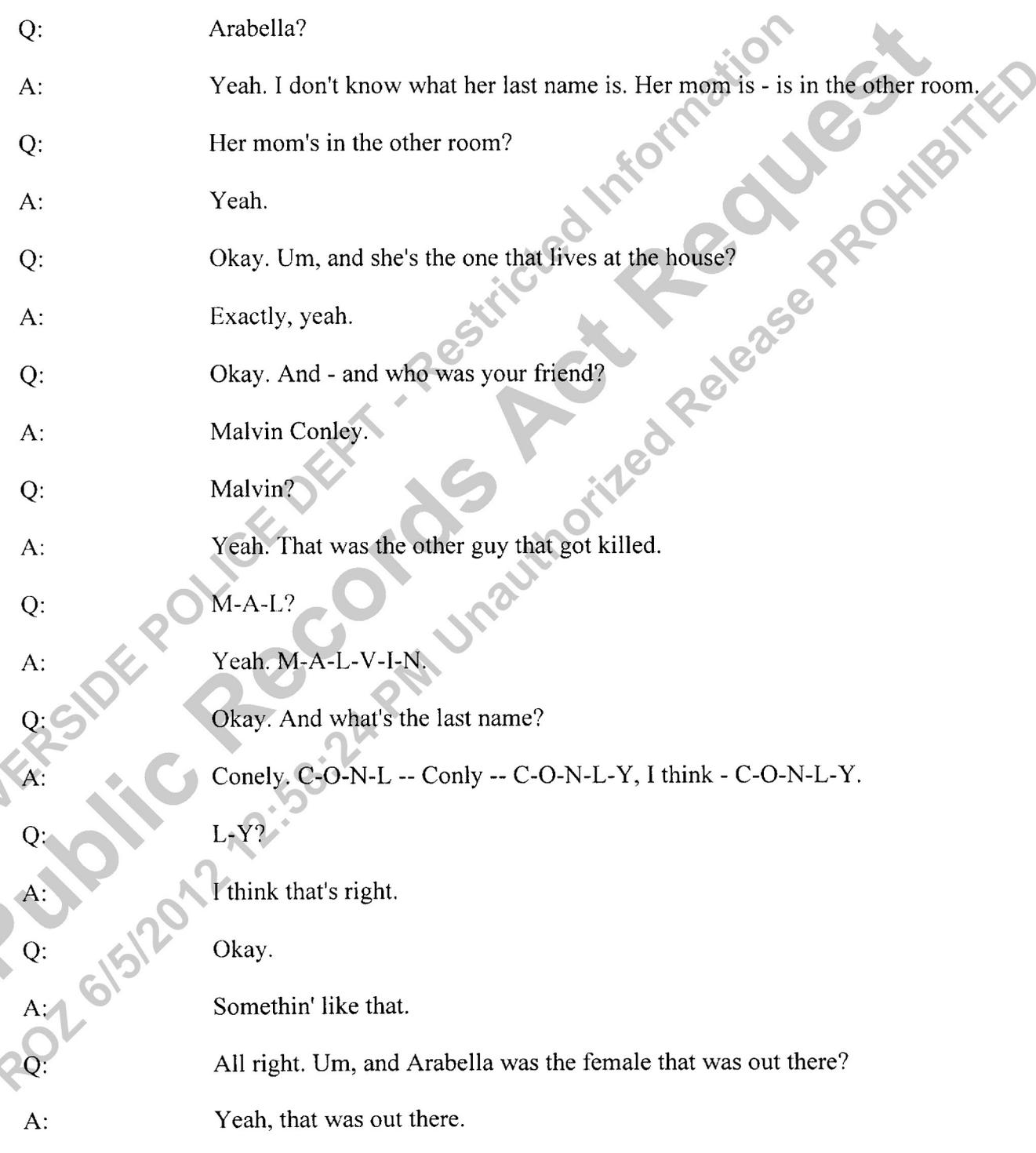
A: Somethin' like that.

Q: All right. Um, and Arabella was the female that was out there?

A: Yeah, that was out there.

Q: Okay.

A: That got shot.



136 Q: Okay. So Malvin is your friend.  
137  
138 A: Yeah, he's my friend. And I grew up with.  
139  
140 Q: And - and where does he stay at?  
141  
142 A: At that address.  
143  
144 Q: He stays with Arabella.  
145  
146 A: No; at that address.  
147  
148 Q: Oh, he stays in Fontana...  
149  
150 A: Yeah.  
151  
152 Q: ...with you.  
153  
154 A: Yeah, yeah.  
155  
156 Q: Okay. So you guys are roommates.  
157  
158 A: Yeah, roommates.  
159  
160 Q: In Fontana. He's dating Arabella.  
161  
162 A: Exactly.  
163  
164 Q: Okay, all right. Where does - where does Malvin work?  
165  
166 A: All - all of them, uh, him and Arabella, uh - she's a, um - he's a correction  
167 officer, and she's a probation officer.  
168  
169 Q: Okay.  
170  
171 A: Yeah.  
172  
173 Q: Okay.  
174  
175 A: So he works at Chino Prison...  
176  
177 Q: Okay.  
178  
179 A: ...and then she works out here in Riverside. I don't know what office it is, but  
180 she floats around when she have to serve papers, and all the other stuff.

181  
182 Q: Okay.  
183  
184 A: Yeah, so...  
185  
186 Q: Gotcha. All right. Um, so when, um, did you and, uh, Malvin go over to her  
187 house tonight, or...  
188  
189 A: Yeah.  
190  
191 Q: ...how did that happen?  
192  
193 A: Uh, we was - she called us. And I was trying to talk - talk her through fixin'  
194 her, uh, her electrical problem over the phone. And she's, "Ah, just come  
195 over," this, that, and the other. "We're gonna cook some chicken, whatever,"  
196 blah, blah, blah. "Throw some chicken on the grill, whatever." And he said,  
197 "Okay, let's go over there." So Malvin had to s- he had to call in to do his  
198 sign-up for overtime. You know, he got a certain amount of overtimes during  
199 the - during the - the 30 days, or whatever.  
200  
201 Q: Okay.  
202  
203 A: And he - so he called and was signed up for that. While we were sittin' there  
204 he's wondering if we need to leave to go - 'cause he didn't bring none of his  
205 work clothes. You know, his - the jumpsuits, and stuff, that they wear?  
206  
207 Q: Uh-huh.  
208  
209 A: And all that - all that correction officer...  
210  
211 Q: He - he called to work from Arabella's, or...  
212  
213 A: Yeah.  
214  
215 Q: ...from your house?  
216  
217 A: From - from - no, from Ara- Arabella's house.  
218  
219 Q: Okay. W- at what point did you guys decide to go over to Arabella's?  
220  
221 A: When - when we was on the freeway comin' from - he had stopped at the, um,  
222 over there in, uh, Rancho Cucamonga off of the 210, and I think it's Mill  
223 Street. There's an officer place where you buy boots...  
4  
225 Q: Okay.

226  
227 A: ...and all that. So he needed a new pair of boots.  
228  
229 Q: Okay.  
230  
231 A: So we stopped there. And, uh, um...  
232  
233 Q: Were you guys on your way to your house in Fontana?  
234  
235 A: Actually, we were. But then she called.  
236  
237 Q: Okay.  
238  
239 A: He said, "Oh, we'll just go over there and get that fixed." 'Cause we already  
240 knew the - there was a big-ass family over - she had family over. So there was  
241 gonna be more people comin' to the house. They're gonna need the receptacles  
242 workin'.  
243  
244 Q: Okay.  
245  
246 A: So we went over there to go fix that and then we was gonna go back home.  
247  
248 Q: Okay. Where were you guys coming from?  
249  
250 A: From the - from the, uh, shoot - from the police boot...  
251  
252 Q: Prior to stopping from there, or did you leave your house, go to the boot  
253 store...  
254  
255 A: Oh, well, we - we went from - yeah, we went from the - from his - from his  
256 house at that address to the boot place. But we got lost on the freeway and had  
257 to come back - do some backtrackin'.  
258  
259 Q: Okay.  
260  
261 A: We went there, did what we had to do there. Saw one of his buddies he  
262 worked with. Talked with him. He got another jumpsuit. The other guy that  
263 was there, I don't know, I can't remember his name. He got another jumpsuit.  
264 And then, uh, Malvin tried on like four pair of boots, whatever. Um, we kind  
265 of hung - they hung out there for a little while. Um, I was thinkin' about buyin'  
266 one of the black bags that have all the little pouches.  
267  
268 Q: Mm-hm.  
269

270 A: 'Cause eventually I planned on buyin' some, uh, handguns, and maybe a  
271 couple rifles, or whatever.  
272

273 Q: Okay.  
274

275 A: Um, so we did that. Got in his car, headed out over there. And that's when he  
276 got the call from her about the receptacles being out. And he's, "Oh, here, M-  
277 Marv is here," this, that, and the other. "Here, I'll put you on the phone with h-  
278 with her." So I talked to her.  
279

280 Q: Okay.  
281

282 A: She - she didn't understand what was goin' on, you know, with the, uh, GFI,  
283 and stuff. So, uh, I said, "Well, we just head over there." So I handed the  
284 phone back to Malvin. We t- he said, "Oh, we're on our way. We'll be there in  
285 X amount of time." And, uh...  
286

287 Q: Do you know about what time this was that - that this was all goin' on?  
288

289 A: Okay. So Malvin usually get - gets off at 2:00. He gets - usually gets to the  
290 house about 2:30. So I'm assumin' all this probably took - transpired in about  
291 an hour. So we probably got to her house either approximately at 4 o'clock.  
292

293 Q: Okay.  
294

295 A: So I told her to...  
296

297 Q: No, that's okay.  
298

299 A: So we checked the receptacles. Uh, and we were usin' a - a - a blow dryer to  
300 check them. I mean, a - a - an iron, iron, ironer to just go through. As long as  
301 the little light come on you could tell if the circuit's workin' or not. They were  
302 all off. So I looked - I went from roo- from bathroom to bathroom. 'Cause all  
303 the GFIs are, uh, the resets...  
304

305 Q: Mm-hm.  
306

307 A: ...are either in the bathroom to feed the bathrooms.  
308

309 Q: Okay.  
310

311 A: So one of them should be in there. So we started upstairs, and it wasn't up  
312 there. Worked our way down. And it ended up being in the downstairs  
3 bathroom by the - by the, um, garage. So we went in there. I pushed the reset.  
314 She went back upstairs, checked everything. Everything was on. So she said,

315 "Oh, you guys wanna watch the game, or whatever?" And her mom and her  
316 sister were in the kitchen, um, marinatin' the chicken before throwin' it on the  
317 grill.

318  
319 Q: Mm-hm.

320  
321 A: So we're outside messin' with the grill to clean - to clean that. And she said,  
322 "I'm gonna turn the game on for you guys." So we were in the house for a few  
323 minutes. Then we went outside to mess with the grill. To clean it and get it all  
324 ready.

325  
326 Q: Let me - let me stop you for one second. Who all was at the house?

327  
328 A: Um, it was me, Malvin, Arabella, um, Arabella's mom, and her sister.

329  
330 Q: Do you know what their names are?

331  
332 A: No, uh-uh. And...

333  
334 Q: Her mom and...

335  
336 A: Sister.

337  
338 Q: Okay. And who else?

339  
340 A: (Duke). (Duke) is the little 3-year-old.

341  
342 Q: And who is he?

343  
344 A: I think he's his sister's nephew? Arabella's sister's nephew, I think.

345  
346 Q: Arabella's sister's nephew.

347  
348 A: Yeah. Sound like a lot.

349  
350 Q: Okay. All right, okay. Just so 1, 2, 3, 4, 5, 6 of you...

351  
352 A: Yeah.

353  
354 Q: ...were in the house.

355  
356 A: Okay.

357  
358 Q: Okay.

359

360 A: And then, um...

361

362 Q: She was gonna turn the game on, and you guys were gonna outside to...

363

364 A: Yeah.

365

366 Q: ...to do the chicken.

367

368 A: She turned the game on. We went outside to clean the grill. We was out there

369 messin' with that. She came out. We were all three of us standin' there talkin'

370 about the grill, and all that. Uh, she, uh, brings the chicken outside. And, um,

371 we were - see, she's not a real good cook. So she askin' me - 'cause I do, I

372 cook a lot.

373

374 Q: Mm-hm.

375

376 A: So she asked me, "Well, how would the best way to cook the chicken on the

377 grill?" I said...

378

379 Q: This is Arabella?

380

381 A: Yeah. So I'm talkin' her through it. And she's puttin' it on there, and whatever

382 else. You know, kind of gingerly. And I was like, "Well, give me the - the

383 tongs. I'll show you how to really do it. You just get on there and throw it on

384 the grill so it gets started. 'Cause"...

385

386 Q: Mm-hm.

387

388 A: ..."cause some of the chicken's gonna be done before you even get the last of

389 it on there." So the grill's covered. She goes back in, brings out a little

390 vegetable tray that you put on the grill?

391

392 Q: Mm-hm.

393

394 A: With mushrooms on it. Put that on the grill, too.

395

396 Q: Okay.

397

398 A: And, um, uh, we come inside.

399

400 Q: Okay.

401

402 A: After all the chicken's on the grill, this that and the other. We probably sat for

403 like 15, 20 minutes, maybe.

404

405 Q: Okay.  
406  
407 A: She said, uh, "I'm gonna go outside and check the chicken." So I said - oh, me  
408 and Malvin got up, went outside to check the chicken, whatever.  
409  
410 Q: Okay.  
411  
412 A: And...  
413  
414 Q: You guys were watchin' the game?  
415  
416 A: Yeah. We got the part of it. I wasn't really in to it 'cause I was kind of tired.  
417 Earlier I went for a long run.  
418  
419 Q: Okay.  
420  
421 A: And, um, uh, we're outside, I start turnin' the chicken over.  
422  
423 Q: So you and Arabella go outside?  
424  
425 A: No, just me and Malvin.  
426  
427 Q: Oh, you and Malvin went...  
428  
429 A: Yeah.  
430  
431 Q: ...outside.  
432  
433 A: She stayed in the kit- she stayed in the kitchen.  
434  
435 Q: Okay.  
436  
437 A: Yeah. 'Cause she said she was going to go out there. And I said, "I'll get it."  
438 And then Malvin got off the couch, too, and went outside with me.  
439  
440 Q: Okay.  
441  
442 A: So...  
443  
444 Q: Okay.  
445  
446 A: Uh, we're, uh, standin' there kind of talkin' while I'm turnin' the chicken over,  
447 and stuff. And then, uh, I was - actually, I wasn't really payin' attention to  
448 Malvin. But I kind of - like - like if this is the grill, I'm standin' like by the  
449 grill.

450  
451 Q: Mm-hm.  
452  
453 A: And the house is over here to my right...  
454  
455 Q: Okay.  
456  
457 A: ...over here?  
458  
459 Q: Uh-huh.  
460  
461 A: To - at this angle.  
462  
463 Q: Right.  
464  
465 A: So I'm standin' over the grill. And I was standin' right here, 'cause there's a -  
466 there's a big island. So at the corner of my eye...  
467  
468 Q: Malvin's inside the house, or outside?  
469  
470 A: No, w- we're all - me and him are outside.  
471  
472 Q: Okay.  
473  
474 A: Right here by the grill. So he's standin' right there on the edge of the grill.  
475 Like this table's the grill?  
476  
477 Q: Mm-hm.  
478  
479 A: He's standin' right here just watchin' me. You know, we kind of talkin', or  
480 whatever.  
481  
482 Q: Mm-hm.  
483  
484 A: So I notice he walks like this, he walks away. But I'm not really payin'  
485 attention. But I can see him in the corner of my eye. He - he walks away. And  
486 I - I'm still tryin' to get the chicken turned over before it burns.  
487  
488 Q: Mm-hm.  
489  
490 A: And I heard him say, "What the fuck?" And I'm still standin' here. And then  
491 from this corner of my eye I saw somebody come out and I heard the  
492 screamin' when he said, "What the fuck." And I looked up. The, uh, the dude  
493 has got Arabella by her hair like this. And he's - he's got a gun in his hand. A  
494 revolver, a black revolver. And he - first thing he does when he comes out he

495 do, he takes a shot at Malvin, boom. He took maybe - I think he might have  
496 took three shots. Yeah, I think he took like three shots at Malvin. And then  
497 while he's - while he did that this way there's like a little grass, or whatever,  
498 ar- area. And I run this way to get out of the - the, uh, the line of fire. And  
499 right here there's a little pony wall. And then there's a patio, or like a concrete  
500 patio, next to the buildin' like how we're standin' about as big as this?  
501

502 Q: Mm-hm.

503

504 A: And then there's a brick wall. I ran this way. Like I took off - I took off runnin'  
505 through the grass. He's still shootin' at Malvin. So I'm thinkin' the course of  
506 him shootin' three shots I was already on that concrete pad try to get out of the  
507 - the s- the shooting zone, or whatever you wanna call it.  
508

509 Q: Mm-hm.

510

511 A: And...

512

513 Q: Do you know if Malvin had been hit by any of those shots?  
514

515 A: I didn't even look back.

516

517 Q: Okay.

518

519 A: 'Cause once I got about this far on that pad, you can't even see the back yard.  
520

521 Q: Okay.

522

523 A: So he wasn't behind me.

524

525 Q: All right.

526

527 A: The, um, the dude that was workin' on the pool, the pool guy?  
528

529 Q: Uh-huh.

530

531 A: I had - he was like where you were. I hit him, I grabbed him like this. I said,  
532 "We gotta" - I said, "Let's run." 'Cause he turned around and heard the shot-  
533 the gunshot he stood up. And I grab him, I say, "Run." We both ran, jumped  
534 over the fence. That's how I got all scratched up. And my hand got all  
535 scratched up.  
536

537 Q: Okay.

538

539 A: Scratched my - my leg up. It ain't that bad now.

540  
541 Q: So besides the six people that were in the house there was also the pool guy  
542 there.  
543  
544 A: Yeah. The pool guy was outside with me. And then we ran across the street.  
545  
546 Q: Across the street, uh...  
547  
548 A: Uh, well, like...  
549  
550 Q: Which gates did you jump?  
551  
552 A: Her fence, her - her...  
553  
554 Q: The one out to the front yard?  
555  
556 A: Yeah. It goes out to the front yard. Like this is the side patio of the house.  
557  
558 Q: Okay.  
559  
560 A: (Unintelligible)...  
561  
562 Q: And how many shots did you hear?  
563  
564 A: I recall three shots by the time I got to the fence. But when I got on the other  
565 side of the fence I heard at least another six shots when I was crossin' like the  
566 grass? Like the grass from her brick wall - brick wall to the sidewalk?  
567  
568 Q: Mm-hm.  
569  
570 A: All I heard was pow, pow, pow, pow, pow, pow, real fast shots. And then, um,  
571 me and the, uh, pool guy, we went two houses over and into their back yard.  
572 Well, actually, not quite in the back yard. But where their fence is?  
573  
574 Q: Mm-hm.  
575  
576 A: We stood there and then hid. And I can look and see what was goin' on. I  
577 watched the whole thing 'cause I didn't know if he was gonna come down here  
578 and try to kill us.  
579  
580 Q: Mm-hm.  
581  
582 A: And, um, all I recall seein' after that once we got - got over there I called 911.  
583 They had me on the phone. I kept peekin' out. And I just saw him Malvin my

584 buddy. He was just laying on the ground like this with his legs crossed like  
585 this in the yard.  
586  
587 Q: Okay. How did he get out into the front yard?  
588  
589 A: I don't know, I wasn't looking.  
590  
591 Q: Okay. So while you were runnin' to the other yard...  
592  
593 A: Once I got across and then turned around to see if that guy was comin' after  
594 us, I already had seen Malvin layin' down in the yard.  
595  
596 Q: Malvin was laying on the ground.  
597  
598 A: Stomach, yeah, with his hands in front of him like that. And his legs were kind  
599 a crossed.  
600  
601 Q: Okay. So if you're - if you're standing outside of, uh, Arabella's house and  
602 you're lookin' at the house across the street, you guys ran across the street and  
603 down to the right two houses? Or to...  
604  
605 A: Yeah, to the right.  
606  
607 Q: ...to the right, okay.  
608  
609 A: Yeah. So we was like two houses back. And then you know how you go on  
610 the side of the house where the - you can open the gate and go back?  
611  
612 Q: Mm-hm.  
613  
614 A: That's where we were. We just stood right there.  
615  
616 Q: Okay.  
617  
618 A: And then by that time, just like I said, right when I called 911 I looked around  
619 the buildin' to see what was around - yeah, around the buildin' to see what had  
620 happened. Malvin was already layin' out. And it looked like Arabella had  
621 already been shot.  
622  
623 Q: Where was A- Arabella at?  
624  
625 A: He had - she was like - like here's the truck. That, a, maint- the - the pool guy's  
626 truck in front of Arabella's house?  
627  
628 Q: Right.

629  
630 A: The guy still had her by her hair. And she's still tryin' to fight. But sh- I could  
631 see she was like this. Yeah, like that. He still had her by the hair.  
632  
633 Q: So...  
634  
635 A: And after - and after like he had shot her already, 'cause she had, uh, she was  
636 facin' like this. 'Cause I'm lookin' from over there at the angle.  
637  
638 Q: Mm-hm.  
639  
640 A: I could see blood splotches, you know, right here.  
641  
642 Q: After - and this is after you had already seen Malvin was on the ground?  
643  
644 A: Yeah. All this is at the exact same time. When I seen Malvin is on the ground  
645 I kind of peaked out just enough to see what was goin' on. 'Cause I didn't want  
646 him to shoot down here...  
647  
648 Q: Mm-hm.  
649  
650 A: ...and shoot my eye out, or whatever.  
651  
652 Q: Mm-hm.  
653  
654 A: So I'm lookin'. And he's lookin' up back and forth up the street. She's  
655 strugglin'. But then she sits down. She kind of hunch - falls down like that.  
656 He lets her fall. And then she rolls underneath the truck like that.  
657  
658 Q: Mm-hm.  
659  
660 A: And then she's laying there like this. And then (unintelligible) in the - in the -  
661 in the - while she's rollin' he's still lookin' up and down the street. He goes like  
662 this. For whatever reason I think he had the gun in his left hand. 'Cause he  
663 went like that. But he had shot under the c- under the car like another six  
664 times.  
665  
666 Q: Okay.  
667  
668 A: And, um...  
669  
670 Q: When she rolled under the car...  
671  
672 A: Yeah, when she rolled under the car he was shootin' like this. 'Cause she was  
673 half movin'. And he was just like - he didn't look under the car all the way.

674 You know, he didn't get on his knees. 'Cause you know about a truck is about  
675 that high.  
676  
677 Q: Right.  
678  
679 A: He only went about this low and just popped off another six shots.  
680  
681 Q: Okay.  
682  
683 A: And then he stood up, reloaded. And was lookin' around. And I think he took -  
684 he - he had walked away from the car. Truck (unintelligible), but he went this  
685 way. And I think he took a couple more shots. And that's when he was in the  
686 street. And then at the same time the officer started shootin' at him.  
687  
688 Q: Okay.  
689  
690 A: Now, once the officer start shootin' at him I had pinned back again. So I don't  
691 know who was sh- if he was actually shootin' at the officer or not.  
692  
693 Q: Okay.  
694  
695 A: But he was in the street and he had reloaded.  
696  
697 Q: He was in the middle of the street?  
698  
699 A: In the middle of the street.  
700  
701 Q: Okay, yeah.  
702  
703 A: First he was near the truck about this far away. And the officer's already tryin'  
704 to shoot at him. And then he stepped away from the truck a little bit after he  
705 had reloaded.  
706  
707 Q: Which truck are we talkin' about? The big white box truck...  
708  
709 A: No, uh-uh.  
710  
711 Q: ...or the - or the pick-up truck.  
712  
713 A: (Unintelligible) still the blue, uh, gray pool master.  
714  
715 Q: And the pool man is with you behind the - the house?  
716  
717 A: Yeah. He - he didn't even come and look. He just stayed back in the back.  
718

719 Q: Okay.  
720  
721 A: And, um...  
722  
723 Q: Well, and - and let me - let me go back a little bit. When - so you're out -  
724 you're outside, uh, you can - you can have a seat. Um...  
725  
726 A: No, I just figure I might have to describe...  
727  
728 Q: Yeah.  
729  
730 A: ...somethin' that's hard to describe some of this shit by words. It's like...  
731  
732 Q: Right.  
733  
734 A: And so much shit was happenin' so fast.  
735  
736 Q: Yeah. No, I...  
737  
738 A: It's like a fuckin' movie on - on fast forward.  
739  
740 Q: Yup. You have no...  
741  
742 A: It don't - it didn't seem real.  
743  
744 Q: ...no...  
745  
746 A: And all this whole time I'm lookin'. Malvin, he ain't movin'. I'm like what the  
747 fuck?  
748  
749 Q: Uh-huh.  
750  
751 A: He wasn't movin' at all. He was just layin' there. I said, "I wonder if he just  
752 playin' possum. I hope to God"...  
753  
754 Q: Right.  
755  
756 A: ..."he just layin' there."  
757  
758 Q: Right.  
759  
760 A: So...  
761  
762 Q: W- when - when you were at the grill and you heard Malvin say, "What the"...  
763

764 A: "What the fuck?" Yeah.  
765  
766 Q: ..."what the fuck," that's when you looked...  
767  
768 A: That's...  
769  
770 Q: ...up and saw...  
771  
772 A: ...when I looked up. He was comin' through the door with a gun in his hand.  
773  
774 Q: Okay. And he had Arabella...  
775  
776 A: Yeah, Arabella by - by her hair.  
777  
778 Q: What was he saying?  
779  
780 A: He said, uh, "I'm tired of shit, bitch. This has gotta end," or whatever. That's -  
781 to me I think that's - that's what he's said. "I'm tired of this shit, bitch. This has  
782 got to end."  
783  
784 Q: Okay. Um, and what was Arabella saying?  
785  
786 A: She was just screamin' trying to get her hair out of his hand. And I'm thinkin'  
787 she should have just been pop, try to hit him in the mouth. 'Cause, I mean, she  
788 really could. She's doin' this tryin' to get his hand out of her hair.  
789  
790 Q: Right.  
791  
792 A: But I guess she was panickin', or whatever. 'Cause the way - the way I see it  
793 he was so focused on Malvin. 'Cause I didn't look back to see Malvin. But he  
794 had his gun pointed at Malvin, I'm assumin'.  
795  
796 Q: Mm-hm.  
797  
798 A: 'Cause there wasn't nobody else over there but Malvin. 'Cause it was just me  
799 and him at the grill.  
800  
801 Q: Was, uh, is Malvin and Arabella dating?  
802  
803 A: Yeah. They've been datin' for a couple years now?  
804  
805 Q: Okay. And did you know who this other guy was?  
806  
807 A: I never met him, but I know kind of the situation...  
808

809 Q: Okay.  
810  
811 A: ...what was goin' on.  
812  
813 Q: Okay.  
814  
815 A: He had, uh - they got houses. Arabella and this dude got houses together.  
816 'Cause they used to be dating years ago.  
817  
818 Q: Okay.  
819  
820 A: And then they broke up a couple years ago. And then Malvin came into the  
821 picture. And he had changed his address and her address to wherever he was.  
822 And the taxes that came back for the - for some - for - for some of the  
823 properties he cashed the check. So she went to court and served him with  
824 some papers. Uh, I'm not really sure what papers and just was it for  
825 reimbursement of the taxes, or, uh, so he can't come by the house, or stop by.  
826 I'm not really sure the details on that.  
827  
828 Q: Okay.  
829  
830 A: But that's what Malvin told me.  
831  
832 Q: Okay.  
833  
834 A: So, um, this - this is the second situation where he got a gun, though.  
835  
836 Q: Okay. What's the other situation?  
837  
838 A: When they first broke up the police had went over there, and everything.  
839 Pulled a gun on him. And pulled a gun on her.  
840  
841 Q: Malvin wasn't in the picture, was he.  
842  
843 A: No, he wasn't. He was at - he was at work.  
844  
845 Q: Right.  
846  
847 A: She just happened - they were arguin' over somethin'.  
848  
849 Q: Yeah, we knew about that one.  
850  
851 A: Oh, okay, you already know that. So...

853 Q: Um, so when - when he starts - he fires off three rounds at Malvin, wa- is  
854 anything bein' said at that point?  
855  
856 A: I was standin' - I was tryin' to leave...  
857  
858 Q: Okay.  
859  
860 A: ...the back yard, so...  
861  
862 Q: You couldn't hear...  
863  
864 A: Just...  
865  
866 Q: ...what was...  
867  
868 A: ...if somebody would have said somethin', my hearing - well, I have tunnel  
869 vision.  
870  
871 Q: Okay.  
872  
873 A: I just kept sayin' to myself, "Don't shoot me in the back. Don't shoot me in the  
874 back."  
875  
876 Q: Did you see what kind of gun, uh...  
877  
878 A: It was a black revolver.  
879  
880 Q: Black revolver?  
881  
882 A: Yeah.  
883  
884 Q: Not a - not a semi-automatic?  
885  
886 A: I don't think it was a auto.  
887  
888 Q: Okay.  
889  
890 A: I could be wrong.  
891  
892 Q: Okay.  
893  
894 A: But I recall seein' a - a pretty good sized black revolver. Could have been a  
895 .40 or a .45, or somethin'!

897 Q: Okay. And you, uh, um, you - you - you take off. And did Malvin, or did you  
898 ever see Malvin or Arabella, did they...  
899

900 A: A- after that, no. I just - it was like me peekin' out the corner and watchin' a  
901 movie.  
902

903 Q: Okay. Did Malvin have a...  
904

905 A: Where everyone was killed.  
906

907 Q: ...have a gun with him?  
908

909 A: No. I told his ass, I said, "Dude you gotta quit fuckin' around. You a officer.  
910 You able - to wear a gun. Why aren't you wearin' a gun? He said he's scared of  
911 guns.  
912

913 Q: Okay.  
914

915 A: I said, "Dude, that don't even make sense." That's stupid.  
916

917 Q: Yeah.  
918

919 A: I said, "You know these inmates get out. You might get caught up somewhere  
920 in a mall, or, uh, anywhere. And you'll run into an inmate that might want to  
921 kill you...  
922

923 Q: Mm-hm.  
924

925 A: ...why won't you carry a gun? "Nah. Man, that's not gonna happen." I'm like,  
926 "Okay. Famous last words."  
927

928 Q: So he didn't have his gun on him?  
929

930 A: No, uh-uh. He never carries a gun.  
931

932 Q: Okay.  
933

934 A: My brother's a peace officer. He carries a gun.  
935

936 Q: Right.  
937

938 A: And a couple other buddies that I work with, that I grew up with, they're  
939 officers. They always - he's the only one that don't carry a gun.  
940

941 Q: Okay.

942  
943 A: And then Arabella just bought another gun, what, two weeks ago?  
944  
945 Q: Yeah.  
946  
947 A: Somethin' like that?  
948  
949 Q: She didn't have it...  
950  
951 A: Well, where was it at?  
952  
953 Q: Okay. Well, usually when - when you're in your own house you don't, uh...  
954  
955 A: Shit.  
956  
957 Q: ...you don't have a - you don't have a gun on anyways.  
958  
959 A: If I would - if I was workin' right now, I would have bought me a gun.  
960  
961 Q: Yeah.  
962  
963 A: And it would be at my house.  
964  
965 Q: Yeah.  
966  
967 A: 'Cause anything go down - I'm a realist. There's evil people out there, and  
968 there's bad people.  
969  
970 Q: Right.  
971  
972 A: They don't come with labels.  
973  
974 Q: Yeah.  
975  
976 A: They don't come with stamps. Nothin' to say, "Okay, this person is gonna trip  
977 out. You need to have your gun." No, it doesn't work that way. It's always best  
978 to - best to have it then not to need it.  
979  
980 Q: Yup.  
981  
982 A: So...  
983  
984 Q: When, uh - after you ran across the street you said you heard about another six  
985 shots when you started firin' underneath the...  
986

987 A: There's a lot of shots.  
988  
989 Q: ...the - did you ever see him firin' back at you?  
990  
991 A: I'll take that back. You know what? There was shots fired also prior to me  
992 seein' - uh, when we got past the grass...  
993  
994 Q: Mm-hm.  
995  
996 A: ...I - I said that, right? When I got in the grass area there were more shots...  
997  
998 Q: Mm-hm.  
999  
1000 A: ...in the back yard.  
1001  
1002 Q: Right.  
1003  
1004 A: But nobody came out other than me...  
1005  
1006 Q: So you heard about...  
1007  
1008 A: ...and, um...  
1009  
1010 Q: ...six shots.  
1011  
1012 A: Yeah, it was about six shots.  
1013  
1014 Q: Yeah.  
1015  
1016 A: So once we got past the grass there was another six shots. And then when we  
1017 got over to the, uh, the side of that house over there, there was a - I can't  
1018 remember. 'Cause I wasn't lookin' all the whole time. I don't know if those are  
1019 the shots that I heard that killed Malvin. Or they were still in the back yard.  
1020 But when I finally looked around the corner Malvin was already layin' down.  
1021 And the dude had Arabella by her hair. And he had a gun pointed towards her.  
1022  
1023 Q: Okay.  
1024  
1025 A: So...  
1026  
1027 Q: Did - did you see while he had her hair standin' up there, did you ever see him  
1028 firing at her like this?  
1029  
1030 A: Yeah!  
1031

1032 Q: And then, what, out in the front yard?  
1033  
1034 A: Yeah.  
1035  
1036 Q: He - he shot...  
1037  
1038 A: Between - well, not - when he got on the other side of the, uh, of the, uh,  
1039 truck, like right here, he was - he was holdin' on. For whatever reason I keep  
1040 thinking he had the gun in his right hand. But he might have had it like this.  
1041 And I can just still see it. And he shot her up close. That's what I - I recall. He  
1042 shot her up close. And then while he was lookin' around she had fell on the  
1043 ground. And then, you know, kind of real slow, like she was done. And then  
1044 tried to roll under the car. That's when he - he reloaded and put the gun under  
1045 the car and started shooting.  
1046  
1047 Q: Started shooting? Okay.  
1048  
1049 A: Yes.  
1050  
1051 Q: And then...  
1052  
1053 A: And he shot a lot.  
1054  
1055 Q: ...and then did she - at some point did she come out from underneath the car?  
1056  
1057 A: No, she was done.  
1058  
1059 Q: Okay.  
1060  
1061 A: She didn't move.  
1062  
1063 Q: Y- you said somethin' about he - he then fired two - two more shots.  
1064  
1065 A: Yeah. When he - when he walked - he walked away a little bit. And it looked  
1066 like he sh- I think he shot like two more shots under the car at least like -  
1067 there's not no space in here. So it looked like when he walked away a little bit  
1068 he kinds took two more shots. And then he had stepped out into the street.  
1069 That's when the officer was comin' up the street.  
1070  
1071 Q: Mm-hm.  
1072  
1073 A: On the south side of the street.  
1074  
1075 Q: Okay.  
1076

1077 A: And then, um, he took a couple shots. I think he took like three shots.  
1078  
1079 Q: Did...  
1080  
1081 A: The officer.  
1082  
1083 Q: And the suspect still had the gun in his hand?  
1084  
1085 A: He still had the gun in his can, yeah.  
1086  
1087 Q: Okay. Did you...  
1088  
1089 A: So I didn't look. I didn't look. That's when I said I wasn't sure who was  
1090 shootin'.  
1091  
1092 Q: Okay. So you never saw...  
1093  
1094 A: (Unintelligible)...  
1095  
1096 Q: ...you never saw whether or not the suspect was firin' at the officer?  
1097  
1098 A: Never.  
1099  
1100 Q: Okay. Did you, um...  
1101  
1102 A: But I...  
1103  
1104 Q: But you saw the officers firing.  
1105  
1106 A: Yeah, he was firing.  
1107  
1108 Q: Okay. Did...  
1109  
1110 A: And I kept saying, "I hope he hits him. I hope he hits him. I hope"...  
1111  
1112 Q: Did you...  
1113  
1114 A: ..."he hits him."  
1115  
1116 Q: ...did you - did you hear two different sounding guns at that point?  
1117  
1118 A: Yeah.  
1119  
1120 Q: Or just the...  
1121

1122 A: Yeah. One...  
1123  
1124 Q: ...(unintelligible).  
1125  
1126 A: ...was, uh, a softer sound. Another one, uh, it wasn't the same. That's why I  
1127 assume it had to have been the cop's gun. 'Cause the gun that the guy had was  
1128 loud.  
1129  
1130 Q: Okay.  
1131  
1132 A: It was like, "boom!" "boom!"  
1133  
1134 Q: When the officer was firing did you hear these two different sounds goin' back  
1135 and forth, or did you just hear the officer's gun, the sound of the officer's gun?  
1136  
1137 A: I can't recall. I know for a fact I saw them - the - this - the, uh, the muzzle  
1138 smoke comin' from his gun.  
1139  
1140 Q: Right.  
1141  
1142 A: I - I saw that for sure. But the sounds, I couldn't...  
1143  
1144 Q: Couldn't tell if it was two different...  
1145  
1146 A: ...I couldn't tell you...  
1147  
1148 Q: Okay.  
1149  
1150 A: ...if...  
1151  
1152 Q: And you were behind the wall, so you didn't see whether or not the suspect  
1153 was pointing the gun at the officer?  
1154  
1155 A: Exactly, no.  
1156  
1157 Q: Okay.  
1158  
1159 A: I was just hoping he'd shoot him.  
1160  
1161 Q: Okay. Um, and then what - then what did you do once - d- how many - how  
1162 many, uh, shots did you s- hear the officer fire?  
1163  
1164 A: Two or three.  
1165  
1166 Q: Okay.

1167  
1168 A: It might seem like I'm unsure. But this shit happened so fast.  
1169  
1170 Q: Oh, yeah.  
1171  
1172 A: It might be two or three.  
1173  
1174 Q: Okay. And was he aiming down - down the sidewalk towards where the truck  
1175 area, or across the street where...  
1176  
1177 A: Well, uh...  
1178  
1179 Q: Where did the suspect go?  
1180  
1181 A: The - the - the suspect...  
1182  
1183 Q: Do you know?  
1184  
1185 A: ...was on the north side of the f- of - comin' towards the north side. It wasn't  
1186 quite all the way across the street. And then the officer was on the south side  
1187 in the yard directly across from us.  
1188  
1189 Q: Okay.  
1190  
1191 A: So he had a long ways to shoot.  
1192  
1193 Q: Yeah.  
1194  
1195 A: So...  
1196  
1197 Q: Okay.  
1198  
1199 A: Um, that's about all I saw.  
1200  
1201 Q: Okay. And then wha- what - then what did you see, what happened, what'd  
1202 you see?  
1203  
1204 A: Oh, after that?  
1205  
1206 Q: Mm-hm.  
1207  
1208 A: Uh, when I finally peeked around and this - a - the - a couple cars started  
1209 pullin' up after that.  
1210  
1211 Q: Police cars?

1212  
1213 A: Yeah, police cars.  
1214  
1215 Q: Mm-hm.  
1216  
1217 A: Um, the guy - I think it was a girl? A girl and a guy officer were comin' up on  
1218 this side. And then when I finally looked the guy was layin' in the driveway.  
1219  
1220 Q: The suspect?  
1221  
1222 A: Yeah, the suspect was laying on the - on the driveway.  
1223  
1224 Q: All right.  
1225  
1226 A: I didn't hear any shots after that.  
1227  
1228 Q: What did the officers do then?  
1229  
1230 A: Um, they - they, uh, they took their t- they took their time. They kind a made  
1231 like a - a - a moon shape of people?  
1232  
1233 Q: Mm-hm.  
1234  
1235 A: You know, they kind of go towards them, and stuff, and check them out. They  
1236 took their time. And then three officers right here, you know how they did that  
1237 little military thing where they put their hands on each other's shoulders and  
1238 walk up close to somebody, or whatever?  
1239  
1240 Q: Uh-huh.  
1241  
1242 A: They got up close to them. And then once they figured out, I guess, that he  
1243 wasn't movin', they handcuffed him, and all that. And then they, uh, they  
1244 moved the body down. They moved the body to, uh, about where we were.  
1245 And they handcuffed his - did they handcuff his ankles, too? I'm not sure. I  
1246 think they hand - they might have handcuffed his ankles, too. But he was -  
1247 they brought him to where we were. So where the - where the actual driveway  
1248 were and we just stayed right there.  
1249  
1250 Q: Okay.  
1251  
1252 A: And then the, uh, that's when the cops was already, you know, in that little  
1253 time cops still be comin' in.  
1254  
1255 Q: Okay.  
1256

1257 A: And the guy came and, uh - the guy that was over there? I can't think of his  
1258 name. The, uh, the officer?  
1259  
1260 Q: Mm-hm.  
1261  
1262 A: That was talkin' to us? The, uh, the - the plain clothes officer...  
1263  
1264 Q: Right.  
1265  
1266 A: ...that was with us?  
1267  
1268 Q: Right.  
1269  
1270 A: He stayed with us the whole time.  
1271  
1272 Q: Okay.  
1273  
1274 A: And then, you know, told us to stay back. And then once, uh, more officers  
1275 came he moved us back closer to, uh, where the other cars are blockin' the  
1276 street?  
1277  
1278 Q: Right.  
1279  
1280 A: So we went down there to where the stop sign is. And then we probably  
1281 waited another 20 minutes later. Then, uh, got in his car and he brought us  
1282 over here.  
1283  
1284 Q: Gotcha. Okay. All right. Um...  
1285  
1286 A: So they both died, huh.  
1287  
1288 Q: What's that?  
1289  
1290 A: Arabella and Malvin died.  
1291  
1292 Q: They did. Yeah, they did. And the suspect also...  
1293  
1294 A: Died.  
1295  
1296 Q: ...died also.  
1297  
1298 A: I figured he would.  
1299  
1300 Q: Yeah.  
1301

1302 A: Wow.  
1303  
1304 Q: Yeah.  
1305  
1306 A: Now what? What - what do we do about that?  
1307  
1308 Q: Yeah.  
1309  
1310 A: Oh, God.  
1311  
1312 Q: Yeah.  
1313  
1314 A: His dad is on his way. Oh, shit, I don't wanna talk to him.  
1315  
1316 Q: Malvin's?  
1317  
1318 A: Yeah. His dad's callin' me.  
1319  
1320 Q: Yeah. Yeah. Um...  
1321  
1322 A: Dude, life is - I don't understand people. Life is way too short to be - I don't - I  
1323 don't understand to worry about small stuff, you know? If somebody - if you -  
1324 if you don't get along with somebody...  
1325  
1326 Q: Yeah.  
1327  
1328 A: ...move on.  
1329  
1330 Q: Yeah.  
1331  
1332 A: Just move on. And it's not like the dude didn't have a job.  
1333  
1334 Q: Right.  
1335  
1336 A: Shit. He could have got a place somewhere else.  
1337  
1338 Q: Right.  
1339  
1340 A: It - it ain't - it ain't that serious. She ain't the only female in the world. I don't  
1341 get it. I never understood that.  
1342  
1343 Q: I know. I know. Um...  
1344  
1345 A: And maybe I'm insensitive, or what. But it ain't that serious. Now, I'm not  
1346 tryin' to hold on to you if you ain't tryin' to hold on to me.

1347  
1348 Q: That's true.  
1349  
1350 A: I don't get it.  
1351  
1352 Q: That's true. That's very true. Did you hear, um, the officer saying anything to  
1353 the suspect? Was he able to say anything? Or was the suspect saying anything  
1354 to the o- towards the officer?  
1355  
1356 A: I didn't hear anything.  
1357  
1358 Q: You didn't hear anything?  
1359  
1360 A: Uh-uh.  
1361  
1362 Q: What - other than...  
1363  
1364 A: Because there was so many radios, callin' between the radios, the helicopters.  
1365 And the sirens. 'Cause people were still comin'.  
1366  
1367 Q: Mm-hm.  
1368  
1369 A: I don't recall anything. Those last few shots, uh, that I recall from the officer.  
1370 And that was it. And, just like I said, when they started workin' their way up I  
1371 just peeked around the corner to see what was goin' on. He was already layin'  
1372 down in the driveway of the house we was standin' at.  
1373  
1374 Q: Right.  
1375  
1376 A: I was like, "That's way too close." But...  
1377  
1378 Q: D- did you - did you hear him saying anything to Arabella, or anything, when  
1379 they were out in the front yard? When he had her by the hair out in the front  
1380 yard when he shot her? Was he saying anything to her? Was she saying  
1381 anything?  
1382  
1383 A: No, huh-uh.  
1384  
1385 Q: No?  
1386  
1387 A: Uh-uh. I - I don't - I don't recall hearing him say anything. I just recall him  
1388 shootin' her.  
1389  
1390 Q: Okay.  
1391

1392 A: A whole lot of times.  
1393  
1394 Q: Okay. Did you hear like a siren, or a bell, or an alarm, or somethin'? Was  
1395 there an alarm, or something, going off?  
1396  
1397 A: Uh-uh.  
1398  
1399 Q: Just before the shooting, or?  
1400  
1401 A: Uh-uh.  
1402  
1403 Q: No?  
1404  
1405 A: No, uh-uh.  
1406  
1407 Q: Nobody turned an alarm on, or?  
1408  
1409 A: Well, what had happened, he had - he had got in the house. So he was in the  
1410 house and was dragging her outside the house.  
1411  
1412 Q: Right.  
1413  
1414 A: And...  
1415  
1416 Q: But there was no alarm that went off, or anything like that?  
1417  
1418 A: No. 'Cause he - he surprised everybody. He was already in the house, so who  
1419 was gonna set the alarm off?  
1420  
1421 Q: Right. Do you - do you know how he got into the house?  
1422  
1423 A: Yeah. But we wasn't supposed to talk to each other, remember?  
1424  
1425 Q: What's that?  
1426  
1427 A: Well, the plain clothes officer said we wasn't supposed to talk about what  
1428 happened.  
1429  
1430 Q: Okay.  
1431  
1432 A: So while I was on the grill, um, I talked to, uh, Arabella's sister who was over  
1433 there.  
1434  
1435 Q: Mm-hm.  
1436

1437 A: And she said he came in through the sliding glass window. I'm like, "He  
1438 couldn't have, 'cause we was out there."  
1439  
1440 Q: Right.  
1441  
1442 A: And she's like, "Yeah, that's where he came from." So while we was on the  
1443 grill he just came in through the side gate with, uh, like the, uh, the pool guy  
1444 did. Walked in the back. Me and - me and - me and Malvin we were just  
1445 sittin' there talkin'. Neither one of us noticed him, 'cause I'm lookin' down. He  
1446 walked in the house and grabbed her.  
1447  
1448 Q: So you didn't even - you didn't even...  
1449  
1450 A: Didn't see him go inside the house.  
1451  
1452 Q: ...see him come in the back yard, huh?  
1453  
1454 A: Yeah. Didn't even see him come in the back yard. Walk the length of the pool  
1455 and go in- inside the - inside the house.  
1456  
1457 Q: Huh.  
1458  
1459 A: And she said he walked in. And them grabbed her. No. He walked in. And I  
1460 heard her yelling, but I couldn't tell what she said. "What the fuck are you  
1461 doing in my house?" This, that and the other. And, um, then I heard screamin'.  
1462  
1463 Q: Mm-hm.  
1464  
1465 A: And I barely heard that. And that's when, um, the same time the screamin'  
1466 started that's when Malvin, I think he noticed. And he walked around like this,  
1467 like this is the barbecue grill. He walked around the grill island. And like,  
1468 "What the fuck?" And that's when that dude came out. About the same time he  
1469 said fuck the guy was standin' there with a gun talkin' about how he had  
1470 Arabella by her hair. Talkin' about, um, "I'm sick of this shit. This shit's gotta  
1471 end." And that's when he started shootin' at Malvin. So I'm assuming it was  
1472 Malvin, 'cause there was nobody else over there.  
1473  
1474 Q: Right.  
1475  
1476 A: And that's when I took off.  
1477  
1478 Q: Okay.  
1479  
1480 A: And then I ran by the - the - the, uh, pool guy. And told him to run. And we  
1481 both jumped...

1482  
1483 Q: Okay.  
1484  
1485 A: ...jumped the - jumped the brick wall.  
1486  
1487 Q: Okay.  
1488  
1489 A: I barely made it over.  
1490  
1491 Q: Do you know where - where the sister and the 6-year-old and Arabella's mom  
1492 went to?  
1493  
1494 A: No. Uh, they were all in the house. Um...  
1495  
1496 Q: (Unintelligible).  
1497  
1498 A: Um, the mom said she grabbed Arabella's leg and was tryin' to pull her leg  
1499 away - pull her away from the guy while he was tryin' to drag her outside.  
1500 That's what she said when we was talkin'.  
1501  
1502 Q: Out to the front yard?  
1503  
1504 A: No; inside the house.  
1505  
1506 Q: Okay.  
1507  
1508 A: This is stuff I didn't see or hear other than the screaming.  
1509  
1510 Q: Right.  
1511  
1512 A: She had Arabella's leg. And she got a big scratch on her le- on her arm right  
1513 here from - from somethin'.  
1514  
1515 Q: Okay.  
1516  
1517 A: And she was tryin' to pull her in. And then, uh, Arabella's sister, she said she  
1518 ran upstairs and then locked herself in the bathroom. Grabbed the l- the l- the  
1519 little boy, he's 3. Grabbed him and they went in the bathroom. The mom, she  
1520 locked herself in the bathroom.  
1521  
1522 Q: Okay. All right, Marvin. Um, anything else you can think of that, uh, any  
1523 questions I can ask - answer for you? Uh, I'm sorry for your friend's loss. I  
1524 mean, it's just a true tragedy. I mean, you wouldn't expect this, especially in a  
1525 neighborhood like that.  
1526

1527 A: Well, everybody - you can get shot in any neighborhood.  
1528  
1529 Q: That - that - that's true.  
1530  
1531 A: You already know that.  
1532  
1533 Q: No, that's absolutely...  
1534  
1535 A: Yeah.  
1536  
1537 Q: ...true. It's amazing what...  
1538  
1539 A: When you're a - when you're a peace officer, I don't understand why they don't  
1540 make it mandatory to carry a gun.  
1541  
1542 Q: Yeah. Well...  
1543  
1544 A: 'Cause stuff happens.  
1545  
1546 Q: They're, uh, - they're...  
1547  
1548 A: It's property.  
1549  
1550 Q: (Unintelligible).  
1551  
1552 A: It's up to them. If they feel like wearin' it they can. If they don't, they don't.  
1553  
1554 Q: Yeah.  
1555  
1556 A: But it should be somethin' like mandatory.  
1557  
1558 Q: Yeah.  
1559  
1560 A: 'Cause if somebody was tellin' Malvin that same thing he's like, "Man you sh-  
1561 well, it should be mandatory to wear your gun." And then like if there's a  
1562 robbery, or somethin', you can actually stop a robbery and be within the law.  
1563 But a lot of times the law is against you when you're not on duty, or whatever,  
1564 whatever. And if you don't have other plain clothes off- I mean, other  
1565 uniformed officers there to identify you and them, or whatever, there'd be a  
1566 problem.  
1567  
1568 Q: Mm-hm.  
1569  
1570 A: So...  
1571

1572 Q: Yeah, could be.

1573  
1574 A: It's like I say, whatever. I say you should always carry a badge, and always  
1575 carry a gun.

1576  
1577 Q: Yeah.

1578  
1579 A: 'Cause you never know when someone might need you.

1580  
1581 Q: You never know. That's true. All right, Marvin.

1582  
1583  
1584 This transcript has been reviewed with the audio record submitted and it is an accurate  
1585 transcription.

1586 Signed \_\_\_\_\_



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