

Police Officer Campos examined by Schroeder:

511

1 CORD HAD BEEN YANKED OR PULLED IN ANY WAY FROM ITS TERMINAL
2 BASE IN THE WALL? A YES.

3 Q AND WHAT DID YOU DETERMINE?

4 A THAT IT WAS STILL INTACT.

5 Q DID YOU LOOK AT THE -- DID YOU LOOK AT IT JUST TO DETER-
6 MINE WHETHER OR NOT IT WAS INTACT OR DID YOU ACTUALLY OPEN IT
7 TO SEE WHETHER THE WIRES MIGHT HAVE BEEN DAMAGED IN SOME WAY?

8 A I AM SORRY. YOU ARE GOING TO HAVE TO REPEAT THAT.

9 Q OKAY. DID YOU LOOK AT IT JUST TO DETERMINE WHETHER OR
10 NOT THE CORD WAS INTACT OR DID YOU IN SOME WAY REMOVE THE
11 LITTLE PLASTIC COVER TO SEE IF THE WIRES HAD SOMEHOW BEEN
12 BROK

ADDED COMMENTARY

13 A

**MEATCLEAVER WEAPON INTENTIONALLY LEFT
AT CRIME SCENE, ADMITTED BY POLICE
OFFICER/EVIDENCE TECHNICIAN, CAMPOS**

14 Q

HER

15 THAN

16 A

17 Q -- AS OPPOSED TO REMOVING THE COVER OFF AND LOOKING AT THE
18 WIRES, THEMSELVES TO SEE IF THEY SOMEHOW HAD BEEN DAMAGED IN
19 SOME WAY ALTHOUGH THE CORD MAY STILL HAVE BEEN THERE?

20 A I KNOW IT WAS DAMAGED.

21 Q HOW DO YOU KNOW THAT?

22 A BECAUSE WHEN WE WANTED TO TAKE THE WIRES OUT TO
23 DISCONNECT THE PHONE TO TAKE IT INTO EVIDENCE, I HAD A
24 HELL OF A TIME TAKING IT OUT OF THERE.

25

26 YOU SAID THAT YOU OBSERVED A MEAT CLEAVER IN THAT CHEST.

27 DO YOU RECALL THAT?

A YES.

28 Q DID YOU IN ANY WAY ATTEMPT TO TAKE FINGERPRINTS OFF THAT

CONTINUED

EXHIBIT

D

5 PAGES

1 MEAT CLEAVER OR SOME WAY RETRIEVE IT AS EVIDENCE?

2 A NO.

3 Q DID YOU EXAMINE IT IN ANY WAY?

4 A NO, I DIDN'T.

5 Q NOW, DIRECTING YOUR ATTENTION NOW TO THE FIESTA ROAD
6 SEARCH THAT YOU ENGAGED IN I THINK IT WAS ON THE 14TH OF
7

8 THE COURT: MR. SCHROEDER IT'S NOT INCONVENIENT,
9 BEFORE WE GO TO THE FIESTA ROAD QUESTION, PERHAPS THE JURY
10 SHOULD HAVE ABOUT A 10-MINUTE RECESS.

11 DURING THE RECESS, PLEASE HEED ALL MONITIONS PREVIOUSLY
12 GIV

ADDED COMMENTARY

**DEFENSE ATTORNEY ABANDONED THE ISSUE. NO
NEXUS WAS EVER HINTED AT THAT THE MEAT
CLEAVER WAS ALLRED'S WEAPON. A KEY FACT
INTENTIONALLY SUPPRESSED**

ICH
ARE
THE

13
14 THE
15
16 PRE
17 STA
18 PLEASE PROCEED.

19 MR. SCHROEDER: THANK YOU, YOUR HONOR.

20 Q (BY MR. SCHROEDER) BEFORE WE GET TO FIESTA ROAD, I HAVE
21 A FEW MORE QUESTIONS FOR YOU, OFFICER CAMPOS, ON THE SCENE AT
22 ROBERTS ROAD.

23 I AM GOING TO DIRECT YOUR ATTENTION TO TWO PHOTOGRAPHS AT
24 THIS POINT, PEOPLE'S 9-1 AND PEOPLE'S 9-3, AND I WILL HOLD
25 THESE UP AND WALK SLOWLY IN FRONT OF THE JURY, YOUR HONOR, IN
26 THE INTEREST OF TIME HERE.

27 DIRECTING YOUR ATTENTION, THEN, TO THESE TWO PHOTOGRAPHS
28 AND SPECIFICALLY DIRECTING YOUR ATTENTION TO THE RAG THAT IS

Police Officer Campos examined by Schroeder:

522

RE-CROSS-EXAMINATION:

Q (BY MR. SCHROEDER) YOU DIDN'T SEIZE THE CHEST AS EVIDENCE, DID YOU? A NO.

Q DID YOU LOOK UNDERNEATH THIS MEAT CLEAVER TO SEE IF THERE WAS ANYTHING UNDERNEATH IT? A NO, I DIDN'T.

Q YOU DIDN'T LOOK AT THE UNDERSIDE OF IT? A NO.

Q SO BASICALLY, YOU JUST DIDN'T TOUCH THE MEAT CLEAVER AT ALL? A NO.

THE BOTTOM OF THE PILE, PEOPLE'S 9-2, CLEARLY LOCKING AT THOSE TWO PICTURES, IT SAY THAT THEY WERE TAKEN FROM DIFFERENT -- SLIGHTLY DIFFERENT POSITIONS, PERHAPS A LITTLE FURTHER BACK IN ONE THAN THE OTHER; ISN'T THAT RIGHT?

A

ADDED COMMENTARY

FURTHER ADMISSION BY EVIDENCE-COLLECTION OFFICER (CAMPOS) -- AGAIN THE ISSUE WAS ABANDONED AND SUPPRESSED

RESPECT TO THAT CARPET REMNANT AND THE BARREL OF THE GUN AS IT SITS ON THAT CARPET REMNANT, IN THE RESPECTIVE PICTURES, THERE IS A VARIATION, IS THERE NOT, IN THE RELATIVE POSITIONS OF THOSE ITEMS? A I WOULD SAY YES.

Q DO YOU HAVE ANY WAY OF ACCOUNTING FOR THAT VARIATION?

A EXCEPT FOR THE ANGLES OF THE PHOTOGRAPHS, THAT'S THE ONLY THING I CAN THINK OF.

Q BUT THE FIXED POINTS REMAIN IN BOTH PICTURES; DO THEY NOT? A YES.

Secret proceedings unknown to Lazor, with prosecutor, Schroeder and judge deciding which instructions jury will get to know of:

1540

1
2 ATROCIOUS CRIME. WHAT DO WE KNOW? ALL WE KNOW IS THAT HE MAY
3 HAVE HAD A BB GUN IN HIS HAND AND HE KICKED THE DOOR. NEITHER
4 ONE OF THOSE -- 417 ISN'T A FORCIBLE AND ATROCIOUS CRIME, IS
5 IT?

6 MR. SCHROEDER: NO, BUT I THINK THAT IT'S ARGUABLE
7 THAT A FORCIBLE ENTRY INTO SOMEBODY'S ROOM THAT'S LOCKED IS.

8 THE COURT: IS A FORCIBLE AND ATROCIOUS CRIME?
9 HARDLY.

10 MR. SCHROEDER: OKAY. I WILL WITHDRAW IT.

11
12 IN THE PEOPLE'S PACKET, OR IS IT?

13 MR. SCHROEDER: I DON'T THINK IT IS.

14 THE COURT: IT SHOULD BE.

15 MR. HAMES: I DON'T KNOW IF I PUT THAT IN

16 MR. SCHROEDER: IT'S NOT IN THERE.

17
18 TH

ADDED COMMENTARY

19 *BECAUSE OF CONCEALMENT OF MEATCLEAVER ATTACK,*
20 *AND WEAPON, IT WAS CONSIDERED A "FACT" THAT IT*
21 *DIDN'T OCCUR; SO JURY INSTRUCTIONS CRITICAL TO*
22 *ACQUITTAL WERE NEVER SHOWN TO THE JURY*

23 PAI

24 LIKE THE JURY TO KNOW THAT --

25 THE COURT: ASSAULT WITH THE FISTS, WHICH IS ALLRED,
26 DOES NOT JUSTIFY THE PERSON BEING ASSAULTED AND USING A DEADLY
27 WEAPON IN SELF-DEFENSE. THAT WOULD BE AT THE SAME TIME, NOT
28 AT SOME FUTURE TIME.

MR. SCHROEDER: NO, BUT I AM TALKING ABOUT THE FACT

Prosecutor arguing to jury against Lazor:

1619

1 TO AUDIENCES, AND WHAT HE WAS DOING WITH YOU, LADIES AND

2 GET THE

3 DEF **ADDED COMMENTARY** THE

4 PRO *FORCEFUL ARGUMENTS TO JURY THAT ALLRED WAS* IT

5 REL *NEVER ARMED, WERE NOT CONTESTED: NO DEFENSE*

WAS PRESENTED

6 HIS
7 DEMEANOR AND THE MANNER WHICH HE TESTIFIED, CONSIDER

8 ANOTHER FACTOR THAT YOU BE INSTRUCTED: WHETHER OR NOT

9
10 WAS. WHEN YOU CONSIDER THE ALL IMPORTANT ISSUE OF THE GUN,
11 THROW DOWN GUN, WHETHER IT WAS REAL OR WHETHER IT WAS
12 CONTRIVED,

13 HAS TOLD YOU WHEN YOU PUT THOSE TOGETHER WITH THE TESTIMONY
14 OF TWO EYE WITNESSES, MR. WALLIS AND MR. ELLIS, WHO ARE INTER-
15 VIEWED SEPARATELY AND APART AT DIFFERENT TIMES AND DIFFERENT
16 DATES, AND YOU SAY THAT THE TESTIMONY OF A SINGLE WITNESS,
17 MR. LAZOR, MAKES SENSE. I SUBMIT TO YOU IT DOES NOT. IT

18 DOESN'T EVEN COME CLOSE. THE CONCLUSION, LADIES AND
19 GENTLEMEN, IS THAT THE DEFENDANT SHOT AND KILLED MR. ALLRED,
20 WHO WAS IN FACT UNARMED AND IT WAS UNLAWFUL. HE HAD NO RIGHT
21 TO SELF-DEFENSE BECAUSE THERE WAS NO GUN.

22
23 WHEN YOU TURN TO THE AREA OF MALICE, YOU HAVE TO ASK YOURSELF
24 WAS THERE AN INTENT TO KILL? THE DEFENDANT, BY HIS OWN
25 ADMISSION, SAID THERE WAS AN INTENT TO KILL, OR AT THE VERY
26 LEAST, THERE CERTAINLY WAS AN IMPLIED MALICE; THAT IS, THAT HE
27 DID ACT WITH A HIGH DEGREE OF RISK WHEN HE SWUNG AROUND, AS HE
28 SAID, WITH A .45 IN HIS RIGHT HAND AND FIRED OFF THE INITIAL