

ORIGINAL

METROPOLITAN POLICE DEPARTMENT  
WASHINGTON, D.C.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

----- X  
:  
IN RE: :  
:  
DEATH OF ROBERT WONE : Case No. I-2747-06  
:  
----- X

August 2, 2006

Following is the interview of JOE PRICE as conducted  
by Sgt. Wagner and Detective Norris.

Requested By:

M. COLLEEN COVELL  
Assistant United States Attorney

FREE STATE REPORTING, INC.  
Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

ATTACHMENT A

P R O C E E D I N G S

1  
2 MR. PRICE. (indiscernible) I mean, somebody jumped  
3 our fence and went through that door. You said tell you what,  
4 what I know. We have an alarm system. The alarm was not on  
5 but it has a function where the doors chime if you open the  
6 doors, whether the alarm's on or not. The -- after Robert was  
7 there, we had drinks around, you know, the sink. Went  
8 upstairs, we showed Robert where the shower was, where the  
9 bathroom was, right down the hall, here's your bed. We had  
10 already made out the pull out bed for him. We said good  
11 night, he said he was going to take a shower before bed, that  
12 he was all sticky. I went upstairs, saw the last five minutes  
13 of the show, and then started watching the first 10 minutes of  
14 like some other thing on Spike TV. And I knew Victor was  
15 getting annoyed that I wasn't turning off the TV so I turned  
16 it off and we went to sleep.

17 The next thing that I know, I hear the chime. It's  
18 two beeps. Beep, beep.

19 SGT. WAGNER. So you don't remember what happened  
20 until you heard the chime?

21 MR. PRICE. Right. I don't know what happened  
22 until I hear the chime.

23 DETECTIVE NORRIS. So you wasn't asleep when you  
24 heard the chime?

25 MR. PRICE. I was asleep but it wakes me up.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 They're, they're two control units. One is --

2 BY SGT. WAGNER:

3 Q. (indiscernible) right there in your bedroom?

4 A. Yes. And one's down on the first floor. So I hear  
5 that. It doesn't concern me, it wakes me up. But I hear it  
6 and I think oh, Sara came home. Sara's our tenant. She lives  
7 down in the basement. She had said to us I'm going to go to  
8 Tom and John's tonight. I might come back, I might not. She  
9 occasionally does that. They have a guest room and she can  
10 just crash there. I thought she came home. No problem.  
11 She's very heavy, she doesn't come upstairs. I wasn't worried  
12 like oh, she's going to come find Robert (indiscernible) just  
13 come in and go downstairs. I don't know how long it was from  
14 when I heard the chime. It was not long enough for me to go  
15 back to sleep. And I hear what is -- you know, it was yelling  
16 but it wasn't -- it was just like grunts or something.

17 Q. But you don't know how long it was?

18 A. I don't know how long it was, but it was not -- I  
19 didn't fall back to sleep. I was still awake when I heard it  
20 and it was pretty close in time to right after I hear the  
21 chime. So Victor and I both jump out of bed, we run  
22 downstairs. There's -- you know, the, the stairs end at the  
23 door. You know, I see the door's open, I see Robert is laying  
24 there, the bed cover is pulled back. He's laying there, there  
25 is blood on him, his hand was out like -- one arm was out like

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 | this and one arm was like this, I think, or somewhere across  
2 | his body, and there was a knife. I believe it was on --  
3 | laying on him on -- like on his stomach or something like  
4 | that. I picked up the knife, I moved it, I lifted up his  
5 | shirt and I could see -- clearly see there was one, you know,  
6 | puncture wound right on his belly. I lifted up his shirt a  
7 | little more, there was a lot of blood on his chest. Before I  
8 | touched Robert, I -- Victor became very hysterical and I  
9 | yelled at him to go call 911. You know, just go do that. He  
10 | ran upstairs, he got the phone, and he came back down or  
11 | whatever. Was on the phone with them, he gave -- he handed me  
12 | a towel. They, you know, they were telling him to apply  
13 | pressure and we were doing that. I was yelling at him about  
14 | tell them, you know, we need an ambulance right now. We need  
15 | an ambulance right now. And, you know, they -- eventually,  
16 | the ambulance got there. The, you know, the guys came up,  
17 | they got Robert, put him on the stretcher, and, you know, the  
18 | police were right after them, basically.

19 |           At some point, we went downstairs. I think we were  
20 | told we had to go downstairs. When I got downstairs, Dylan or  
21 | somebody -- it might have been one of the officers that -- I  
22 | think it was Dylan, that the back door was open, you know,  
23 | ajar -- unlocked, whatever. And I looked at it right then  
24 | and, in fact, the door was, you know, a little open. It  
25 | wasn't completely closed but it was closed. That's it.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 Q. Okay. When you came downstairs, you came by  
2 yourself? Is that what you said?

3 A. No. Victor and I were running down the stairs  
4 together.

5 Q. And then what? What did you see?

6 A. We saw the door was there, it was open, there was  
7 Robert laying on the bed, the cover was pulled back.

8 Q. And where's Dylan?

9 A. He was in his room. I saw him, you know, in this  
10 time frame come out of his room. He -- you know, I don't  
11 think he heard the chime.

12 Q. You don't know if --

13 A. I don't know. But -- I don't know. I saw him come  
14 out of the room. He was putting on a bathrobe when he came  
15 out.

16 Q. So when the officers got there, who had the robe on?  
17 You did?

18 A. No. Dylan had one on and Victor had one on.

19 Q. And you --

20 A. I was still in my underwear. I know you guys have  
21 to figure everything out but, you know, Robert's one of my  
22 oldest friends. I went to his wedding, you know, he was, he  
23 was a freshman in college when I was a senior and his parents  
24 were on my college tour.

25 Q. Is he homosexual?

1           A.    No.  Not gay.  Never has been, didn't think about  
2 it.  You know, no drugs, no booze, nothing.  Robert was like  
3 the, you know, best, you know, absolutely straight A, you  
4 know, no nonsense guy I ever met.

5           Q.    But he didn't -- where was his wife all this time?

6           A.    What do you mean?

7           Q.    Well, she wasn't -- she didn't come over with him,  
8 right?

9           A.    No.  No.  She was at home.  I, I saw his wife,  
10 recently.  I saw her like on Monday.  She got a new job  
11 herself, she just had like hip replacement surgery and she got  
12 a new job working right across the street from me, so we,  
13 we -- she, Robert, and I actually all tried to go to lunch  
14 together last week and Robert couldn't do it but Cathy and I  
15 went.  And, you know, like I said, I know Victor and Dylan  
16 like better than I know my mother.  There's no chance on the  
17 face of this earth that either one of them could, you know,  
18 punch someone, never mind, you know, kill someone.  It's, it's  
19 ridiculous.

20           DETECTIVE NORRIS.  You said last week, you got a e-  
21 mail from --

22           MR. PRICE.  Robert.

23           DETECTIVE NORRIS.  -- from Robert.

24           MR. PRICE.  Um-hum.

25           DETECTIVE NORRIS.  And you all had arranged that he

FREE STATE REPORTING, INC.

Court Reporting  Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 was going to stay over your house Wednesday night?

2 MR. PRICE. Yes.

3 DETECTIVE NORRIS. And he was going to meet with  
4 the night shift?

5 MR. PRICE. He, he told me that, you know, that's  
6 what he was doing, that he was going to meet the late crew or  
7 whatever they were.

8 DETECTIVE NORRIS. Do you know what time of night  
9 (indiscernible)

10 MR. PRICE. I think I have his e-mail today -- from  
11 today where he, he e-mailed me again and said oh, I told you  
12 the wrong time or something and he said he was meeting the  
13 people -- I think the shift was like 6:00 to 10:00 and -- you  
14 know, in any event, he was going to go from the CLE to his  
15 office to see these folks which (indiscernible)

16 SGT. WAGNER. What does the CLE mean?

17 MR PRICE. Continuing legal education. He was  
18 doing like a couple grants, CLE.

19 DETECTIVE NORRIS. He was going to see them  
20 tonight?

21 MR. PRICE. Um-hum. He did. He, he went to the  
22 CLE which is down at 1250 H in Washington (indiscernible)

23 BY SGT. WAGNER:

24 Q. When, when was that over?

25 A. He said it was over around 9:00. And then he went

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 to the office which is at 20th and Elm, you know, saw the  
2 folks he needed to see, got a cab. He called me before he  
3 left the building, said hey, I'm catching a cab right now,  
4 took the cab --

5 Q. And the reason he didn't go home is what?

6 A. He lives out in Oakton, so it's like a good long  
7 drive, I guess. Yeah. I don't know.

8 Q. Twenty-five minutes.

9 A. Okay. It may seem odd to you. It doesn't seem  
10 weird to me. And we had made plans --

11 Q. Was it like he had to do something in the morning or  
12 did ---

13 A. Yeah. He and I were actually going to have  
14 breakfast. His -- the, the company he works for has some  
15 Internet infringement problem which is the type of work I do,  
16 so I had sent Robert some pitch materials. In fact, I had  
17 some sitting out on my kitchen counter for him. So we were  
18 going to go have breakfast tomorrow and talk about the  
19 proposal -- you know, what he -- he had said that  
20 (indiscernible) but there were some things he wanted -- and  
21 then he would go to his office and I'd go to mine.

22 DETECTIVE NORRIS. (indiscernible)

23 MR. PRICE. He never has.

24 DETECTIVE NORRIS. (indiscernible)

25 MR. PRICE. You know, he was coming in, didn't want

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 to drive out to his house just to come back.

2 BY SGT. WAGNER:

3 Q. So the scenario you're telling is a burglar comes in  
4 the house for the sole purpose of coming upstairs and stabbing  
5 a person who's spent one, you know --

6 A. Now --

7 Q. -- a half an hour in your house --

8 A. I don't think they knew anybody was there. All I  
9 can imagine -- and this, I mean, this is the worst thing that  
10 has ever happened to me. I've never been mugged, my house was  
11 never broken into -- my car was broken into once.

12 DETECTIVE NORRIS. First of all, first of all, your  
13 house wasn't broken into.

14 SGT. WAGNER. It still hadn't been broken into.

15 DETECTIVE NORRIS. So --

16 MR. PRICE. I understand where you guys are coming  
17 from with this but someone came in our house, took that  
18 knife --

19 DETECTIVE NORRIS. How did they get in?

20 MR. PRICE. They came through the back door.

21 DETECTIVE NORRIS. How do you know?

22 MR. PRICE. I heard the chime. The front door of  
23 the house was definitely locked.

24 SGT. WAGNER. And then did you hear the chime when  
25 they went out?

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 MR. PRICE. I did not hear it. No. Victor told me  
2 that he believes he heard the chime again. I didn't hear it.

3 SGT. WAGNER. And then this person, they -- then  
4 what did they do? Jump the fence?

5 MR. PRICE. Yeah. And I was sitting in the living  
6 room saying to (indiscernible) like why in the hell would you  
7 jump the fence? Why wouldn't the person going out the back  
8 door go through the gate?

9 DETECTIVE NORRIS. Well, how do you know --

10 SGT. WAGNER. Amen. Good thinking.

11 MR. PRICE. Because I didn't get to go out there  
12 but, you know, the gate was -- as far as I could tell from  
13 where I was sitting, the gate (indiscernible) the gate was not  
14 ajar.

15 DETECTIVE NORRIS. Does the gate normally close  
16 when you open it up by itself?

17 MR. PRICE. No. No, it's a really heavy metal  
18 gate.

19 DETECTIVE NORRIS. So you have to, you have to  
20 close it and you --

21 MR. PRICE. You'd still have to close it. Yeah.

22 DETECTIVE NORRIS. Do you normally keep the door  
23 unlocked?

24 MR. PRICE. Occasionally, we leave the back door  
25 unlocked. Not, not on purpose but because we just forget to

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 lock it. We, we grill out there, you know, four nights out of  
2 five. We grilled out there tonight. You know the grill is  
3 literally out the back door. I mean, you know, it's like  
4 three feet away from the door. So, you know, it's -- it is  
5 completely plausible that the door was unlocked.

6 DETECTIVE NORRIS. Who, who -- how did you know the  
7 door was unlocked?

8 MR. PRICE. Well, when we -- well, like I said,  
9 when I came downstairs, Dylan or somebody else pointed out to  
10 me, you know, the door was unlocked or whatever when they got  
11 down there -- that, that they saw that the door was unlocked.

12 SGT. WAGNER. Meaning, after this deed has been  
13 done --

14 MR. PRICE. Yes.

15 SGT. WAGNER. -- you guys see the door's unlocked?  
16 Maybe somebody had a key.

17 MR. PRICE. That's possible. I mean, there -- I  
18 mean, other than us and our tenants there, there's a few  
19 contractors that have keys. So -- and it's one key that keys  
20 the whole house.

21 DETECTIVE NORRIS. Do you normally intend  
22 (indiscernible)

23 MR. PRICE. Sometimes I do, sometimes I don't. I  
24 mean, I, I don't remember doing that tonight. And, in fact,  
25 while Dylan and Robert and I were talking around those same --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 standing in the kitchen, I was looking out the -- the back  
2 door's all glass and I looked through the glass panels and I  
3 looked out there's a, there's a light in one of the tree  
4 boxes. They're (indiscernible) and I could see something like  
5 crawling around on top of it. It looked to me like a big bug.  
6 Anyway, I walked outside and looked at it and came back in.

7 DETECTIVE NORRIS. That was in the day?

8 MR. PRICE. That was tonight.

9 DETECTIVE NORRIS. Around what time was that?

10 MR. PRICE. 10:40, something. I mean, it was after  
11 Robert got there before we went upstairs. And I don't -- I  
12 can't tell you did I turn and lock the thing. I don't know.

13 DETECTIVE NORRIS. But you know that area is -- has  
14 a high crime rate of burglaries, right?

15 MR. PRICE. No.

16 DETECTIVE NORRIS. You, you didn't know that?

17 MR. PRICE. No. No. It's -- I mean, we know some  
18 of our neighbors, you know, and I think of it as a very safe  
19 place. You know? We -- the one thing we ever worried about  
20 was the guy living in the van behind the house. We, we called  
21 the police about that because we saw the guy getting in the  
22 van and we thought someone's breaking into the van. And the  
23 cops came and they said oh, no, they talked to some people  
24 that came over, they said actually, the guy has permission or  
25 something to live there.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 SGT. WAGNER. Yeah, he does.

2 MR. PRICE. So--

3 SGT. WAGNER. He does live there.

4 MR. PRICE. That's what -- that was the one and

5 only time I ever felt unsafe. I mean, you know, the back --

6 the alley is very well lit, you know, we know the people not

7 directly across but across the way. I mean, you know --

8 SGT. WAGNER. Right. So that --

9 MR. PRICE. You drive back there, it's all, it's --

10 you know, there's Mercedes, Mercedes, Mercedes.

11 SGT. WAGNER. Right. Right.

12 MR. PRICE. I mean, people like us. We spend a

13 million two on the house.

14 DETECTIVE NORRIS. But you said, you said you feel

15 unsafe. So --

16 MR. PRICE. No, I didn't say that. No, I said --

17 SGT. WAGNER. The only time was because when you

18 saw this guy go --

19 MR. PRICE. Yeah. Break into the van. Yeah. I

20 thought oh, that's, that's, you know, suspicious. Our, our --

21 actually, our -- Sara was the one who insisted I call the cops

22 because she actually saw the guy. You know, she was all like

23 wiggled out, oh, we better call.

24 DETECTIVE NORRIS. What time did you set the alarm?

25 MR. PRICE. We didn't put the alarm on. We

FREE STATE REPORTING, INC.

Court Reporting . Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 don't -- generally, we don't put it on at night when we're  
2 home. We don't turn it on. You know, when we leave the  
3 house, we usually turn it on. Truth be told, we --

4 BY SGT. WAGNER:

5 Q. No, when Sara comes home, if it's on, she comes in  
6 and disarms it? Is that how --

7 A. Yeah. Yeah.

8 Q. -- it works?

9 A. She knows the code. Yeah.

10 Q. So she would be able to tell us about coming in,  
11 right?

12 A. Sure.

13 Q. Whether it's on or not and all that kind of stuff.

14 A. Yes. Yeah. So she actually -- you know, at some  
15 point, I don't know whether --

16 Q. Does she put it on when she comes in?

17 A. Not when she comes in. Anytime any of us leave the  
18 house, we usually put it on. Although, we weren't doing that  
19 for probably the first six to eight months we lived there. I  
20 mean, we had the system, it was installed when we got the --  
21 you know, when we bought the house, but she -- again, she, you  
22 know, she is a little, I think, more paranoid or whatever. So  
23 she, you know, she said, at some point, to me or to Victor,  
24 you know, oh, you know, we should start using the alarm, you  
25 know, when we come and go. So, so now we do. But never at

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 night. We've never -- ever since we've lived there, we've  
2 never put the alarm on at night. I know it may sound  
3 completely stupid.

4 I lived on Capitol Hill on Constitution and 11th for  
5 five years in a, you know, quote, unquote, (indiscernible)  
6 neighborhood. You know, nothing ever happened. It was safe,  
7 it was fine.

8 Q. I can show you murders within -- I can throw a lot  
9 in (indiscernible) Constitution to several bodies.

10 A. I'm just (indiscernible) the stupid, you know, guy  
11 living in Washington.

12 Q. Well, nobody broke in that, that house tonight.  
13 There's no evidence of anybody breaking into the house  
14 tonight.

15 A. Somebody came in.

16 DETECTIVE NORRIS. Well, we, we also talked to some  
17 of your neighbors and some of your neighbors just happened to  
18 be up.

19 SGT. WAGNER. Nobody came --

20 DETECTIVE NORRIS. Nobody saw anybody come back  
21 there and nobody saw anybody --

22 MR. PRICE. I mean, you know, if, if there, if  
23 there was any other possibility, you know, I'd be right there  
24 with you guys saying okay, maybe this happened or maybe that  
25 happened but, you know, there are the three of us in there.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 You know, like I said, I know Victor and Dylan better than I  
2 know my mom. There is no chance on the face of the earth  
3 anybody did anything to Robert. I mean, that, that is not the  
4 answer here.

5 DETECTIVE NORRIS. When you're saying that you know  
6 them, well, how well do they know you?

7 MR. PRICE. I would say they would tell you the  
8 same.

9 DETECTIVE NORRIS. You sure?

10 MR. PRICE. I would say so. Yeah.

11 DETECTIVE NORRIS. Okay.

12 MR. PRICE. I mean, you know, you can ask them but,  
13 I mean, yeah.

14 DETECTIVE NORRIS. What time did you discover the  
15 body?

16 MR. PRICE. I'm not exactly sure what time but I, I  
17 know that I turned the TV off around 11:05, 11:10, something  
18 like that. And when we were on the phone with 911, I --  
19 Victor asked them what time it was and the person said -- you  
20 know, told him it was 11:43. So, you know, maybe 11:40, I  
21 don't know, 11:35. Something like that.

22 SGT. WAGNER. And they told you to put -- do  
23 compressions on his --

24 MR. PRICE. They told Victor that and, yeah, they  
25 said apply pressure. I -- and, you know, I don't know if they

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 told me to check for a pulse or I was checking for a pulse,  
2 but I was looking for a pulse.

3 SGT. WAGNER. And you moved the knife?

4 MR. PRICE. I did move it.

5 SGT. WAGNER. Nobody else?

6 MR. PRICE. Nobody else.

7 DETECTIVE NORRIS. You said that -- let me go back  
8 to this time again, because you got me confused. You said  
9 that you found the body at what time?

10 MR. PRICE. I went to sleep at 11:05, 11 -- I  
11 turned off the TV at 11:05 or 11:10. I was asleep shortly  
12 thereafter.

13 DETECTIVE NORRIS. Okay.

14 MR. PRICE. And we were on the phone with 911  
15 already applying pressure, you know, at 11:43. So somewhere  
16 in that period, you know, five minutes maybe before. I mean,  
17 as soon as I saw Robert, you know, and I couldn't stop Victor  
18 from screaming, I, you know, I told him to run up and call  
19 911. So it was --

20 DETECTIVE NORRIS. And that's --

21 MR. PRICE. -- minutes within --

22 DETECTIVE NORRIS. -- right when you saw the body?

23 MR. PRICE. Yes.

24 DETECTIVE NORRIS. How many minutes had gone by?

25 MR. PRICE. Not even one.

1 DETECTIVE NORRIS. Not even one?

2 MR. PRICE. If, if it was one, it was one. I mean,  
3 as soon as I saw it and I, I grabbed, you know, Victor who was  
4 literally hysterical and said go call 911, and he ran  
5 upstairs.

6 DETECTIVE NORRIS. And Victor told you that the  
7 person that he was talking to on the 911 call said that it was  
8 like 11:43?

9 MR. PRICE. Yeah. Yeah. They -- I mean, he asked  
10 them what time is it. And, you know, I was yelling we need an  
11 ambulance.

12 DETECTIVE NORRIS. Victor asked, asked the lady  
13 what time it was?

14 MR. PRICE. Yes. I believe he asked them to say  
15 what time, you know, what -- to tell him what time it was.

16 DETECTIVE NORRIS. Because we got a problem.

17 MR. PRICE. Okay.

18 DETECTIVE NORRIS. Because the 911 call didn't come  
19 in until 12:02, so it was like 20 minutes. What took you so  
20 long to call the police?

21 MR. PRICE. That's -- I mean, you, you could go  
22 check our phone and see what -- exactly what time it --

23 SGT. WAGNER. You were on the hard line?

24 MR. PRICE. Yeah.

25 DETECTIVE NORRIS. You already told us what time.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 MR. PRICE. I told you what I understand from what  
2 they (indiscernible) 11:43.

3 SGT. WAGNER. And that was from Victor telling you  
4 what they said?

5 MR. PRICE. Yes. Yeah. You can look at our phone  
6 and see --

7 SGT. WAGNER. I'm just wondering why he would have,  
8 you know --

9 MR. PRICE. Maybe the 911 person got it wrong.

10 SGT. WAGNER. And what time is it?

11 MR. PRICE. No, because, you know, we're yelling  
12 like we need an ambulance, we need an ambulance and, you  
13 know --

14 DETECTIVE NORRIS. You said it was like in a minute  
15 you went and called.

16 MR. PRICE. He went and called after I told him to.

17 DETECTIVE NORRIS. Right. Within a minute.

18 MR. PRICE. Yeah.

19 DETECTIVE NORRIS. That's 11:43.

20 MR. PRICE. No. They told him it was 11:43. I  
21 don't know, maybe the operator got it wrong but you --

22 DETECTIVE NORRIS. No (indiscernible)

23 MR. PRICE. -- you guys can check our phone and see  
24 that. Come on, I watch TV. I see people like die with the  
25 911 --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 SGT. WAGNER. Exactly.

2 DETECTIVE NORRIS. This is real life.

3 MR. PRICE. This is a lot more like TV, I think,  
4 than, you know --

5 DETECTIVE NORRIS. This is real life.

6 MR. PRICE. You guys are focusing on us.

7 DETECTIVE NORRIS. No, no, no. We --

8 MR. PRICE. This did not happen.

9 DETECTIVE NORRIS. -- focusing on the facts  
10 (indiscernible)

11 MR. PRICE. I know, I know, I know. You guys have  
12 (indiscernible)

13 SGT. WAGNER. All we can look at is what we know  
14 and what we see.

15 MR. PRICE. (indiscernible) the back door and all  
16 that kind of stuff, I know you guys will find evidence there  
17 was somebody else in our house. I know. I heard the chime.

18 SGT. WAGNER. Yeah. You heard the chime. And was  
19 that the person leaving?

20 MR. PRICE. No, I believe it was the person coming  
21 in because then I hear (indiscernible)

22 SGT. WAGNER. But you don't hear the --

23 MR. PRICE. -- later.

24 SGT. WAGNER. But you're not sure how much later,  
25 though, are you?

1 MR. PRICE. I know I didn't fall back to sleep.  
2 DETECTIVE NORRIS. Well, you, you heard, you heard  
3 the chime on the door.  
4 SGT. WAGNER. Somebody comes in --  
5 DETECTIVE NORRIS. Did you hear a scream or  
6 anything like that at all?  
7 MR. PRICE. No.  
8 DETECTIVE NORRIS. You didn't hear -- you heard no  
9 screams?  
10 MR. PRICE. I heard the chime, then it was quiet --  
11 SGT. WAGNER. (indiscernible)  
12 MR. PRICE. Yeah. I don't know how long. Maybe it  
13 was a minute, two, three, four. I don't -- you know, I'm  
14 just -- I just woke up. I'm thinking oh, Sara came home,  
15 then, you know, I roll back over.  
16 DETECTIVE NORRIS. Your floors -- your stairs,  
17 they're hard wood, right?  
18 MR. PRICE. Um-hum.  
19 DETECTIVE NORRIS. So you would think that if  
20 somebody was going down the stairs -- even if somebody was  
21 running down the stairs, you'll be able to hear that, right?  
22 MR. PRICE. You know, I don't know. Maybe. But --  
23 DETECTIVE NORRIS. Oh, yeah, you would. Because  
24 when I was there, I mean, I heard people coming up the stairs,  
25 going down the stairs all the way up on the third floor.

1 MR. PRICE. Okay.

2 DETECTIVE NORRIS. So that's something that if  
3 somebody stabs somebody, I would think that somebody running  
4 is something that you going to hear.

5 MR. PRICE. You know, I --

6 DETECTIVE NORRIS. Because if I'm stabbing you --

7 MR. PRICE. -- I agree with you. I think that I  
8 would have heard --

9 DETECTIVE NORRIS. -- I'm running --

10 MR. PRICE. -- or seen something. You know.

11 DETECTIVE NORRIS. -- or if you was able to hear,  
12 if you was able to hear that (indiscernible) you can hear  
13 somebody running down those hard wood floors. No carpet.  
14 These are hard wood floors. You can hear somebody running.

15 MR. PRICE. You might -- honestly, I don't know how  
16 long it was before the guy, you know, ran off. But -- and I  
17 don't know why he didn't go out the gate, you know, I don't  
18 know why the, the back door wasn't wide open. You know, I  
19 don't know. But --

20 SGT. WAGNER. The back door wasn't wide open, the  
21 gate wasn't open. No one jumped the fence, nobody landed in  
22 the dirt. There's -- the dirt is not disturbed in any way  
23 around the fence where you would have to stand to climb over  
24 the fence. Nobody climbed over the fence. Either direction.

25 DETECTIVE NORRIS. Yeah.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 SGT. WAGNER. They didn't go out that way.

2 MR. PRICE. I, I don't know. It's -- what you  
3 would see with the dirt, but I don't know.

4 SGT. WAGNER. Oh, I do know and I've been on many  
5 and many --

6 MR. PRICE. Okay. I don't have -- honestly, all --  
7 what I, what I do know without a shadow of a doubt is that  
8 neither Dylan or Victor --

9 DETECTIVE NORRIS. But you don't know that.

10 MR. PRICE. -- would do anything. I do know that.

11 DETECTIVE NORRIS. You don't know that.

12 MR. PRICE. I know that. What on earth -- what  
13 reason on God's green earth would they have to do this?

14 DETECTIVE NORRIS. But you don't --

15 MR. PRICE. It's not, it's not even possible. They  
16 couldn't even like punch someone.

17 DETECTIVE NORRIS. Joe, Joe, I have a problem, Joe.  
18 Because the whole time I sit in here and talk with you, I have  
19 yet to hear you say you wouldn't do it. I can't --

20 MR. PRICE. Okay. You know what? Because  
21 that's -- I don't even need to say I wouldn't do it. I --  
22 it's impossible.

23 DETECTIVE NORRIS. Why?

24 MR. PRICE. Because this is one of my oldest  
25 friends. I mean, this guy, I went to his wedding.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 DETECTIVE NORRIS. No, no, no. Joe, Joe --

2 MR. PRICE. You guys are killing me.

3 DETECTIVE NORRIS. Joe, if, if, if I didn't do it  
4 and all these guys are my friends, I'm not going to say, I'm  
5 not going to say Joe and somebody else didn't do it. I'm  
6 going to say we didn't do it. That's the way I'm going to  
7 respond. I'm going to say we didn't do it.

8 MR. PRICE. I'm taking it for granted that you guys  
9 don't think I did it, but, you know, obviously I'm idiot.  
10 Okay. Maybe, you know, I'm, I'm a suspect, too, but, you  
11 know, why? This is one of my oldest friends. What on, what  
12 on earth would possess me to do such a thing? Never mind  
13 could I do it. It's crazy.

14 SGT. WAGNER. The whole thing is crazy.

15 DETECTIVE NORRIS. Yeah.

16 BY SERGEANT:

17 Q. The guy ain't supposed to be staying over at your  
18 house tonight. That's crazy. That doesn't make any sense to  
19 me.

20 A. You know, just ask his wife if he was planning to  
21 come. I can show you the e-mails right here, probably. You  
22 know, I got my BlackBerry. This is from my work account.

23 Q. Well, maybe he's thinking about doing a little  
24 experimentation. I don't know.

25 A. You know, if that were --

1 Q. Why not?

2 A. If that were true, I would tell you guys.

3 Q. Why would you?

4 A. Because why, because why not tell you? I mean, why

5 not? I want you to find who did this. You know?

6 Q. But not if it's one of you, you three. Not if it's

7 one of you three.

8 A. It wasn't one of us. I mean, you know --

9 DETECTIVE NORRIS. Would you be willing --

10 MR. PRICE. -- I know you guys can't just say oh,

11 Joseph, is not innocent. So we're done. And I realize this

12 sounds crazy. It is this -- you know --

13 DETECTIVE NORRIS. Joe, another thing you got to --

14 when you woke up, what did you see when you woke up?

15 MR. PRICE. You mean, when I woke up when I heard

16 the chime?

17 DETECTIVE NORRIS. Um-hum.

18 MR. PRICE. It was dark. I was laying in bed.

19 DETECTIVE NORRIS. What else did you see?

20 MR. PRICE. I don't know. I don't remember seeing

21 anything. I don't even know if I opened my eyes.

22 DETECTIVE NORRIS. Well, you had -- when you woke

23 up, you opened your eyes.

24 MR. PRICE. Maybe I did. I don't --

25 SGT. WAGNER. Well --

1 DETECTIVE NORRIS. Did you see --

2 SGT. WAGNER. -- Victor was there.

3 DETECTIVE NORRIS. Did you see Victor?

4 MR. PRICE. He was lying right -- yeah, he was  
5 lying right next to me. Absolutely.

6 DETECTIVE NORRIS. What was Victor, what was Victor  
7 doing?

8 MR. PRICE. He was asleep, as far as I know.

9 SGT. WAGNER. But he didn't wake up?

10 MR. PRICE. I don't think he did. I mean --

11 SGT. WAGNER. Did you all drink wine tonight?

12 MR. PRICE. (indiscernible)

13 SGT. WAGNER. Did everybody have wine tonight?

14 MR. PRICE. Yes, we did. Yeah. The bottle was  
15 still on the counter at the house. There was maybe a third of  
16 it left.

17 DETECTIVE NORRIS. Do you normally wake up when you  
18 hear the chime?

19 MR. PRICE. Yeah, I do. It wakes me up.

20 DETECTIVE NORRIS. So --

21 SGT. WAGNER. Every night when Sara comes home, you  
22 wake up --

23 MR. PRICE. No. Sara's usually already home. She,  
24 she works for Financial Services on the Hill, she, you know,  
25 she's home usually before I am. She's usually home before

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 anybody. Tonight was -- you know, once in a while, she stays  
2 at Tom and John's. That's what she said, she might do that  
3 tonight, might not. I don't think it normally wakes Victor  
4 up. You could ask him, obviously.

5 DETECTIVE NORRIS. When you came downstairs, what,  
6 what brought you downstairs?

7 MR. PRICE. The, the grunting, yelling, whatever,  
8 in the house.

9 DETECTIVE NORRIS. The what?

10 SGT. WAGNER. Grunting.

11 MR. PRICE. It wasn't, you know, it wasn't like  
12 someone said hey, what are you doing here or anything like  
13 that. It -- there weren't words. What I heard was like  
14 noises but it, it definitely did not sound --

15 DETECTIVE NORRIS. (indiscernible) Wait a minute.  
16 Hold on, hold on, hold on, Joe. You got me confused again.  
17 Because I clearly asked you earlier did you hear anything  
18 yelled, did you hear anybody scream. You said it was  
19 absolutely quiet.

20 MR. PRICE. Yeah. I -- you said right after the  
21 chime. There was a period of time --

22 DETECTIVE NORRIS. Right. Right after the --

23 MR. PRICE. -- after the chime when I was laying  
24 there --

25 SGT. WAGNER. When it was quiet.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 MR. PRICE. -- and I didn't hear anything. I, I  
2 heard the chime, I said -- I thought oh, Sara's come home,  
3 rolled back over, you know --

4 SGT. WAGNER. (indiscernible)

5 MR. PRICE. -- planning to go back to sleep. No, I  
6 wasn't awoken again. I never went back to sleep. The time  
7 period was that close. I mean, it was -- you know, I don't  
8 know if it was 30 seconds, a minute, whatever, but I didn't go  
9 back to sleep. I heard the disturbance and we both jumped up.  
10 Victor heard it too. I mean, it wasn't the kind of thing you  
11 hear in your house and you don't go down and look.

12 DETECTIVE NORRIS. So at what point did Victor wake  
13 up? Because you said he was asleep.

14 MR. PRICE. I may have woken him up. I don't know.  
15 I mean --

16 DETECTIVE NORRIS. No, no. You may -- you would  
17 know if you didn't. It ain't no --

18 MR. PRICE. No, I don't know. I don't remember.  
19 You know, I, again --

20 DETECTIVE NORRIS. See, your story is starting to  
21 bother me because, first, you told my partner that you was  
22 awakened the first time by the, by the ching (sic) and then  
23 you was awakened at -- again by you may have thought that he  
24 went in and then thought that he went out. You see, you  
25 didn't hear any noise.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 MR. PRICE. No. You asked me if I was -- if I  
2 heard the chime, I said yes and then it was quiet. It was  
3 quiet. I didn't hear anything right after that.

4 DETECTIVE NORRIS. But now you're saying that you  
5 heard a grunting noise.

6 MR. PRICE. After the period of silence. I hear  
7 the chime, there's a period of silence, there's grunting --

8 DETECTIVE NORRIS. Describe the grunting noise.  
9 Describe it.

10 MR. PRICE. It went (gaspng noise). Something  
11 like that. Loud, several of them, and we went downstairs.

12 DETECTIVE NORRIS. Who, who, who went downstairs?

13 MR. PRICE. Me and Victor.

14 DETECTIVE NORRIS. And did Victor hear this?

15 MR. PRICE. Yeah. I'm sure when you guys talked to  
16 him he told you he did.

17 DETECTIVE NORRIS. No, I'm asking you did he hear  
18 this. Did you (indiscernible)

19 MR. PRICE. I assume that he did. Yes.

20 DETECTIVE NORRIS. Right? So what conversation did  
21 you and him have after hearing that noise?

22 MR. PRICE. We didn't have any. We just got up and  
23 we ran downstairs. I mean, this is all like that.

24 DETECTIVE NORRIS. So you didn't say what's going  
25 on, is that -- is somebody in trouble, is it --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 MR. PRICE. No.

2 DETECTIVE NORRIS. Did you yell out to anybody at  
3 all? I mean, did you say hey, Rob, you okay?

4 MR. PRICE. I may have said Robert when I ran down  
5 the stairs, but, yeah, we, we -- it was instantaneous. We  
6 jumped out of bed, we ran down the stairs.

7 DETECTIVE NORRIS. After you heard the first chime,  
8  
9 chime -- after you heard that, that noise, how many minutes or  
10 seconds gone by until you heard the grunting noise?

11 MR. PRICE. I don't know. And all I can tell you  
12 is I didn't fall back to sleep. It was close in time to --

13 DETECTIVE NORRIS. You said seconds earlier.

14 BY SERGEANT:

15 Q. And then --

16 A. It might have been a second, it  
17 might -- I said a minute or two minutes. I don't know.

18 Q. So -- well, let me just say this. You hear the  
19 grunting and now you're, you're running down the stairs,  
20 virtually, right?

21 A. Yeah.

22 Q. But no one else is in your house at that point?

23 A. We don't know. You don't know. You'll see on the  
24 911 tape --

25 Q. Well, wouldn't you have heard --

1 A. -- Victor didn't even want to go downstairs because  
2 he -- onto the first floor because he was afraid the person  
3 was still in our house.

4 Q. Okay. But as you're running down the stairs, it's  
5 your theory that he's running down the other stairs, this  
6 person, this --

7 A. No. No. I don't know what's going on. I, I, you  
8 know, it's not even --

9 Q. That's why I'm asking.

10 A. No, I don't know. It's -- I don't believe -- at  
11 that point, it is not even in the realm of possible that  
12 anything has happened to Robert. All I know is I heard some  
13 noise --

14 Q. But, really, something did. So what I'm asking you  
15 is where did this guy go?

16 A. I believe he ran out of the house.

17 Q. Between the grunting and you running down the  
18 stairs, which happened like (snapping)?

19 A. Yeah.

20 Q. Wow. That's fast.

21 A. I agree with you. Look, it's a crazy -- I mean, why  
22 didn't he -- why wasn't the back door wide open --

23 DETECTIVE NORRIS. I mean, you would think, you  
24 would think that you would --

25 MR. PRICE. -- why wasn't the gate wide open, why

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 | didn't he go out the front door?

2 |           DETECTIVE NORRIS.    Yeah.  But you would think that

3 | you would run into this guy and you would see this guy

4 | running.

5 |           MR. PRICE.    Yeah.  Maybe.

6 |           DETECTIVE NORRIS.    Because you said seconds.

7 |           MR. PRICE.    Yeah.  I mean, it, it really was --

8 |           DETECTIVE NORRIS.    Not minutes, seconds.

9 |           MR. PRICE.    Yeah.  I think that's --

10 |           DETECTIVE NORRIS.   And you didn't hear anybody

11 | running down the stairs or anything?

12 |           MR. PRICE.    No, I didn't.

13 |           DETECTIVE NORRIS.   So makes you think it's a

14 | burglary if you didn't hear anybody running?

15 |           SGT. WAGNER.   (indiscernible) it couldn't be Victor

16 | --

17 |           MR. PRICE.    You know --

18 |           SGT. WAGNER.   -- and it couldn't be Dylan.

19 |           MR. PRICE.    I know.  It's --

20 |           SGT. WAGNER.   (indiscernible)

21 |           MR. PRICE.    You guys don't know us from Adam so who

22 | knows?  You know, we could all be crazy as loons, but, you

23 | know, all I can tell you is it wasn't one of them.  It wasn't

24 | me.  We have no reason on earth to do this.  I mean, I know

25 | Robert's whole family.  I mean --

1           DETECTIVE NORRIS. Well, you know, the crime of  
2 passion always happen like that.

3           MR. PRICE. This isn't a crime of passion.

4           DETECTIVE NORRIS. Well, no, I'm just, I'm just  
5 giving you an example that --

6           MR. PRICE. Okay.

7           DETECTIVE NORRIS. -- sometimes, you know, people  
8 might not know one another --

9           SGT. WAGNER. It couldn't be him.

10          DETECTIVE NORRIS. Right.

11          BY SERGEANT:

12          Q. It's never him.

13          A. Okay. Well, I, you know, I know it's not Victor or  
14 Dylan.

15          Q. Well, this --

16          A. And I know --

17          Q. What do you know about Dylan? What about his  
18 health? How's he doing?

19          A. His health is very good.

20          Q. He's not on any drugs of any kind?

21          A. He is. He takes Lexipro and Welbutrin.

22          Q. What's that for?

23          A. Depression.

24          Q. So he's fine?

25          A. He's fine.

## FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 Q. No, he's not.

2 A. Look, I got a brother who's HIV positive, he's been  
3 positive for 10 years. He takes Lexipro and Welbutrin. His  
4 partner takes Welbutrin. You know, my friend David Anderson  
5 takes Welbutrin. I mean, you know, everybody I know --

6 Q. Well, so depression's --

7 A. -- is taking depression --

8 Q. -- okay?

9 A. It's not okay. You get a counselor, you get  
10 treatment, and he's fine.

11 Q. And sometimes you do things.

12 A. Well, you know, I don't know what to tell you guys.  
13 I know you're focused on us. I know this sounds crazy, you  
14 know, the whole somebody ran in or whatever.

15 Q. Because nobody did.

16 A. Someone did.

17 Q. There's not one single bit of evidence that anybody  
18 entered your house.

19 A. (indiscernible)

20 DETECTIVE NORRIS. (indiscernible)

21 MR. PRICE. I think if you guys dust the place,  
22 you'll find fingerprints of somebody else.

23 SGT. WAGNER. One of your guests. I'll find yours  
24 --

25 MR. PRICE. No, on, on, on the back door.

1 SGT. WAGNER. -- I'll find, I'll find everybody's.  
2 I'll find Robert's, all that. So what?

3 MR. PRICE. You'll find somebody that we don't  
4 know. You'll find some person. On the doorknob, on that  
5 knife handle, you know --

6 SGT. WAGNER. Oh, I'm going to find yours on the  
7 knife handle.

8 MR. PRICE. Yeah. Yes, you'll find mine.

9 SGT. WAGNER. Yeah.

10 MR. PRICE. Yeah, that was stupid but, you know, I  
11 mean, I can't tell you how shocking it was that --

12 DETECTIVE NORRIS. Did you, did you talk to the  
13 officer first? Were you the first one that met the officers?

14 MR. PRICE. No, I don't think so. There were so  
15 many police officers, I don't know.

16 SGT. WAGNER. Well, didn't you tell any of the  
17 officers this story? You must have.

18 MR. PRICE. Yeah, we did. Yeah. Everybody we  
19 talked to.

20 DETECTIVE NORRIS. What did you tell them?

21 MR. PRICE. Exactly what we're telling you guys,  
22 that -- you know, what happened.

23 DETECTIVE NORRIS. That's not what we got.

24 MR. PRICE. What did you guys get?

25 DETECTIVE NORRIS. There's a big difference.

1 MR. PRICE. Okay.

2 DETECTIVE NORRIS. So what did you tell the officer  
3 on the scene when they asked you what happened?

4 MR. PRICE. Just what I told you guys.

5 DETECTIVE NORRIS. Who did you talk to?

6 MR. PRICE. I don't know which one it was.

7 DETECTIVE NORRIS. Female, was it a guy, was it a  
8 black woman, was it a --

9 MR. PRICE. I believe it was a guy. I'm not sure.

10 DETECTIVE NORRIS. What, what did you tell him?

11 MR. PRICE. The same thing. We heard the chime,  
12 ran downstairs after we heard the grunting or whatever, and  
13 found Robert.

14 DETECTIVE NORRIS. Well, I can tell you the first  
15 time that you told us this story, you never mentioned anything  
16 about grunting.

17 MR. PRICE. I probably said yelling.

18 DETECTIVE NORRIS. You didn't say yelling. You  
19 said it was quiet.

20 MR. PRICE. No, I said it was quiet after the  
21 chime, sir. I said this repeatedly.

22 DETECTIVE NORRIS. Okay.

23 MR. PRICE. I know you guys have to come at me like  
24 10 times and see if the story sticks but I'm not making this  
25 up, they're not making this up.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 DETECTIVE NORRIS. Well, well, your story, each  
2 time you tell it, you say something different. You know that,  
3 right?

4 MR. PRICE. It's human behavior. I mean, you know,  
5 you can ask the same person 50 times to tell you the same  
6 thing 50 times, that's what will happen. You'll -- I'll  
7 remember one little thing that I didn't remember before, you  
8 know, but that's how it works. And I know you know this  
9 because you do this stuff all the time.

10 DETECTIVE NORRIS. And we don't get this half the  
11 time. You know --

12 MR. PRICE. Well, you know, in my business, you do.  
13 I take people's depositions, question them for eight hours a  
14 day, you know. People remember one thing they didn't remember  
15 10 minutes before.

16 DETECTIVE NORRIS. (indiscernible) about somebody  
17 getting killed?

18 MR. PRICE. No. The most violent crime thing I've  
19 ever had to deal with is --

20 DETECTIVE NORRIS. (indiscernible)

21 MR. PRICE. But it's, but it's the same concept. I  
22 mean, you know --

23 DETECTIVE NORRIS. It's not the same concept.

24 MR. PRICE. (indiscernible)

25 DETECTIVE NORRIS. It's one meaning that, depending

1 on what you say, you might go to jail. And there's the other  
2 one, regardless of what you say, you can't go anywhere. So  
3 it's no difference.

4 MR. PRICE. Okay.

5 DETECTIVE NORRIS. Well, let me ask you this.  
6 Would you be willing to take a lie detector test?

7 MR. PRICE. Absolutely, yes. Yes. I know it's not  
8 admissible and the things (indiscernible) but, yeah. For  
9 sure. Yeah. But I -- I mean, you know, if, if you guys think  
10 we're it, then, you know, so be it. But we're not it. There  
11 was somebody who came in there --

12 SGT. WAGNER. Well --

13 MR. PRICE. -- who did this.

14 DETECTIVE NORRIS. (indiscernible) See, you know -  
15 - but I'm going through that problem again that you keep  
16 saying you and Rob or you and your roommates -- you keep  
17 saying that. And, I mean, usually, when we have people in  
18 there, we talk to them and we -- and even if there are other  
19 people around, witnesses, a lot of them don't say what the  
20 other person is not capable of doing. A lot of them just say  
21 that I ain't kill anybody.

22 MR. PRICE. That's okay. I understand that may be  
23 how it normally works. No person in that house -- not me,  
24 Victor, or Dylan, so much as touched Robert. When Robert came  
25 in my house tonight, I hugged --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1           DETECTIVE NORRIS.    But you don't --

2           MR. PRICE.        -- him hello.

3           DETECTIVE NORRIS.    But, but you don't --

4           MR. PRICE.        He is one of my oldest best friends.

5   And I know Victor and Dylan, you know, as well as anybody

6   could know a human being.

7           DETECTIVE NORRIS.    Joe, Joe, Joe.

8           MR. PRICE.        They didn't do this.

9           DETECTIVE NORRIS.    Joe, you're talking, you're

10   talking like you all talked about it.  See what I'm saying?

11   See, you're saying --

12           MR. PRICE.        We, we did talk about it, right in

13   front of everybody.  We came downstairs and sat on the

14   couch --

15           DETECTIVE NORRIS.    Yeah, but, but you're saying --

16           MR. PRICE.        -- and we said what the hell happened?

17           DETECTIVE NORRIS.    But you're saying --

18           MR. PRICE.        This isn't our life.  Like what -- this

19   is bizarre.  This is like something out of some bad dream.

20   This doesn't happen to people.  Your friend from college, you

21   know, doesn't wake up, dead.

22           DETECTIVE NORRIS.    Joe --

23           MR. PRICE.        You know?  This just doesn't happen.

24           DETECTIVE NORRIS.    Joe, did you see your roommate

25   around the body at all?

1 MR. PRICE. Who?  
2 DETECTIVE NORRIS. The guy -- what's your roommate  
3 name?  
4 MR. PRICE. Dylan.  
5 DETECTIVE NORRIS. Dylan?  
6 MR. PRICE. Or Victor.  
7 DETECTIVE NORRIS. Dylan's the one that was with  
8 you?  
9 MR. PRICE. No. That was Victor.  
10 SGT. WAGNER. No, Dylan's downstairs.  
11 DETECTIVE NORRIS. It's Victor, right?  
12 MR. PRICE. Yes.  
13 DETECTIVE NORRIS. Did you see Victor around the  
14 body at all?  
15 MR. PRICE. No. He -- I mean, we came down  
16 together.  
17 DETECTIVE NORRIS. Yes or no.  
18 SGT. WAGNER. But who came in? You,  
19 you --  
20 MR. PRICE. I went first, he was right behind me.  
21 SGT. WAGNER. Okay. So he did not get close to the  
22 body?  
23 MR. PRICE. I don't think he ever touched it. I  
24 mean, he, he freaked out. He started screaming and, you know,  
25 shaking his hands. He was horrified.

1 DETECTIVE NORRIS. So did you see Dylan around the  
2 body?

3 MR. PRICE. No. He didn't get anywhere close to  
4 Robert.

5 DETECTIVE NORRIS. Well, then how do you know that  
6 they didn't touch the body?

7 MR. PRICE. Because, from the minute we found  
8 Robert, until the minute the, you know, ambulance people were  
9 there, I was kneeling next to him.

10 BY SERGEANT:

11 Q. Well, let me ask you this. Between the time you  
12 heard the chime and you heard the grunt and you went  
13 downstairs, where was Dylan?

14 A. I assume, in his room.

15 Q. Why?

16 A. Okay. I, I don't know. I don't have a video  
17 camera, but --

18 Q. You don't know.

19 A. But why on earth would, would Dylan do that?

20 Q. Who cares. I don't need to know. I don't give a  
21 shit why. I don't care at all why. I just want to know did  
22 he do it. Could he have done it?

23 A. No way.

24 Q. Now you don't know that.

25 A. You know --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 Q. Why are you saying that?

2 A. Because it would be like, you know -- I don't know.

3 You must have some friend that you know --

4 Q. I see it all the time.

5 A. -- really well that you would say that's never going  
6 to happen.

7 Q. I see it every day.

8 A. There's no reason. There's no reason.

9 Q. Don't need one. Suppose -- okay, I'll give you one  
10 right now.

11 A. (indiscernible)

12 Q. I'll give you one right now.

13 A. Okay.

14 Q. And you know it. You're making me say it. You know  
15 the reason.

16 A. I don't know it.

17 Q. I got three homosexuals in a house and I got one  
18 straight guy. What's he doing over there? What is he doing  
19 over there?

20 A. (indiscernible)

21 Q. I think we're all drinking wine. You know what's  
22 going to happen tonight? You're coming to Jesus tonight.  
23 That's what's going on.

24 A. That's fascinating and insulting and --

25 Q. Here we go. That's why --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 A. (indiscernible)  
2 Q. -- that's why you're making me say it.  
3 A. But, you know what, that's not what happened.  
4 Robert's --  
5 Q. You don't know that.  
6 A. -- happily married. I, I do know that.  
7 Q. No. (indiscernible)  
8 A. (indiscernible)  
9 Q. But Dylan's not happily married, is he?  
10 A. Yeah, he is.  
11 Q. Oh, to you?  
12 A. Yes.  
13 Q. Yeah, okay.  
14 A. Yeah.  
15 Q. That's why you're upstairs with Victor.  
16 A. Yes.  
17 Q. And he's downstairs with Robert.  
18 A. He wasn't down --  
19 Q. Get real, man.  
20 A. He wasn't down there with Robert.  
21 Q. Yeah.  
22 A. Oh, come on.  
23 Q. You don't know what you're talking about.  
24 A. I do know.  
25 Q. No, you don't, because you were upstairs and you

## FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 can't say.

2 A. I can.

3 Q. You want to, but you don't know.

4 A. That's, that's just not even possible. It's not  
5 possible.

6 Q. The only way you know that is if you were  
7 downstairs. That's the only way you know it's not possible.

8 A. Yeah. Other than that, I know --

9 DETECTIVE NORRIS. Or you did it.

10 MR. PRICE. -- these two people.

11 DETECTIVE NORRIS. Or you did it.

12 MR. PRICE. Or I did it. Yeah.

13 SGT. WAGNER. Right.

14 MR. PRICE. Yeah. Which makes lots of sense.

15 DETECTIVE NORRIS. That's the only that you know.

16 That's why you keep getting -- see, when you keep saying these  
17 two guys ain't do it but you're never saying yourself.

18 MR. PRICE. I don't even think of it as a  
19 possibility and, you know, it didn't happen that way.

20 DETECTIVE NORRIS. If I'm sitting here talking to  
21 you and I'm giving you the vibe that you may be a suspect, you  
22 going to sit here and tell me that you're not going to say you  
23 didn't do it?

24 MR. PRICE. I already said I didn't do it, but  
25 you --

1 DETECTIVE NORRIS. You didn't say you didn't do it  
2 until (indiscernible)

3 MR. PRICE. You know what? Okay. You got me. I  
4 would have to be the dumbest person alive, you know? Honest  
5 to God.

6 DETECTIVE NORRIS. The dumbest person alive for  
7 what?

8 MR. PRICE. If, if I have some bizarre reason that  
9 I wanted to kill Robert, I mean, you know, I went -- is the  
10 theory I went downstairs, you know, with Dylan and Victor at  
11 home and --

12 BY SERGEANT:

13 Q. No, no. Listen to what --

14 A. -- grabbed a steak knife and went up  
15 and --

16 Q. -- listen to what your theory --

17 A. -- started stabbing him?

18 Q. Listen to your theory. A person comes in, gets a  
19 knife, goes upstairs, boom, boom,  
20 boom --

21 A. I think --

22 Q. (indiscernible)

23 A. I think somebody came in our house --

24 Q. To kill him.

25 A. -- looking to steal something --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 Q. But they didn't steal anything.  
2 DETECTIVE NORRIS. (indiscernible)  
3 SGT. WAGNER. You don't have to go upstairs to  
4 steal anything.  
5 DETECTIVE NORRIS. (indiscernible)  
6 MR. PRICE. They went into a room that's on the  
7 front of the house probably thinking oh, there's nobody here,  
8 whatever, you know, they're going to check the place out, find  
9 what they want, and --  
10 DETECTIVE NORRIS. (indiscernible)  
11 MR. PRICE. (indiscernible) they run into somebody  
12 who's sleeping on the pull out sofa.  
13 DETECTIVE NORRIS. (indiscernible) I did burglaries  
14 for a while. You want me to tell you what a burglary normally  
15 do (sic)?  
16 MR. PRICE. No, I don't.  
17 DETECTIVE NORRIS. (indiscernible)  
18 SGT. WAGNER. When they see somebody --  
19 DETECTIVE NORRIS. I have interviewed burglars.  
20 SGT. WAGNER. -- they go out.  
21 DETECTIVE NORRIS. You know what burglars normally  
22 do? They normally start from the bottom floor first and they  
23 pack everything in a bag and they sit it by the door. Then  
24 they work their way up. They don't go canvass the house  
25 first. That's not what they do.

1 SGT. WAGNER. As soon as they find somebody, they  
2 run.

3 DETECTIVE NORRIS. As soon as they find somebody,  
4 they run. And you know what? The bag is right by the door so  
5 they can take the bag and run with that.

6 SGT. WAGNER. And they ain't going to leave no  
7 knife behind.

8 DETECTIVE NORRIS. And they ain't going to leave no  
9 knife behind. That's what burglars do. They don't go canvass  
10 through the whole house first, they don't go walking upstairs  
11 to see is there anybody home. If they downstairs on the first  
12 floor and there's no signs of anybody down there, that's where  
13 they going to start.

14 BY SERGEANT:

15 Q. And you know what's going to happen here -- and, you  
16 know, you -- one of you three did this and the other two is  
17 going to figure that out.

18 A. We didn't do it.

19 Q. (indiscernible)

20 A. My God.

21 Q. Yeah.

22 A. It's, it's the most crazy thing I've ever heard.

23 Q. Yeah, okay. Well, you watch and see what goes on.  
24 One of you all did it.

25 A. We didn't. We didn't.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 Q. Well -- and that one's going to start  
2 (indiscernible) and you're going to see it. Or, if it's you,  
3 they're going to see it.

4 A. That's fine. But you know what, we didn't do it.

5 Q. You think it's fine?

6 A. No, I'm telling you, we didn't --

7 Q. It ain't going to get fine. It's going to get ugly.

8 A. We didn't do it.

9 Q. Oh, you don't know.

10 A. Okay. So where do we stand with you guys? Can we  
11 leave? Can we not leave? Do we need to call a lawyer now? I  
12 mean --

13 DETECTIVE NORRIS. If you think you did it --

14 MR. PRICE. I didn't do it.

15 DETECTIVE NORRIS. -- you might want to call a  
16 lawyer.

17 MR. PRICE. I told the other guy who was in here,  
18 you know, that's -- it's not even a possibility. And I  
19 understand the whole game but I, but I also want to go --

20 SGT. WAGNER. No, we're not --

21 MR. PRICE. -- see Robert's wife --

22 SGT. WAGNER. -- we're not playing a game.

23 MR. PRICE. I -- no, I don't mean that. I mean,  
24 you guys are trying to do your job. You're trying to like,  
25 you know, get one of us to, to reveal the, you know, facts or

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 the screw up or whatever, but we didn't do it.

2 DETECTIVE NORRIS. Well, let's go back, let's go  
3 back to this time because this, this is something that I need  
4 to talk to you about because --

5 SGT. WAGNER. Well, I'm going to call and get the  
6 time.

7 DETECTIVE NORRIS. 11:43. Yeah, you do that.  
8 Because 11:43, you're saying that --

9 (Sgt. Wagner leaves)

10 BY DETECTIVE:

11 Q. Which one was it? (indiscernible)

12 A. 911.

13 Q. 911.

14 A. It was Victor.

15 Q. Victor. Victor talked to them, you said that Victor  
16 asked the lady what time it was, it was 11:43.

17 A. Yeah.

18 Q. But --

19 A. He, he didn't tell me that right that second.

20 Later, he said --

21 Q. No, no, no. Let's stick with what you said at first  
22 because you never said --

23 A. That is what I said.

24 Q. -- anything about later.

25 A. You know what? This is getting old fast. I told

1 | you what happened. We did not do this. It didn't happen that  
2 | way.

3 | Q. Okay. You never said anything about he told you  
4 | that later. You said he told you that right away, is what you  
5 | said.

6 | A. No. He asked on the phone what time is it, because  
7 | I was yelling for an ambulance and it seemed like it was  
8 | taking forever. We were sitting downstairs in the living room  
9 | and, at that point, he said, you know, they said it was 11:43.  
10 | He may have even said that to one of the police officers who  
11 | was there asking questions. I don't know. But that's how I  
12 | heard it.

13 | Q. So 11:43. The call didn't come in -- the 911 call  
14 | didn't come in until 12:02.

15 | A. Okay. The -- there's something goofy here but you  
16 | guys will be able to figure out by looking at our phone when  
17 | we made that phone call.

18 | Q. Your cell phone?

19 | A. No. We made -- it was the, the home phone.

20 | Q. Where did you make the call at? Which phone?

21 | A. I didn't make the call, Victor did.

22 | Q. Which phone did he use?

23 | A. The phone upstairs.

24 | Q. Which floor?

25 | A. The third floor.

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 Q. The third floor?

2 A. Um-hum.

3 Q. And on the third floor, what did he say on the third  
4 floor?

5 A. I don't know. He got the phone, made the call, and,  
6 when he came back down the stairs, he was already on the phone  
7 with 911.

8 Q. Is there a phone on the second floor?

9 A. There is a phone.

10 Q. Is there a phone in the room where the body was  
11 laying?

12 A. Yes. Yeah. Like right -- the pull out bed's in  
13 front of the door. There's a desk and then there's another  
14 desk, and the phone.

15 Q. So --

16 A. He was hysterical. He was screaming. I grabbed him  
17 and I told him go call 911, and he ran up the stairs.

18 Q. Why didn't he just use the phone in the  
19 (indiscernible)

20 A. Because he was hysterical. Because there was  
21 someone bleeding laying on our couch and it, it is this  
22 bizarre to us as, you know, if a rocket landed on our house.

23 Q. Whoa, whoa, whoa. Back up, back up. Laying on your  
24 couch?

25 A. Yeah. It's a pull out couch. It pulls out into a

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 bed.

2 Q. So he goes upstairs and he calls 911 when there's a  
3 phone in the victim's room?

4 A. Yeah. Yeah. He was out in the hall hysterical and  
5 I grabbed him and told him go upstairs. I don't know if I  
6 said go upstairs, I said go call 911. I literally had him by  
7 the shoulders and was shaking him to try to get him to like  
8 snap out of it.

9 Q. When you was sleeping, did you -- and you woke up --  
10 you said you woke up and Victor was asleep.

11 A. I believe he was asleep.

12 Q. Right? You said he was asleep.

13 A. No, I said I believe he was asleep. I wouldn't  
14 know.

15 Q. Let's go on the assumption that you believe he was  
16 asleep.

17 A. Uh-huh.

18 Q. At what point did you realize he was awake?

19 A. When we were like getting out of bed running down  
20 the stairs.

21 Q. So you didn't realize he was awake when you first  
22 heard the chime and then you, you sat there for a while  
23 because you said it was quiet.

24 A. Yes. It was quiet.

25 Q. And you didn't realize he was awake at all? He

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 | didn't --

2 |       A.    No.  I -- when I heard the grunting, yelling,

3 | whatever, I think he heard that, too.  I think that woke him

4 | up and we both --

5 |       Q.    Whoa, whoa, whoa.

6 |       A.    -- got up.

7 |       Q.    The running and the yelling?

8 |       A.    I said grunting --

9 |       Q.    You said you didn't hear any running.

10 |      A.    -- and yelling.  No, I never --

11 |      Q.    Grunting.

12 |      A.    I did not hear any running.

13 |      Q.    And so you said grunting.

14 |      A.    I said grunting and yelling.

15 |      Q.    And, first -- okay.  I asked you did you hear

16 | anybody screaming --

17 |      A.    I --

18 |      Q.    -- and you said no.

19 |      A.    Yeah.  Because when we, when we were first

20 | talking -- not just you and I, but everybody, we said yelling.

21 | I -- and I, to clarify, said it wasn't really people yelling

22 | words like what the fuck or anything like that, it was grunts.

23 | It, it was not -- there weren't words.  It was just sounds.

24 | So I said grunting.

25 |      Q.    But, you know, it's hard for me to not be able to

## FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 distinguish between grunting and yelling.

2 A. Okay.

3 Q. It's hard for me to not even to know that.

4 A. Okay.

5 Q. Joe, come on, man.

6 A. I, I don't know what to tell you. I know you guys

7 think --

8 Q. The truth.

9 A. -- that one of the three of us did it. I told you

10 the truth. This is exactly what happened. It's not going to

11 change. You guys can keep us here for a year.

12 Q. What exactly happened? What --

13 A. I told you what exactly happened. That's all I

14 know. I don't know anymore. I know that you guys will

15 find -- I hope you find prints on the door handle, on the

16 glass --

17 Q. Well, what is the prints --

18 A. -- on the wall.

19 Q. What is the prints going to tell us?

20 A. That there was somebody in our house.

21 Q. You might have let the person in.

22 A. Maybe, but we didn't.

23 Q. The only thing the prints going to say is that,

24 that, at one point, that person touched your doorknob. That's

25 it.

1 A. Okay.

2 Q. That's the only thing prints going to tell us.

3 A. Well, I hope that there's a print on the knife and a  
4 print on the doorknob and that, you know -- then you guys  
5 check the phone records and stuff. You'll see we made these  
6 calls when we did, you check Robert's wife, she tells you --

7 Q. So when we --

8 A. -- he was spending the night at our house.

9 Q. When we --

10 A. I'll get you my e-mails --

11 Q. When we process the knife for DNA, say your DNA is  
12 the only DNA that's on the knife.

13 A. Okay.

14 Q. What would you do then? I mean, what, what would  
15 you think?

16 A. I don't know. I don't know how the whole DNA thing  
17 works, but it's a kitchen knife in our house, you know, I use  
18 it, Richard uses it --

19 Q. Right. But you're saying that somebody else used  
20 it?

21 A. Yeah. Someone had to.

22 Q. So that person's DNA would be on that knife because  
23 when you holding that knife like this and you going down in  
24 somebody's chest, you're applying more pressure, more skin  
25 cell, more oil --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1           A.    Then you are going to find somebody else's DNA on  
2 that.

3           Q.    You're going to find some --

4           A.    Okay. Good. You will.

5           Q.    Joe?

6           A.    Unless they're wearing a glove.

7           Q.    So what happens if I find just your DNA on that  
8 knife?

9           A.    It's not possible, because -- unless the person had  
10 a glove on and, and, you know better than me --

11          Q.    That's not what -- listen to what I'm asking you.  
12 I'm asking you what happen if I just find your DNA on that  
13 knife?

14          A.    I don't know. If it's possible for my DNA to get on  
15 it from me picking it up, then you'll find my DNA on it.

16          Q.    Right. So therefore if -- because it is kind of  
17 impossible for it to be on there if you just picking it up.

18          A.    Okay.

19          Q.    So if I find, if I find your DNA on there and your  
20 DNA's all over that knife --

21          A.    But it's not. If you can't get it on there from  
22 just picking up the knife, then you won't find it. I mean,  
23 you know, I don't know what else to tell you. I went to lunch  
24 with the guy's wife, you know. I've known him literally since  
25 he was like 18 years old. Slept on my floor in college, you

1 know, I know his brother, I know his mom and dad. You know,  
2 for God sakes, I was -- you know, we were talking about  
3 business that we were planning. You know? I mean --

4 Q. You said that you and him was supposed to had gone  
5 out one day last week, you, him, and his wife?

6 A. Yeah. Cathy and I and Robert all e-mailed to try to  
7 have lunch together because she got a job right across the  
8 street from where I work. Robert was close by and we were all  
9 going to meet for lunch. And we -- he couldn't make it so we  
10 went to the Daily Grill.

11 Q. You went where?

12 A. We went to the Daily Grill.

13 Q. Who? You and his wife?

14 A. Um-hum.

15 Q. And what did you all do?

16 A. We just had lunch, talked about her job, talked  
17 about my job. Nothing special.

18 Q. And when you finally talked to Rob, what did Rob say  
19 to you about why he couldn't make it?

20 A. He had a meeting or something.

21 Q. He had a meeting?

22 A. Um-hum.

23 Q. Did he tell you where his meeting was at?

24 A. No.

25 Q. What --

FREE STATE REPORTING, INC.

Court Reporting Depositions  
D.C. Area (301) 261-1902  
Balt. & Annap. (410) 974-0947

1 A. No. I think Cathy told me that he had a meeting.  
2 Q. Okay. Now was it Cathy or was it Rob?  
3 A. I think it was Cathy.  
4 Q. Because you said it was Rob. I asked you and  
5 (indiscernible)  
6 A. It might, it might have been him, too.  
7 Q. -- what did Rob say, you said Rob told you that he  
8 had a meeting.  
9 A. He may have. Yeah.  
10 Q. So then you said --  
11 A. (indiscernible)  
12 Q. -- that Cathy -- so --  
13 A. One or the other said it or both. I don't know.  
14 It's, you know, it's not an important fact that I would --  
15 Q. Where was this?  
16 A. -- commit to memory. It was last week.  
17 Q. What day?  
18 A. It was last Monday.  
19 Q. Last Monday.  
20 A. I think so. It's on my calendar, if you -- if I can  
21 look, I can tell you.  
22 Q. Yeah, yeah. Why don't you, why don't you look and  
23 see what date that was.  
24 A. No. I don't see it right now. (indiscernible)  
25 Q. You said you didn't put it on there?

- 1 A. I may not have.
- 2 Q. Because you was, you was pretty sure that you did,  
3 earlier.
- 4 A. Yeah. I, I -- you know, it's my calendar. I, I,  
5 you know, I use it a lot so it would not be crazy that I would  
6 have done that. But I think -- you know, there are e-mails  
7 that you guys can see that will show you this. I mean, I was  
8 e-mailing with her the morning of saying oh, you know, could  
9 you do lunch today?
- 10 Q. Joe, tell me this, Joe, how did the blood get on the  
11 towel?
- 12 A. I took the towel and applied it to Robert's chest.
- 13 Q. You did?
- 14 A. Yeah.
- 15 Q. So how much blood is on that towel?
- 16 A. I don't know.
- 17 Q. Did you get any on you?
- 18 A. I did get a little bit on my hand.
- 19 Q. On your hand?
- 20 A. Yeah.
- 21 Q. Where?
- 22 A. It was on my finger.
- 23 Q. What finger was it on?
- 24 A. This finger.
- 25 Q. Which one is it? Which --