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METROPOLITAN POLICE DEPARTMENT
WASHINGTON, D.C.

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

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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.

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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

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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.

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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?

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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

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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

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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

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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?

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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

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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 --

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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.

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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

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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

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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.

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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

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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.

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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 --

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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.

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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.

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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 --

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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

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.

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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.

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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 (gasping 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 --

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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

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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.

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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.

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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 --

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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 --

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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 --

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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

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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 --

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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.

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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

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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.

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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

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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

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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

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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 --

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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

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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 --

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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 --

- 1 A. (indiscernible)
- 2 Q. Point to it. The middle finger?
- 3 A. Um-hum.
- 4 Q. It was on that finger?
- 5 A. Yeah.
- 6 Q. Where is at now?
- 7 A. I assume I washed it off. I went to the bathroom
- 8 two or three times.
- 9 Q. Okay. I don't want you to assume anymore because
- 10 this just happened. Okay? So you should know if you washed
- 11 your hands or you didn't. Don't, don't --
- 12 A. I did wash my hands.
- 13 Q. -- assume anymore. Okay? Don't assume anymore.
- 14 A. Well, you know, let's not make it hostile. I told
- 15 you everything.
- 16 Q. Okay. Because, because --
- 17 A. That's all I can tell you.
- 18 Q. -- you're assuming everything. I'm talking to you,
- 19 you're assuming everything.
- 20 A. No.
- 21 Q. Okay. You washed your hands, right?
- 22 A. I did it three times.
- 23 Q. Why did you wash your hands three times?
- 24 A. I wash my hands after I go to the bathroom.
- 25 Q. Yeah, but we talking about -- you didn't go to the

1 bathroom this time.

2 A. I've been to the bathroom here three times.

3 Q. No, no, no. So you're saying that the blood that
4 you have on your -- had on your hand, you washed it off here?

5 A. Yes.

6 Q. In the precinct?

7 A. Yes.

8 Q. You didn't wash it off at your house?

9 A. No. I don't think I even noticed it was on my hand
10 until I was in the car at the 7-Eleven with your officer on
11 our way over here. And I was standing, you know, waiting
12 there and I saw it on my hand.

13 Q. And you just (indiscernible) washed it off here?

14 A. I didn't purposely go to the bathroom and wash my
15 hand. I didn't even think about it. I went to the bathroom
16 and I washed my hands three times. It's not on my fingernail
17 anymore. I assume that's what happened is that it got washed
18 off when I washed my hands.

19 Q. So how did it get on your hand if you was using a
20 towel?

21 A. I picked up the knife, I lifted up Robert's shirt, I
22 checked Robert for a pulse. At any one of those moments, that
23 could have happened.

24 Q. Where did you check for a pulse now?

25 A. I checked, I think, both wrists and I tried to check

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1 his neck.

2 Q. So he didn't have any blood on his neck, right?

3 A. Not to my knowledge.

4 Q. And he didn't have any on his wrist, right?

5 A. No.

6 Q. There wasn't blood on the knife. There was blood,
7 blood on the blade but it's not on the handle.

8 A. Okay.

9 Q. Okay?

10 A. Yeah.

11 Q. So where else could you had got this blood on your
12 hand?

13 A. On his T-shirt. I lifted up his shirt to see the
14 wounds and there was, there was blood everywhere.

15 Q. But it's not going to be on the finger that you said
16 the blood was on lifting up his T-shirt.

17 A. Okay.

18 Q. So the only person that Robert knew in that house
19 was you, right?

20 A. He knew all of us.

21 Q. How long did he know Vic?

22 A. I don't know when they first met.

23 Q. But he -- but they met through you, right?

24 A. Yeah. Yeah, they did. I think -- I'm pretty sure
25 Victor went to the wedding with me. That may have been the

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1 first time.

2 Q. And when was that?

3 A. 2002, maybe. I don't know.

4 Q. How long Dylan know him?

5 A. I don't know when they first met but it's been a
6 couple of years.

7 Q. Did they know that he was coming over tonight?

8 A. Yeah. Victor didn't know until we were making up
9 the bed, because Victor was in Denver and he wasn't supposed
10 to get home until very late, so I just never talked to him
11 about it. Dylan knew.

12 Q. Was Robert drinking with you all that night?

13 A. No. No. We had already finished dinner. When he
14 got there, it was -- you know, we had already basically all
15 gone to bed. We were just waiting on him to get there.

16 Q. Why didn't Rob just -- why didn't he just go home?

17 A. I don't know.

18 Q. (indiscernible)

19 A. (indiscernible) I don't know. Nobody on earth will
20 wish more that he did. I honestly have no idea why. But, you
21 know, you can ask Cathy, you can look at my e-mails. I mean,
22 it's, it's, you know, it's crystal clear.

23 Q. Yeah, but that's not going to tell me nothing. All
24 that -- the only thing that's going to tell us is that he
25 talked to Cathy and told his wife that he was going over your

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1 house to spend the night.

2 A. Yeah. And why -- that he was doing the CLE. Had
3 been doing that and, you know --

4 Q. Well, you see, that's the thing. I mean, why not do
5 that early in the morning when you get to work?

6 A. What do you mean? See the people that he was
7 seeing?

8 Q. Yeah.

9 A. I don't know if I have this right because it's -- my
10 recollection is from like two e-mails that Robert wrote. In
11 one of them, he was saying I got the time wrong but I think he
12 said that he was meeting the people at work from 6:00 p.m.
13 until 10:00 p.m. That's, that's what I think. And I know he
14 said the CLE was over at 9:00, he was going to go back to the
15 office, see the folks, and, you know, you can verify that,
16 too, obviously. Because he did that.

17 Q. And how long you known Rob?

18 A. Since, since he was a senior in high school.

19 Q. Where was that high school at?

20 A. Somewhere in New York. He was -- he went to a
21 private school, I think, in New York.

22 Q. Where did you go to school at?

23 A. High school?

24 Q. Yeah.

25 A. I went to high school in Cape Cod. My parents were

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1 both Navy and we were stationed there. Robert and his family
2 were on a tour with me but they -- I was a college tour guide
3 at William and Mary and --

4 Q. So since you --

5 A. -- they were on my tour.

6 Q. Since you known Rob, have Rob ever done this before?

7 A. Done what?

8 Q. Spend the night over your house?

9 A. He may have stayed with us when we lived on Capitol
10 Hill. That's definitely a possibility. I can't, I can't
11 really be certain but I certainly, I certainly saw him when we
12 lived on the Hill.

13 Q. But has he ever slept over?

14 A. At our house?

15 Q. Um-hum.

16 A. He, he had never slept over at this house.

17 Q. No, no, no. From the time that you known him --

18 A. Has he ever slept --

19 Q. -- has he ever slept over your house?

20 A. Yeah, a couple of times. Once, Robert was -- after
21 he got admitted to William and Mary, he came back for like a
22 special program for Monroe scholars. He was on a, you know,
23 academic scholarship program. I was his host, his student
24 host, just randomly. It just turned out that, you know -- it
25 happened that they were on my tour and I ended up being his

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1 host and he, you know, slept on the floor in my dorm room.

2 And then he -- I went to law school at UVA, he
3 interviewed at UVA, he came to UVA, and interviewed and, when
4 he did, he stayed at my place. That's, that's -- those are
5 the two times I'm certain, you know, that he spend the night.
6 Beyond that, I don't know.

7 Q. So you can say that -- you, you have a very, very
8 close relationship with Rob, right?

9 A. Yes.

10 Q. Close family?

11 A. Yes.

12 Q. You like him?

13 A. He was a good friend of mine.

14 Q. Did you like him?

15 A. Is that a like anything question?

16 Q. Right.

17 A. No. Robert's straight. Robert's always been
18 straight.

19 Q. Yeah. But --

20 A. He's not even close to being gay.

21 Q. Okay. I know where he at.

22 A. Yeah.

23 Q. But do you like him?

24 A. I, I actually am not attracted to Robert, but
25 that's, that's not even an issue. That's -- it's like a

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1 completely inappropriate, I think, consideration. But --

2 Q. Why would you think that? Why, why would you think
3 that an inappropriate --

4 A. It just seems strange to me.

5 Q. Why?

6 A. Because I'm gay, I might have been attracted to
7 Robert. I mean, that's the --

8 Q. You've been around him since high school.

9 A. Yeah.

10 Q. You've been around him, you stay in touch with him.

11 A. Yeah.

12 Q. He's, he's sleeping with -- not with you but he's
13 sleeping at your house. You see him at William and Mary, you,
14 you still have, you know, close friends connection with him.
15 He e-mail you, you e-mail him, you supposed to go to dinner
16 with him today, so that's why I asked you do you like him?

17 A. Yeah. No. No, I -- no.

18 Q. You never had, you've never had --

19 A. No.

20 Q. -- any type of feelings for Rob?

21 A. None other than the kind of feelings you would have
22 for a very good friend. Yeah. Not, not attracted to him,
23 never have been, and I don't have any doubts Robert was, you
24 know, is straight as the day is long. That's it.

25 Q. So why do you stay in touch with him, then?

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1 A. Why do you stay in touch with your friends? I mean,
2 he was my friend.

3 Q. Obviously, man, I don't need to stay in touch with
4 too many of my high school friends like that.

5 A. He wasn't my high school friend. I was a senior in
6 college when he was a freshman in college. You know, Robert
7 was on my tour, his parents --

8 Q. You said earlier that you known him since high
9 school.

10 A. I said I knew him since he was a high school
11 student.

12 Q. Senior in high school.

13 A. Yeah. He was a senior in high school with his mom
14 and dad --

15 Q. Right. So you know him.

16 A. -- on my tour.

17 Q. Right. So you know him.

18 A. And I met him then.

19 Q. You know him since high school.

20 A. Yeah.

21 Q. Okay. Not -- you just said college. I just want to
22 get that straight. You said college.

23 A. I, I thought you were saying I met him in high
24 school. I didn't --

25 Q. No.

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1 A. Okay. Yeah. He was a freshman when I was a senior,
2 I was a student body president. Robert got very involved with
3 student government, he was one of my, you know, appointed
4 officers. We have another very close friend, Lisa, who, you
5 know, we became very, very close in college, the three of us,
6 and, you know, we've always kept up with each other.

7 Q. And you never had any type of feelings for him?

8 A. No. No. None. Even if I had, I'm not sure what
9 difference it would make, but I just -- I don't find Robert
10 physically attractive.

11 Q. Did he find you attractive?

12 A. No. As I told you -- unless Robert had a secret
13 life I didn't know about, very straight, very happily married.
14 Not, you know, not the kind of guy who -- I don't think Robert
15 cussed so, I mean, you know, Robert was a very -- he's, you
16 know, like something out of a TV show. I mean, you know, the
17 guy did no wrong, he was the most earnest, hard-working, you
18 know, good natured person. You know.

19 Q. Did Dylan like -- did Dylan have any feelings at
20 all?

21 A. No. No. Definitely not. No.

22 Q. How do you know?

23 A. I know Dylan. I know Robert was not his cup of tea
24 and I, you know --

25 Q. Why?

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1 A. It's probably like your friends. You know like
2 what, you know, this guy likes this type of woman or that type
3 of woman. You know. I mean --

4 Q. I mean, I mean, for something to say, did he ever
5 tell you that -- in order for me to know that somebody didn't
6 like anybody --

7 A. But, you know --

8 Q. -- they would tell me that they didn't like
9 somebody. They would say well, no, you know, I don't like the
10 person.

11 A. It never came up.

12 Q. Right. So how do you know that he --

13 A. I assume he didn't find Robert attractive, based on
14 what I know about Dylan's taste.

15 Q. What is Dylan's taste?

16 A. I would say me.

17 Q. What about Vic?

18 A. Yeah. Victor, too.

19 Q. No, no, no. Did Vic like Robert? Did Vic have any
20 feelings or any type of relationship with Robert?

21 A. No. I mean, they were friends. You know, when
22 Robert's wife just had her hips replaced, we all went out
23 there with, you know, books and movies for her. You know,
24 like I said, I think Victor went with me to the wedding, you
25 know, we, we went to their house for dinner. You know.

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1 Q. Did Victor ever have feelings for him or any type of
2 relationship?

3 A. No.

4 Q. How you know?

5 A. I know Victor. You know. It's not even a
6 possibility. Just like this whole time is not a possibility.
7 I mean, as crazy as it sounds, someone came in our house and
8 did this.

9 Q. But you didn't hear anything so you don't know who
10 came. So you, you can't say somebody came in your house.

11 A. I know. I know. There's not point like recovering
12 all that. You know.

13 Q. Right. Exactly.

14 A. But -- yeah.

15 Q. Exactly. Because you have yet to give me any type
16 of indication other than the door was open and you heard --

17 A. I heard the chime.

18 Q. -- the chime. Other than that, that's not an
19 indication that somebody came in there and did bodily harm to
20 him. That's not -- that just show that somebody
21 (indiscernible)

22 A. The chime, I think -- for me, that's proof that
23 someone came in our house.

24 Q. What -- I mean, but suppose it could have been also
25 proof that one of you all went down there and opened the door.

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1 A. We could have but we didn't. Victor and I were in
2 bed, Dylan was in bed.

3 Q. How do you know Dylan was in bed?

4 A. I saw him come out of his room. I mean, the guy
5 looked like he had just woken up.

6 Q. No, no, no. When you was upstairs and you heard --
7 you didn't see Victor.

8 A. Dylan.

9 Q. Well, Dylan. You didn't see Dylan, so how did you
10 know Dylan didn't go downstairs and open the door?

11 A. I don't. I don't. Nobody did do that. But I know
12 there's no reason on earth that either him or Victor would do
13 any such thing. They couldn't do it. They're not violent
14 people. They're not even close to violent people. It's,
15 it's --

16 Q. Are you?

17 A. No. No. Thank God. No. Are you kidding me? My
18 gay brother beat the shit out of me, you know, for however
19 many years. I mean, it was an ongoing family -- my younger
20 gay brother, mind you. No, I'm not violent. It is as much a
21 mystery to me as it may be to you guys, but you got the wrong
22 three people here. You know? We didn't do it, we would never
23 do it. You know. It's not even a possibility.

24 Q. How do you think his wife's going to feel once we
25 explain all this to her?

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1 A. Horrified. I mean, how would she feel? I can't
2 begin to imagine. I've been sitting in here while you guys
3 were gone thinking like, you know, what, what -- you know,
4 how -- what on earth -- it's, it's absolutely unbelievable.

5 Q. Do you believe in God?

6 A. Yeah, I do. Yeah. I mean, I don't go to church
7 every Sunday but, yeah, I believe in God.

8 Q. I'm just going -- I'm going to throw this out at you
9 and I'm not saying that you did do it. Okay? I'm just going
10 to throw it out at you and I want you, I want you to give me
11 some feedback. Okay?

12 A. Okay.

13 Q. Say you did it. Okay?

14 A. That's your hypothetical.

15 Q. And, and, for some reason, you and Vic and you and
16 Dylan got together and talked about what you all was going to
17 say, what you all was going to do when the cops come. Okay?

18 A. Um-hum.

19 Q. Now do you think it's fair on your part that if we
20 find out -- which we probably will, that you murdered Robert,
21 do you think it's right for you to bring Victor and Dylan into
22 this accessory?

23 A. I didn't do it and they didn't --

24 Q. No, no, no. Let's --

25 A. That's not --

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1 Q. I just wanted feedback. I just wanted --

2 A. There isn't any feedback. We did not do it. We
3 could say that one more time or a hundred more times. That's
4 all. We didn't do it. I found Robert laying on my couch. It
5 is as bizarre to me as if I found a hippo in my house. It
6 is --

7 Q. But you --

8 A. -- absolutely unbelievable, and nobody did it.

9 Q. Was Robert ever, was Robert ever downstairs in the
10 kitchen?

11 A. Yes.

12 Q. At what point?

13 A. When he came in. He, he came in the front door, he
14 said hello, you know, went over, we had a glass of water, you
15 know, talked a little bit. He told me about the CLE, I asked
16 him why, why are you visiting these people at night? It seems
17 funny. You know, you're the general counsel. Like what's the
18 connection? You know, like why would you be meeting the guys
19 at night? He told me the thing about well, the last guy got
20 booted for, you know, a variety of reasons, one of, you know,
21 one of which was he said exactly he did not communicate with
22 the peons. Although, Robert would be the first person on
23 earth to say he was a pion.

24 And I joked with him and said oh, did you bring us
25 some Krispy Kreme donuts? You know, and he said no, but he

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1 had brought some other chipped -- I guess their
2 air-conditioner broke down, ice cream.

3 Q. Was Robert stabbed on the floor downstairs?

4 A. No, absolutely not. No.

5 Q. You sure?

6 A. I'm positive. We found him laying, you know, on the
7 bed, you know, not moving. I mean, his eyes rolled back in
8 his head. Yeah. As far as I know, that's where he was
9 stabbed. There was a lot of blood on the bed. Like I told
10 you, I really believe someone jumped the fence --

11 Q. We -- as far as you know, that's where he was
12 stabbed. Either you know or you don't.

13 A. No, you guys told me before, don't assume this and
14 that. Don't say stuff I don't know. That, that's what I
15 believe, that he was stabbed there. He was laying there, the
16 bed was -- the cover was pulled back, you know. That's what I
17 believe.

18 Q. And you heard nobody running down the stairs --

19 A. I didn't.

20 Q. -- you didn't hear nobody running out the back door.

21 A. No.

22 Q. You heard nothing.

23 A. No. I didn't hear anybody running, I did not hear
24 another chime like if somebody had closed the door, you know.
25 If, if you come in and you open the door, it chimes. When you

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1 close it, it doesn't make anymore noise. But if you open it
2 again, it would make the same noise. I didn't hear that and I
3 saw the gate was closed. And if you ask me, sure, I -- you
4 know, if I was just sitting here and you asked me did
5 something ever happen, what would you expect if somebody came
6 in your house, stabbed someone? I would -- if anybody, I
7 would think I would have heard yelling. I would hear that
8 person running down the steps, and I would certainly hear a
9 door. You know? But --

10 Q. Yeah.

11 A. -- I wouldn't think it would be closed.

12 Q. And, and, and the people that we talked to would
13 have certainly saw him running down that -- your back yard --
14 out of your back door, into your back yard, and scaling over
15 that fence.

16 A. Maybe.

17 Q. Maybe?

18 A. Yeah. I mean, I, I couldn't tell you what happens
19 in my neighbor's back yard.

20 Q. Well, I'm telling you. We interviewed --

21 A. Okay. I know. But I mean --

22 Q. -- a couple of your neighbors who happened to be
23 up --

24 A. Okay.

25 Q. -- at the time that you said all this took place and

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1 no one saw nobody come by that alley.

2 A. Okay.

3 Q. No one saw nobody come out of your back door and no
4 one saw nobody jump over that fence.

5 A. Okay.

6 Q. No one.

7 A. All right. I mean, but that -- unless they were
8 watching it the whole time --

9 Q. Yeah. Yeah. They was sitting -- one was out back
10 and one was in the window.

11 A. Okay. I don't know. I mean, I walked out back
12 myself so, if they didn't say that they saw me, then they
13 weren't paying too much attention.

14 Q. That's not what I asked them. I asked them did they
15 see anybody run out that back door and scaling over the fence.

16 A. Okay.

17 Q. They said no. They didn't see anybody.

18 A. Okay.

19 Q. In fact, they said they haven't seen anybody in that
20 back yard all night.

21 A. Well, they're wrong. In fact, we were in the back
22 yard grilling. The damn grill caught on fire.

23 Q. You talking about at night? You're not talking
24 about during the day time or during the evening or anything
25 like that?

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1 A. Yeah. That's this night. Tonight.

2 Q. We talking about around 11:30 to 12:00, around that
3 time.

4 A. Okay.

5 Q. You saying that somebody ran out the back door your
6 house.

7 A. My best guess is it was some time between 11:10 and
8 11:43, unless the person on the 911 call was messed up or
9 Victor was messed up. But your -- the phone records will show
10 you that.

11 Q. Yeah. And my sergeant's going to call and find out
12 the exact time. Because this came -- I got this from the
13 officer. I asked the officer what time did she get the run
14 and she told me she got it at 12:02.

15 A. Okay.

16 Q. And, like you said, it could be --

17 A. I'm not at all worried about that because you guys
18 will get our phone records. The phone itself tracks -- like
19 tells you the time of the call, so --

20 Q. Yeah, but you --

21 A. -- you will find out exactly --

22 Q. Yeah, but you know what that means.

23 A. -- when we did that call.

24 Q. But you know what that means. If for some reason we
25 get your phone records and we -- and your cell phone says

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- 1 that --
- 2 A. It's not my cell phone.
- 3 Q. Well, your home phone. Well, you know that we're
- 4 not -- you know we're not going to be able to get that from
- 5 your home phone.
- 6 A. Sure you can.
- 7 Q. We'll get the time that you called 911, though.
- 8 A. Yeah. That's what I mean.
- 9 Q. Yeah, we'll get that.
- 10 A. Right.
- 11 Q. Now what happens if say that you called at twelve
- 12 something?
- 13 A. Then they got the time wrong.
- 14 Q. Oh, they got the time wrong.
- 15 A. Yeah. They -- I mean, I don't, I don't know. I
- 16 wasn't on the phone when Victor asked them and she or he said
- 17 what the time was, but --
- 18 Q. Let me explain something to you, Joe. I been doing
- 19 this for 18 years and I have yet to see a 911 call get a time
- 20 wrong.
- 21 A. Okay. Then, fine. Then he heard it wrong. I don't
- 22 know. But --
- 23 Q. No, he didn't hear it wrong. See --
- 24 A. You'll see that.
- 25 Q. He didn't hear it wrong because he told you 11:43

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1 and then, for some reason, he -- when he told you 11:43 and
2 then the person on the other end of the phone would have heard
3 that. And if that person heard that, you would think --

4 A. No, no, no.

5 Q. -- that person would --

6 A. He, he didn't tell me the time at that moment. He
7 asked what the time was. Later, we're downstairs, we're
8 sitting on the couch, you know, the police are asking us all
9 kinds of things about when did this happen, when did that
10 happen, and either I asked him what time did they say it was
11 or someone else did. But he said, as I remember it, 11:43.
12 That's it. But it doesn't matter. You guys are going to see
13 our phone records, you'll see when we called.

14 Q. Well, you said earlier that your friend asked the
15 911 caller (sic) what time it was. That's what you said.

16 A. Yeah, he did.

17 Q. And you said you was standing right there beside him
18 when he asked.

19 A. No. I was kneeling by Robert the whole time.

20 Q. Right. But --

21 A. He was standing there. I couldn't hear anything --

22 Q. He was standing there --

23 A. -- the 911 person was saying.

24 Q. Yeah. But you said -- no, no. We're not talking
25 about the 911 person. We talking about Victor. You said that

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1 Victor told -- Victor right there -- standing right there
2 beside you, you said you heard Victor ask the 911 caller what
3 time it was and he said 9:43 -- I mean --

4 A. No.

5 Q. -- 11:43.

6 A. I didn't say that. He never said what the person
7 said while it was happening. That didn't happen. I couldn't
8 hear anything that the person was saying on the phone and he
9 didn't say anything to me other than that they're saying apply
10 pressure. You know. That was all. The whole time thing came
11 up downstairs. We're sitting there --

12 Q. Who told you to apply pressure?

13 A. Victor.

14 Q. And Victor said he got that from the 911 call?

15 A. Yes. Yes. I know you guys will get the tape,
16 you'll, you'll see it all. That's exactly what happened.

17 Q. Well, I'm just curious. Did you tell the 911 caller
18 that your friend was stabbed in the chest?

19 A. I wasn't on the phone. I don't, I don't know what
20 Victor said.

21 Q. Did you tell Victor? I mean, somebody had to say
22 something.

23 A. Yeah. I don't know what he said. He ran upstairs,
24 called. He was already on the phone when he came down. You
25 know, and, at that point, I was saying like we need an

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1 ambulance right now. You know, I mean, that's, that's it. I
2 don't know what he said to them when he was upstairs.

3 Q. And then at what point did they say apply pressure?

4 A. He, he walked over and handed me a towel and said
5 they're saying apply direct pressure. And, you know, I did.
6 That was it.

7 Q. Did we forget anything, man?

8 A. No, I think we covered it all. But I, I would like
9 to see both of them. I don't know where you guys stand with
10 things but, you know, I'd like -- I would like to see them.
11 If you guys want to have someone sit there and listen to us,
12 that's fine. Do what you have to do.

13 Q. When you want to take this lie detector test?

14 A. Whenever you want. It's fine.

15 Q. This morning.

16 A. That's fine. That's fine.

17 Q. Okay. Let me (indiscernible)

18 A. But I'm not going to sit in here for an hour or two
19 hours or whatever.

20 Q. No.

21 A. I want to see them both and --

22 Q. No, no, no.

23 A. -- if you guys are going to charge me, charge me of
24 that --

25 Q. If you going to take the lie detector test --

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1 A. -- then I'm calling my attorney.

2 Q. -- then we going to -- if you going to take a lie
3 detector test, then we going to have you do it, if my man at
4 the FBI comes in in time. I'm going to call him now.

5 A. I've been through -- I've seen the process. I want
6 to talk to them now and --

7 Q. Why?

8 A. -- that's it. Because this is the worst thing that
9 has ever happened to any one of us and I have not seen them
10 all night and I want to see them now.

11 Q. You've seen them all night.

12 A. That's what I want to do. So can we do that?

13 Q. Well, you're not going to be able to see them,
14 but --

15 A. Okay. Well, I want to talk to them because if you
16 guys are going to charge us --

17 Q. Why do you want to talk to them?

18 A. -- then you charge us. Because this is the single
19 worst thing that has ever happened to us. It is unbelievably
20 traumatic. I know you guys don't even know or care but that's
21 the fact.

22 Q. We do care. (indiscernible)

23 A. So I, I would like to see them now.

24 Q. No, you're not going to see them right now.

25 A. Okay. Well, I would like to leave.

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1 Q. Huh?

2 A. I would like to leave.

3 Q. Are you going to take the test?

4 A. I'm not taking the test right now if I can't see
5 them.

6 Q. Why?

7 A. Because I want to see them. That's where I am.

8 Q. Well, they agreed to take it, so you're not going --

9 A. All right.

10 Q. -- you're not going to be able to talk to them,
11 because --

12 A. Well, I would like to talk to --

13 Q. -- once they agree to take the test --

14 A. All right. We're just kind of beating a dead horse.
15 I would like to see Victor and Dylan.

16 Q. No.

17 A. If I can't see them, okay. But I want to leave and
18 I want them --

19 DETECTIVE NORRIS. Today's date is August 3rd,
20 2006, the time is 5:20, and my name is Detective Norris. I'm
21 investigating a stabbing that occurred in the 1500 block of
22 Swann Street, Northwest. And right now we're going to end
23 this tape, the witness left.

24 (At 5:20, the interview was concluded.)

25

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CERTIFICATE

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I hereby certify that the foregoing is a true and accurate transcription, to the best of my skill and ability, from a videotape.

January 4, 2007
Date

Debbie Courville
Debbie Courville, Transcriber

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