

ORIGINAL

METROPOLITAN POLICE DEPARTMENT
WASHINGTON, D.C.

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

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

August 3, 2006

Following is the interview of VICTOR CABORSKY.

Requested By:

M. COLLEEN COVELL
Assistant United States Attorney

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

ATTACHMENT C

PROCEEDINGS

(4:02 a.m.)

BY UNIDENTIFIED DETECTIVE:

Q. Okay. Sorry it took me a while to come back in. I was talking with some of my colleagues. What I'd like to do is get a statement from you about the events that happened tonight on videotape.

A. Okay.

Q. Okay? There's a camera right there, okay? You don't have to look at it. You can look at me just like we're talking. Okay? We're not on a TV show or anything. And there's a speaker right there.

A. Okay.

Q. Okay? And just for the record, it's 4:02 a.m. on August 3rd, 2006. Okay? And this is in reference to the homicide that happened inside your house at 1509 Swann Street, Northwest, correct?

A. Correct.

Q. Okay. And for the record, could you state your full name, date of birth, address, and social security number?

A. Victor Johann Caborsky. Birth date is January 28th, 1966. Social security number is [REDACTED]. And address?

Q. Um-hum.

A. Address is 1809 Swann Street, Northwest, Washington, D.C. 20009.

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

1 Q. Where were you born?

2 A. Philadelphia, Pennsylvania.

3 Q. Okay. I'm going to open the door and turn this fan
4 off so we can hear a little bit better.

5 Okay. Can you just go ahead and tell me what you
6 remember about what happened tonight?

7 A. Well, it was -- I had just gotten back from a
8 business trip. I was in Denver and got home around 6:30.
9 When I got home, Dylan was home. He was exercising in his
10 room and he had told me that Joe was at the gym. So I changed
11 clothes, unpacked a bit, and then went to the gym. I got home
12 probably only about 35 minutes later. It wasn't long. So
13 probably 7:15, 7:20. Went upstairs, took a shower. Joe was
14 already home from the gym and Dylan was in the shower when I
15 got home. And then I went upstairs, changed. We're having
16 trouble with our shower in our master bedroom so Joe was
17 trying to rig a hose to see if he could make it leak again
18 into the drain. And I went downstairs. Dylan had already
19 started cooking dinner. I helped. We were having steaks, so
20 we were in and out the back door. And while we were cooking
21 dinner, I talked to a friend of mine who lives in Silver
22 Spring. And the steaks were burning, so I ran out there and
23 got off the phone and we had dinner. We finished dinner. I
24 don't know exactly what time. I'm guessing it was around
25 9:30. It was probably earlier than that because -- it was

FREE STATE REPORTING, INC.

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

1 probably like 9:15 or so because I -- we finished cleaning the
2 kitchen. While we were -- just as we were finishing dinner,
3 Joe remembered he had left the water running and so he went up
4 and evidently it was dripping again, so he had to clean up the
5 leak.

6 Dylan and I went upstairs. Dylan went in his room.
7 I went upstairs the rest of the way, talked to Joe. And
8 that's when I went and watered the plants. I watered the ones
9 on the roof first and then I went downstairs, all the way down
10 to the main level, and went out front and watered the front
11 flowers. I came back in and went right upstairs to our
12 bedroom, which is on the third floor. By that time it was
13 probably like quarter till 10 or 10 till 10, something like
14 that. We were -- at dinner we were talking about how we
15 wanted to watch a show called Project Runway. And so I went
16 upstairs, started turning the television on and flipping
17 channels, getting ready for bed, and I couldn't find the
18 station.

19 Joe came up, because he was still working with the
20 drain, and told me what station it was on. We clicked over to
21 it and we found out we didn't have that station any longer
22 because he had cancelled part of the cable. So he went
23 downstairs at that point and I just was flipping channels
24 watching some other shows. And then he came up probably about
25 10 or 15 minutes later and said try it again. So we went --

1 and the show was on.

2 So we were both watching the show and the phone rang
3 and it was Robert. I missed -- because I had come down before
4 then. I had come downstairs. Actually, it was probably when
5 I was coming up the stairs after watering the plants out front
6 is when I saw Dylan making the bed in the office. And I asked
7 him what he was doing because I didn't know we were having
8 anyone come over. And he said that Robert was coming over,
9 that he was working late and wanted to just crash at our place
10 rather than going home. And then I talked to Joe and I asked
11 Joe and he said, yes, that's what was -- Robert was coming
12 over and that they were going to have breakfast in the
13 morning. So at that point is when I finished going upstairs
14 and started watching TV.

15 So we're watching the Project Runway show and the
16 phone rings and it's Robert and he says that he's on his way.
17 And he was talking to Joe. I was just hearing half of the
18 conversation. And Joe told him to just ring the doorbell when
19 he got there. So we're -- he hung up. The call was only like
20 a minute. I mean, it was a very short call. And Joe and I
21 were watching TV then for a few minutes. And then Joe went
22 downstairs and it turned out that he had come and Dylan had
23 let him in. And so I stayed upstairs. I was already
24 undressed and ready for bed.

25 Probably about 15 or 20 minutes later at the most,

FREE STATE REPORTING, INC.

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

1 absolute most, Joe came back upstairs. I'm guessing it was
2 probably like 10 till, something like that. Because there was
3 a lot of commercials in this program and I think we watched
4 two commercials. But it was the end of the show. I mean, it
5 was sort of just the climax of the show. So I know he only
6 saw the last few minutes.

7 So then the show was over at 11. Eleven we were
8 still watching the same channel and I went up -- went -- got
9 up and brushed my teeth, came back to bed and Joe was
10 switching channels, looking what was on, and he saw a show he
11 wanted to see and he was going to start watching it. We
12 turned the lights out. I went -- when I went into the
13 bathroom to brush my teeth, I also -- I took a Sudafed and a
14 Unisom (ph.), because I had just got back from the trip and I
15 was having postnasal drip. And I've been having trouble
16 sleeping anyway because of work. There's a lot of pressure.
17 And then taking a Sudafed would sometimes keep me up. I
18 thought I should take something. So I took that. Now it's
19 probably only like 5 minutes after 11, 7 minutes after 11.
20 It's pretty early still and I just rolled over and went to
21 bed. The lights were out, Joe still had the TV on. And like
22 about two minutes later, he turned the TV off and went to bed
23 himself.

24 And then we woke up -- I woke up to screams. And
25 Joe and I both jumped up out of bed and ran to the door. And

1 | when we got to the door, Joe went out and flipped the light on
2 | and we heard another kind of low scream while we were at
3 | the -- at our doorway. And we went running downstairs. Joe
4 | was right in front of me. And I looked in the room and Robert
5 | was laying on the bed kind of catty-corner and I started
6 | screaming. I mean, I was just hysterical. And Joe just told
7 | me to run upstairs. He goes, "Go back upstairs right now and
8 | dial 911." And he went over to Robert and I went upstairs.
9 | And I called 911 and the operator picked up pretty quickly and
10 | I told her that I thought somebody had broken in the house and
11 | that I thought somebody was injured but I didn't at that time
12 | know what was happening.

13 | So I walked back while I'm on the phone with her to
14 | the top of our landing of our stairs and I can see Joe. And
15 | Joe's saying, "Get an ambulance here right away. Robert's
16 | hurt." So I, you know, repeated it and that we needed help
17 | right away. And she talked to me for a little bit and then
18 | she told me -- Joe had said he was stabbed and so --

19 | Q. Joe said he was stabbed?

20 | A. Yes. Because when I was at the stairs. Because I
21 | told her that he was stabbed on the phone and she told me to
22 | apply pressure to the wound. So I grabbed a towel and I
23 | grabbed my robe and I went downstairs. And at that point Joe
24 | was already applying pressure to the wound. I gave him
25 | another towel. And when I was coming down the stairs, Dylan

1 was in the doorway and when I came, he had backed up a bit and
2 let me in. And I gave Joe the towel. I was still on the
3 phone with the operator and was saying, "We need help right
4 away." Joe is saying, "What time is it? What's taking so
5 long?" And I asked the operator what time it was and she said
6 it was 11:43. And she said that -- earlier and then again she
7 said I had to go to the door to let the ambulance and the
8 police in and I said I didn't know if anyone was still in the
9 house. So I was -- I went to the window and opened up the
10 shutters because they were completely closed. And I looked
11 out. I couldn't see anything or anybody. And I, you know,
12 was talking to her and saying we need help now. And then she
13 said, "They're on their way; they'll be there any minute."
14 And then I saw the ambulance pull up, so -- and then I looked
15 down the street and I saw a fire engine. And I went
16 downstairs and opened the door and let them in.

17 And then the ambulance attendants went upstairs and
18 Dylan came downstairs. We were both in shock. Both like
19 stark white and eyes as big as saucers. And --

20 Q. Was Dylan there when you got there?

21 A. Downstairs?

22 Q. Yes.

23 A. When I came down the second time when I was on the
24 phone, that's the first time I saw Dylan.

25 Q. And was that on the second floor?

1 A. It was on the second floor.

2 Q. Okay.

3 A. It was right by the doorway to the office.

4 Q. All right. And what was he doing?

5 A. He was just standing there.

6 Q. What was he dressed like?

7 A. He was in his robe.

8 Q. Okay.

9 A. When I screamed -- when we came down the stairs the
10 first time and I screamed, I thought I heard the door chime.

11 Q. Okay. You thought you heard the door chime that
12 time?

13 A. Yes.

14 Q. But when you came down, you didn't see anybody?

15 A. I didn't see anybody.

16 Q. Dylan wasn't there?

17 A. No. Down on the first floor, no.

18 Q. Okay.

19 A. I was the only one down on the first floor. Dylan
20 and Joe were still in with Robert when I went down to let the
21 ambulance in. And --

22 Q. But it was before that that you heard the door
23 chime?

24 A. Yes. It was much earlier. It was before I even
25 called 911. It was when I was screaming.

- 1 Q. And you didn't see Dylan at that time down there,
2 right?
- 3 A. No.
- 4 Q. You didn't see Dylan anywhere?
- 5 A. No.
- 6 Q. Okay. But Joe was with you?
- 7 A. Joe was with me.
- 8 Q. And was Joe in the bedroom the whole time with you
9 before you heard the screams?
- 10 A. As far as I know, yes.
- 11 Q. Because you had dozed off?
- 12 A. I was asleep. I woke up to the screams. And I
13 just -- I remember hearing the screams and jumped -- startling
14 up and I could feel Joe doing the same thing.
- 15 Q. Okay. And you and Joe are partners --
- 16 A. Yes.
- 17 Q. -- right? And is Dylan in this relationship
18 anywhere?
- 19 A. Yes, he is.
- 20 Q. Okay. All right. And you and Joe have known each
21 other how long?
- 22 A. For over six years.
- 23 Q. And you've been together that long?
- 24 A. Yes.
- 25 Q. What about Dylan?

1 A. Dylan's been with us for about four years.

2 Q. Okay. Does he share an equal part in the
3 relationship or no?

4 A. No, not really.

5 Q. Okay.

6 A. I mean, it's -- I think we're trying to develop it
7 in that way, but it's --

8 Q. Okay. That's fine. You don't have to explain that
9 any further. Any problems between you all?

10 A. No.

11 Q. What about between Dylan and Robert?

12 A. To be honest with you, I mean, we're friends with
13 Robert, but it's casual friends. I mean, I -- like I couldn't
14 tell you five things about his life, really. I mean, I
15 just -- we -- we've had dinner with them -- we see them
16 probably three or four times a year.

17 Q. Who's them?

18 A. Cathy and Robert.

19 Q. Okay. The most recent time we saw them was Cathy
20 had hip surgery. Or was it knee? It was hip surgery and --
21 at any rate, she had surgery and so we all went out to visit
22 her. We took her a gift basket with magazines and books, and
23 Dylan even wanted to cook something. I mean, it's a --
24 we're -- there's definitely no --

25 Q. Okay. So what you're basically telling me and we

1 | went over this earlier, is somebody came in your house -- what
2 | you believe is somebody came in your house.

3 | A. Yes.

4 | Q. Through your back door. Well, first of all, over
5 | your fence, over your high fence. How high is that? Eight
6 | feet? Higher?

7 | A. Probably nine foot.

8 | Q. Okay. Nine foot wood fence in the back, in through
9 | your back door, took a knife out of your butcher's block off
10 | the counter in your kitchen, went up to the second floor, and
11 | stabbed Robert and left the knife there and left without
12 | taking anything, without anybody seeing anyone.

13 | A. That's what I think happened. I think he was --
14 | probably they were coming in to rob us and --

15 | Q. Why didn't they take anything then if they were
16 | coming in to rob you? Why didn't they go to that first
17 | bedroom?

18 | A. That I don't know. We have -- there's a ladder set
19 | up at the top of the stairs because of the leak we were having
20 | and there's a table there that's not normally right by the
21 | landing and there's a lamp. And I don't know why --

22 | Q. Is that why the hole's cut out of the ceiling by the
23 | recessed lighting because of the leak?

24 | A. Um-hum.

25 | Q. Okay. But, I mean, do you see where that's kind of

FREE STATE REPORTING, INC.

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

1 | hard for us to believe right off, right off the cuff, right?

2 | I mean, someone comes in your house.

3 | A. I don't see how it could be anything else.

4 | Q. And stabs a guest that's not even -- that's not
5 | even -- doesn't even live there.

6 | A. And never had stayed there. I mean, and I didn't
7 | even know he was staying until --

8 | Q. Right.

9 | A. I mean, the only thing I can think of is they could
10 | have stepped on our car to get over the fence. We have a
11 | wall, so it's not really nine foot. They could land on the
12 | wall. So that's probably about a five foot drop.

13 | Q. Let me ask you this. Did Dylan kill Robert?

14 | A. No.

15 | Q. How do you know that?

16 | A. I just -- I know Dylan. He's not a violent person.
17 | He's one of the nicest, sweetest people I've ever met.

18 | Q. Well, even nice people have their breaking points.

19 | A. We just -- I haven't -- we haven't spoken to Robert.
20 | We haven't seen Robert. I mean, there's just -- I just can't
21 | even imagine any kind of scenario that would create something
22 | like this.

23 | Q. Did you kill him?

24 | A. No.

25 | Q. You didn't kill him?

1 A. No, I did not kill him.

2 Q. No reason to?

3 A. No reason to kill him.

4 Q. What about -- was it Paul?

5 A. Joe.

6 Q. I'm sorry. What about Joseph?

7 A. Absolutely not. He was with me. And Joe is best
8 friends -- well, not best friends, but he's the closest of all
9 of us to Robert and he's --

10 Q. Why was that?

11 A. What? I mean, they went to college, to the same
12 college together. They were in a fraternity together. Not
13 really a fraternity. I went to Robert and Cathy's wedding
14 right after Joe and I started dating.

15 Q. But my thing is, with all this happening and the
16 screams, the screams, and Dylan's bedroom being closest, you
17 didn't see Dylan?

18 A. No. The only thing I can --

19 Q. I mean, how was Dylan not there before you all?

20 A. If I were in Dylan's room by myself, I would have
21 stayed put.

22 Q. Well, you're not Dylan.

23 A. I'm not Dylan, but I'm -- I mean, I was petrified.
24 I was scared to death. When I realized the screams were in
25 our house and then when I saw what had happened.

1 Q. Do you think, do you think Robert could have done
2 that to himself?

3 A. I don't see how anyone can stab themself.

4 Q. Well --

5 A. No, I can't, I can't imagine that.

6 Q. It would be easier for me to believe that Dylan --
7 or Robert did that to himself than somebody coming into your
8 house and doing that to him and you guys not seeing anybody or
9 even hearing anybody. You know, you hear footsteps running
10 away. Because, obviously, if they're stabbing someone,
11 they're beating feet to get out of your house.

12 A. Um-hum.

13 Q. Okay? I'm not stopping to close the back door if I
14 kill somebody and people, other people are in the house.
15 Okay. And I'm not going to climb back over a fence I can
16 unlock.

17 A. I don't know. I mean, I don't know whether they
18 didn't know our backyard. They didn't know whether it had
19 a --

20 Q. I mean, they knew your house well enough to take a
21 knife out of your butcher block and go upstairs to the second
22 floor, you know, stab someone that was on a sofa in the, you
23 know, pullout bed in the office. I mean, what, what kind of
24 valuables do you have in that room that would be worth getting
25 at?

1 A. We have nothing.

2 Q. Nothing?

3 A. We have a computer in that room. We keep files in
4 there, but we don't have --

5 Q. And, and right out front in the kitchen by the back
6 door where the entry was made, there's a nice flat panel TV on
7 the wall that's worth, what, 7-, \$800, probably? And there's
8 a computer on the floor in the --

9 A. Living room.

10 Q. -- in the living room, a laptop. That's -- I don't
11 know what kind of computer you had in there, but --

12 A. An old IBM, but still. I don't, I don't know
13 whether they were looking for jewelry.

14 Q. Is your wallet missing?

15 A. Pardon me?

16 Q. Is your wallet missing?

17 A. No. But my wallet was upstairs on the third floor
18 with me.

19 Q. Okay. But there's cash in Dylan's room on the
20 dresser.

21 A. Probably. And his wallet would be there and --

22 Q. Was he asleep, do you know? Did he go to sleep or
23 did he stay up and watch TV?

24 A. No. He -- as far as I know, he was asleep. When I
25 came up the last time when I went up to go to my bed after I

1 had watered the plants, his door was closed and his light was
2 on. So that was the last I saw of him. I know now that he
3 got the door when Robert came and that they had a drink and
4 then he went -- I was told he went to bed. So I don't know
5 whether he was reading or whether he was asleep. I do know
6 that Dylan also uses a sleep aid. So I don't know whether he
7 took it tonight or not.

8 Q. This is quite a mystery we got working here. This
9 is a good one. I mean, you know, four guys in a house. One
10 guy ends up dead. The other three, you know, are saying I
11 didn't do it and the other persons didn't do it. But then we
12 have no evidence of any type of forced entry or anything like
13 that. No motive.

14 A. No. There's no motive anyway. I mean, for us, the
15 only -- that's why the only thing I can think of it was an
16 attempted burglary. Because there's --

17 Q. Well, there's no attempted burglary about it.
18 Attempt is just trying to get in somebody's house. This is a
19 burglary that actually happened, if that's what you believe.

20 A. I don't know the technical terms, but --

21 Q. Well -- but my thing is, if it was one of you all in
22 the house, okay -- say it was Dylan, right? I'm not saying it
23 is, just say it was. Or even say it was Joseph, right? They
24 got to -- you know, if it was Dylan, he's wondering, you know,
25 eventually they're going to catch on or they're going to

FREE STATE REPORTING, INC.

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

1 | decide they want to tell on me. He's going to get nervous,
2 | right? What do you think's going to happen?

3 | A. I honestly cannot believe that any of us killed him.
4 | It's just -- it's so absurd. I mean, there's just -- there's
5 | no reason in the world. There's no -- and I know both of
6 | them. We're family.

7 | Q. But do you find any reason in the world why
8 | somebody's going to break into your -- come into your house,
9 | take a knife out of your butcher block, go upstairs, and kill
10 | just one person in the house?

11 | A. My -- what I would think they probably did is they
12 | came in, they grabbed a knife -- they were probably looking
13 | around. They probably looked at the TV, looked at the laptop,
14 | probably casing what they were going to take. Those are
15 | things they'd have to, A, they're heavy and they'd have to
16 | dismantle the TV. I think they went upstairs. They probably
17 | saw the big flat screen TV in the TV room. I think they
18 | probably walked by Dylan's room because of the clutter in that
19 | corner and just not even --

20 | Q. But you can clearly see there's somebody in the bed
21 | from when you walk past the doorway. I could clearly see from
22 | walking past there that, hey, there's somebody sleeping in
23 | that bed.

24 | A. Dylan's door was closed.

25 | Q. Huh?

1 A. Dylan's door was closed.

2 Q. It was?

3 A. I know it was closed when I came up to go to bed.

4 Q. Okay. But you don't know if it was closed when you
5 came down and saw him with a knife in him, right?

6 A. I don't know that, but I can tell you that I think
7 it was because we were talking about the fact that it was so
8 hot and Joe told me -- even when we went upstairs the first
9 time to watch television, he closed the door and he goes, "I
10 think it keeps the cool air in if you close your door." So we
11 had closed our door. We had closed the bathroom door. And I
12 would assume that Joe would have had the same conversation
13 with Dylan. So that's -- because -- plus, we all sleep with
14 our doors closed, anyway. We have a skylight in our -- in the
15 hallway right outside our bedroom and so we keep that closed
16 so the light doesn't come in.

17 I can't believe that you're not going to be able to
18 find something outside, either a dent on the hood or the
19 plants being trodden.

20 Q. What makes you think that the person even jumped on
21 your car?

22 A. I just don't know how they could have gotten over
23 the fence.

24 Q. Me either.

25 A. So that's the only way I can imagine somebody

1 getting over the fence.

2 Q. What about the -- what is that like a trash can
3 thing in the corner of the driveway --

4 A. There's a --

5 Q. -- up by the shed?

6 A. There's a shed that we keep some shovels and stuff
7 like that in. And then the trash cans are to the other side
8 of that.

9 Q. Okay.

10 A. But the shed is -- you can fit a trash can in
11 between the shed and the fence. So it would be a -- I mean,
12 it's not a practical way to get in the yard.

13 Q. Have you ever had any intruders in your home since
14 you've lived there?

15 A. (Shakes head)

16 Q. How long have you lived there?

17 A. A year and a half.

18 Q. No intruders in your home?

19 A. No.

20 Q. Either you, Joe, or Dylan have anything to drink
21 tonight?

22 A. Yes. We had wine with dinner.

23 Q. That's it?

24 A. Yes.

25 Q. Did you finish the bottle?

1 A. We did. The three of us did. I think we did,
2 actually. I don't know. Nobody was --

3 Q. Drunk?

4 A. -- drunk or tipsy.

5 Q. Did you smell an odors, odd odors like body odor
6 smells that you recall?

7 A. No.

8 Q. Do you know if Robert was having any problems at
9 work?

10 A. I haven't talked to Robert since probably -- well,
11 since when I went to see his wife. So it's been several
12 months.

13 Q. Okay.

14 A. And I know he's changed jobs since then. I think
15 this is a really new job for him. I mean, I think it's weeks
16 old.

17 Q. All right. Is there anything else?

18 A. No.

19 Q. Do you need to use the rest room or anything?

20 A. I could use some more water.

21 Q. Okay. Let me ask you this: How have you been
22 treated since you've been here? You been treated pretty
23 fairly?

24 A. Yes.

25 Q. Anybody make any promises or threats to you?

1 A. No.

2 Q. Okay. Right now it's 4:30 a.m. and it's still the
3 3rd of August. We can go ahead and shut the videotape off
4 after you go out and get you some more water and use the rest
5 room if you need to.

6 (At 4:30 p.m., the interview was concluded.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

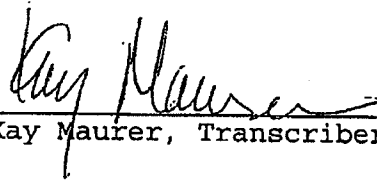
FREE STATE REPORTING, INC.
Court Reporting Depositions
D.C. Area (301) 261-1902
Balt. & Annap. (410) 974-0947

CERTIFICATE

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

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



Kay Maurer, Transcriber

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