

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 D

P R O C E E D I N G S

1
2 UNIDENTIFIED SPEAKER. Go ahead, you can have a
3 seat. I'll be right back. I'm going to talk to Joe first,
4 okay?

5 VICTOR. Okay.

6 UNIDENTIFIED SPEAKER. You need a water or
7 anything?

8 VICTOR. No, I'm fine.

9 UNIDENTIFIED SPEAKER. Okay.

10 (Unidentified speaker leaves and subsequently
11 returns.)

12 BY UNIDENTIFIED SPEAKER:

13 Q. Hey, Victor, sorry. I was talking to Joe, and I
14 just need to get a couple things. I -- they probably asked
15 you all your name and all that --

16 A. Yeah.

17 Q. I don't want to get it all myself, okay? And I was
18 talking to the other detective, and he said that you wanted to
19 have a lawyer. And I just wanted to make it clear that, you
20 know, you guys came back --

21 A. Right.

22 Q. I guess because I came out and spoke to you. But,
23 you know --

24 A. The last -- at the end of the last discussion, they
25 were basically asking me over and over the same thing. And,

1 you know, I had nothing else to say. And I didn't know -- I
2 really didn't know where they were going with their
3 questioning and so --

4 Q. Right.

5 A. I'm happy to tell you what happened.

6 Q. Okay. I just wanted to make sure that, you know,
7 that you're here voluntarily, okay?

8 A. I am here voluntarily.

9 Q. Okay.

10 A. I will tell you I am absolutely exhausted.

11 Q. I understand.

12 A. My adrenaline is gone.

13 Q. Right.

14 A. And I am just --

15 Q. Okay. All right. Well, we're going to get through
16 this. It's not going to take very long, and you guys will be
17 on your way, get your rest. I'm sure I'll be talking to you
18 many times after this. But for now you can understand --

19 A. Sure.

20 Q. -- how important it is for me to get what I need out
21 of this, okay?

22 A. Absolutely.

23 Q. All right. And your last name is?

24 A. Caborsky. It's C-a-b-o-r-s-k-y. My first name is
25 Victor, V-i-c-t-o-r.

FREE STATE REPORTING, INC.

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

1 Q. Middle name?
2 A. Johann, which is J-o-h-a-n-n.
3 Q. All right. And you live at 1509?
4 A. 1509 Swan Street, Northwest.
5 Q. And your date of birth?
6 A. 01/28/66.
7 Q. And Social Security?
8 A. [REDACTED]
9 Q. And you (indiscernible) what's that home phone
10 there?
11 A. 202-[REDACTED]
12 Q. And do you have a work number?
13 A. Yes. 202-[REDACTED]
14 Q. And where is that at?
15 A. It's the International Dairy Foods Association.
16 Q. And you have a cell?
17 A. Yes. 202-[REDACTED] I don't have it with me. It's
18 in the house.
19 Q. That's fine. All right. Why don't you go ahead and
20 just start telling me what happened.
21 A. Well --
22 Q. Let me ask you this. How do you know Robert?
23 A. I know Robert through Joe. Joe and I have been
24 together for six years. And I met Robert and Cathy just
25 before they got engaged. I would say probably, like, five

1 | years ago and went to their wedding. I would consider them
2 | personally friends. Not like -- they're very close to Joe. I
3 | see them probably, like, three or four times a year. We had
4 | gone out to their house twice. They had come to our house for
5 | dinner probably twice, and they come to some parties that
6 | we've had at our house. Last time I saw them -- because I
7 | didn't actually see Robert tonight until after this happened.
8 | Last time I saw them was probably in May or June. I don't
9 | remember exactly, but Cathy had had hip replacement surgery,
10 | and Dylan, Joe, and I went out there on a Saturday and took a
11 | basket of things for her to entertain herself. So that's,
12 | that's how I knew them.

13 | Q. Okay. And then tonight, did you know that he was
14 | coming over?

15 | A. I didn't. I had been on a business trip. I was in
16 | Denver and I got on an earlier flight, so I got home -- I got
17 | into Dulles at around 5:30, quarter to 6. I had a car pick me
18 | up and I got, got home around 6:30. And when I got home -- I
19 | had talked to Joe in the car on the way, and he was on his way
20 | home from work and he said he was going to the gym. And so
21 | when I got home, Dylan was home. He was exercising up in his
22 | room. He told me Joe was at the gym, so I decided I'd go to
23 | the gym. I think I was only there for, like, 30 minutes, came
24 | home.

25 | I never did see Joe until I get home -- got home.

1 And Dylan was in the shower when I got home. Joe was, I
2 think, already showered. He was upstairs in our bedroom
3 changing. And then I came up and changed and took a shower.
4 And then we have been having plumbing problems in our top
5 floor bathroom, so Joe was trying to explain to me what he's
6 been doing, trying to figure out the problem, and so he was
7 doing all these experiments with running water down it, and I
8 went down and helped Dylan with dinner.

9 So we fixed dinner. I mean, one of the things that
10 we were -- we had steak on the grill. And Joe came down at
11 one point and said, "Oh, Victor, you have to call" -- we have,
12 we have two children with a lesbian couple in Silver Spring,
13 and he goes, "You have to call Alec. He has big news." So I
14 called Alec -- I'm the grill person. And I think he had lost
15 a tooth and he rode his bike for the first time without
16 training wheels. So I was talking to him, and I look up, and
17 all of the sudden there was this huge plume of smoke. And so
18 I yell at them and they went out and threw water on.

19 Anyway, we finished fixing dinner. We sit down. We
20 have our dinner. Just at the end of dinner, just as we're
21 starting to clear the dishes, Joe remembers he had left the
22 water on cold in the shower, so he runs up, and then Dylan and
23 I finish cleaning the kitchen. We clean the kitchen. I got a
24 glass of water and I went upstairs, and then I went to the
25 roof and watered the plants on the roof. Joe was still

FREE STATE REPORTING, INC.

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

1 | messing with the shower. Dylan had come up at the same time
2 | the stairs with me, and he had gone into his room, and then I
3 | finished watering the flowers on the roof.

4 | So I came down and I was going to water the flowers
5 | out front, and I did. And at that point, I remember that
6 | Dylan's room -- his door was closed, but I saw the light under
7 | there, assuming he was reading. Joe was making a big deal
8 | about how we had to keep the doors closed because it kept --
9 | it was so hot in the house -- keep the air conditioning in the
10 | rooms.

11 | So I went out to water the plants, came back, went
12 | right upstairs, and Dylan was making the guest bed in the
13 | office. And I said, "What are you doing?" And he said, "Oh,
14 | Robert's coming over. He said that Robert had to work late
15 | and he didn't want to have to drive all the way back to Ogden,
16 | so he was going to spend the night and then have breakfast
17 | with Joe the next morning. So I helped Dylan make the bed and
18 | then I just went upstairs and turned on the TV. We had been
19 | talking at dinner, there's a show called Project Runway, and
20 | we were going to watch it, Joe and I. Dylan doesn't really
21 | watch television.

22 | So it was probably at that point, like, just before
23 | 10:00, because that's what time that show comes on, and I was
24 | looking for it, couldn't find it. Joe came up and he said it
25 | was on Bravo. I looked -- clicked over to where Bravo is and

1 we don't -- we didn't get it anymore, because I don't know
2 why, but, like, a month ago or so he called and changed our
3 cable. So we no longer had that set of channels. So he went
4 downstairs. And I didn't know he was doing. I just -- I was
5 just flipping the channels. And evidently he called the cable
6 or the dish, satellite people, and had them reinstate those
7 channels.

8 So he comes up, like, probably 10 after 10 or
9 quarter after 10, something like that, and says, "Try it
10 again." So I tried it. It's on. So we're watching TV.
11 We're watching it together. The phone rings, and it was
12 Robert saying he was on his way.

13 Q. And this came on at 10:00?

14 A. The show came on at 10. We missed -- I don't know
15 how much we missed. I mean, I wasn't watching the clock, but
16 probably not much, so maybe 10 or 15 minutes.

17 Q. And at this point you guys were watching it
18 together?

19 A. Joe and I are. And the phone rings. It's -- he
20 says he's on his way, and Joe says, "Just ring the doorbell
21 when you get here." So I continue watching it. Joe went
22 downstairs probably about ten minutes later, or something like
23 that, and evidently Robert had come and Dylan had gotten the
24 door, and so they stayed down there. I was all ready for bed.
25 I was just in my underwear and (indiscernible) from the trip.

1 I was tired. I really didn't want to, like, chat, so I just
2 stayed upstairs. So that's all I knew, at least at the time
3 of that.

4 Then Joe came up probably at quarter until 11, and
5 I'm guesstimating that time based on where the show was,
6 because I think there were, like, two more ad breaks that he
7 watched with me. So -- and they kind of crunch everything at
8 the end, so maybe 10 until 10 -- 10 until 11, and we watched
9 the end of the show. At that -- the show was over. I went
10 into the bathroom. I had postnasal drip from my trip, so I
11 took a Sudafed and then I saw we also had Unisom, so I took a
12 Unisom because I thought the Sudafed keeps me awake. And
13 then -- so I took a Unisom and a Sudafed and I went to bed,
14 and I fell asleep pretty quickly.

15 The next thing I know, I woke up with a screams. I
16 did not hear the chime. I was sound asleep. So I heard, I
17 heard these set of, like, like, a really low breathy grunt
18 kind of sound, but it was loud, and so I jumped up. Joe
19 jumped up beside me. We're both sort of "What is that? What
20 is that?" We run to the door of our bedroom and open the
21 door, and we heard another kind of grunt and the -- flipped
22 the switch on in the hallway and we both start running down
23 the stairs, and Joe was just in front of me. And then we got
24 to the doorway of the office and saw Robert laying on the bed,
25 and I just freaked out.

1 His eyes were rolled back. He looked very pale. I
2 couldn't -- I saw -- his shirt was up a little bit, and I
3 didn't see, like, a lot of blood, but I saw some blood and
4 then I saw -- I just didn't look. I mean, I sort of -- like,
5 I saw something and I just turned away really quickly and I
6 started screaming, I mean, at the top of my lungs. And Joe
7 just said, "Go upstairs and call 911," so I did that. I
8 immediately went upstairs, dialed 911, talked to the operator.
9 I told her that I thought somebody had broken into our house
10 and that somebody may have been hurt, because I didn't really
11 know what had happened and I wasn't necessarily thinking. And
12 she, she just was asking me questions.

13 Q. Now, where did you come up with somebody broke in
14 when you told the police that? Did you just assume that or
15 did Joe tell you or Dylan tell you that somebody broke in?

16 A. No, it was just an assumption.

17 Q. Okay.

18 A. But, I mean -- so, yeah, it was just an assumption.
19 I -- so I'm on the phone with her and I sort of go to the top
20 of the stairs where I can sort of see Joe, and Joe is telling
21 me "Get an ambulance here right away." So I told her we need
22 an ambulance right away. And so she was telling me that I
23 need to go downstairs to meet the ambulance and the police,
24 and I said I didn't know if -- I said, "I don't know if
25 someone is here." So I did -- at that point, I walked down

FREE STATE REPORTING, INC.

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

1 the stairs to where Joe was, and Dylan was in the doorway. He
2 was wearing a bathrobe. Joe was over Robert and he was, he
3 was applying pressure to the wound already -- the 911 operator
4 had told me to take a towel and apply pressure to the wound,
5 so I had gone into the bathroom and grabbed a towel and my
6 robe when I came downstairs.

7 I gave the towel to Joe and I was still on the phone
8 with the operator, and Joe was like, "Where is the ambulance.
9 We need it, you know?" I don't know how much time it lasted.
10 It seemed like a long time, but -- so I went to the window and
11 looked out the window and didn't see anything. And I'm
12 talking to the operator still, "Where is the" -- and he -- Joe
13 had asked what time it was. So I asked the operator, and she
14 said it was 11:43. And then I looked out the window again,
15 and I saw the ambulance pull up, and down the street I saw the
16 fire engine.

17 And so I went downstairs, all the way down to the
18 first floor. And I was the first one down there and opened
19 the door, and I basically was just sort of running down the
20 steps so that I could run out the door if there was somebody
21 there, because I didn't know what to expect. And then the
22 ambulance people came in. They went right upstairs. I stayed
23 downstairs.

24 Q. What did you tell them?

25 A. I don't even -- I don't remember. I told them that,

1 I told them that he was in the front bedroom, but I don't know
2 if I told them --

3 Q. Did you tell them that he was stabbed?

4 A. I don't remember. I probably did, because I
5 definitely -- at that time, I had been in the room and seen
6 him, so I probably did say he was stabbed.

7 Q. Did you see the knife?

8 A. I'm confused now because I think I saw the knife the
9 first time I came down the steps, but I really looked so
10 quickly and was hysterical that I don't know whether I did or
11 not. I thought I saw a black handle and I thought I saw it --
12 see, when I was telling one of the other detectives, I was --
13 I remember he had -- I thought I saw one hand on his stomach.
14 And then I remember he had the -- his one hand was, like,
15 weird because it was, like, standing up and sort of twisted.
16 And so I thought I saw the handle of the knife resting against
17 him. But when I first told the police officers, or told the
18 detectives here, I told them that he was holding his stomach.
19 So I don't, I don't really know. I can't -- I mean, I know he
20 wasn't holding his stomach with both hands because I vividly
21 remember now the hand because it was so awkward positioned.

22 And so I told them that he was upstairs. I stayed
23 downstairs because the police were coming at that point. The
24 police came in, and then Dylan came down, halfway down the
25 stairs, and he said, "Is the back door open?" And I said, "I

1 don't know," because I was just in the living room. And so I
2 walked over to the dining room and I could see that it was
3 unlocked, that it was a vertical -- but I didn't see that it
4 was open or ajar. I just saw that it was unlocked. I later
5 heard one of the policemen say that it was ajar, but I
6 don't -- I didn't go over to the -- I didn't go any further
7 than, like, midway of the breakfront we have of the
8 (indiscernible) I didn't go any further into the house. So
9 that's -- and I came back and the officers asked us to sit on
10 the sofa, you know, sit down, and we sat in the chair.

11 Q. Did anybody -- did Dylan or Joe say what happened?
12 I mean --

13 A. I know that, I know that Joe said he was stabbed,
14 because he -- I remember him saying when I was on the phone
15 with the operator -- I'm pretty sure I told her he was
16 stabbed. I don't remember.

17 Q. Okay. So if you told the operator that he was
18 stabbed, you knew he was stabbed the first time you went down?

19 A. Yes. The first -- when I first saw him, I looked at
20 his face, and I saw his eyes rolled back, and I thought maybe
21 he had a seizure or something. But then I remember looking
22 down his body and I saw, I saw some blood. So I definitely
23 knew he was, he was wounded. And I don't -- and I also --
24 that's when I think I saw the knife, because I -- but I'm
25 cloudy on that now. But I remember I thought that when I

1 first -- my first glance at him was with the knife sort of by
2 him or on him, just sort of leaning up against --

3 Q. Let me ask you this: If you were to get -- want to
4 get into the back of your house, how would you do it if the
5 gate's locked?

6 A. I really don't know. I've never had to do it. I
7 mean, my assumption is that they climbed on our car and sort
8 of catapulted themselves over.

9 Q. If we ruled that out, that they didn't do that?

10 A. I don't know if you can -- I've -- I mean, I don't
11 know whether you can hoist yourself up. I know it's a lot
12 easier to get out because of the ledge from the brick wall.

13 Q. Let me ask you this: If you -- if somebody ran down
14 the steps, would you hear it?

15 A. I would think so.

16 Q. Did you?

17 A. I didn't.

18 Q. You heard -- because you heard --

19 A. I heard the, the cry or the screams or whatever they
20 were. They were, they were very low. I mean, like, when I
21 screamed when I got hysterical, I was, like, pretty high
22 pitched screaming and loud screaming. What I heard that woke
23 me was like a breathy kind of uh, uh, uh (ph.) that was very
24 different from --

25 Q. Right.

1 A. And I mean it was just -- but we ran -- we were
2 running down the stairs ourselves, so I don't know whether I'd
3 hear somebody else. I did -- and I don't -- and, again, I
4 question my own memory now, but I thought when I was screaming
5 I heard the chime again. So I don't -- so that would have --
6 could have coincided with our running down the stairs.

7 Q. So right after you heard the grunts, you went down?

8 A. We, we were -- we heard the grunts when we were in
9 bed. We jumped out of bed and sort of ran to the door and
10 paused because we really just didn't know what it was. And
11 then we heard another kind of grunt, and I could -- by that
12 time our door was open, and I could -- we could tell it was
13 inside the house. I mean, it was -- because our -- we have a
14 brick wall here with our neighbors, which sometimes we hear
15 their baby cry and things like that. So, you know, I just --
16 I wasn't sure that it was -- I really didn't know what it was.
17 And -- but that -- when we were at the door, I could tell it
18 was in the house.

19 Q. So the grunting was still going on as --

20 A. It was at -- it stopped, I mean, literally, like, we
21 opened the door and that was the last sort of grunt I heard --

22 Q. Okay.

23 A. And -- but it was, it was loud enough and close
24 enough that I knew it was, like, in our house.

25 Q. So when you went downstairs, Joe went into see

FREE STATE REPORTING, INC.

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

1 Robert, and where was Dylan?

2 A. I never -- I didn't see Dylan at that point. I
3 honestly didn't look around or anything. I mean, I saw, and I
4 sort of -- I saw Robert and I sort of backed up a little bit.

5 Q. Yeah.

6 A. You know where the stairs are, there's a little sort
7 of landing there.

8 Q. Um-hum.

9 A. And I was, like, grabbing my head and screaming.
10 And Joe just kind of grabbed me and said, "Go upstairs and
11 call 911." So I, like, dashed up the stairs. I mean, it was
12 immediate. So I didn't, I didn't look around to see if Joe --
13 Dylan was coming out of his room. I didn't -- I really didn't
14 see him until I came down the second time when I was on the
15 phone with the operator. And at that point, he was in his
16 room and he was standing by the doorway and he looked just,
17 you know, white as a ghost and was shocked, just like Joe and
18 I. We were just all --

19 Q. All right. Is there anything -- I mean, did you
20 notice anything missing or, you know, if anything was taken
21 out of there or --

22 A. We really didn't look around, but I didn't notice
23 anything, and our, our downstairs is very -- it's a very nice
24 house, but we don't have, like, silver or, I mean, we just --
25 I don't know. I just don't know what type of things -- we

1 don't even have that. We have some jewelry, but that's up on
2 the third floor, some rings and some watches and things. I
3 mean, that's what my guess is what the person would have been
4 after is something very easy to stuff into a pocket. My
5 laptop when I got home from my trip, I put it behind the sofa.
6 And I think it's still there. I think it was still there when
7 I left. And that was literally right at the end of the sofa.
8 That's the only thing I can think of on the first floor that
9 would be, like, easy to grab that would be worth anything.
10 But even that, I mean, it's an old IBM, but they wouldn't
11 necessarily know that.

12 Q. Right.

13 A. Other than that, we don't have -- I don't think
14 there's anything worth taking, and the other police officers
15 asked me if we kept anything in that office, and we don't. I
16 mean, it's really -- we kept the computer in there, and
17 there's files, but we don't have a safe or we don't keep any
18 of our valuables. I mean, the only valuables we have are some
19 rings and some watches, and they're upstairs on our dresser.
20 And I have -- I don't think Dylan has any jewelry. If he
21 does, I mean, it's not -- it'd be costume stuff.

22 Q. All right. It's only going to be a couple of
23 minutes, okay? I know you're tired (indiscernible) get out of
24 here. I got to go talk to Joe another time. I'll probably
25 come back and talk to you for another minute. And you'll be

1 on your way, all right?

2 (Unidentified speaker leaves)

3 MR. CABORSKY. (Knocks on door) Do you know if the
4 detective is coming back, because I'm, I'm really beat, and he
5 said it was going to take 15 to 20 minutes, and I've been here
6 an hour and a half.

7 UNIDENTIFIED SPEAKER. Okay. I'll check.

8 MR. CABORSKY. Okay.

9 (Unidentified speaker enters.)

10 UNIDENTIFIED SPEAKER. (Indiscernible) sorry it
11 took so long.

12 (The interview was concluded.)

13

14

15

16

17

18

19

20

21

22

23

24

25

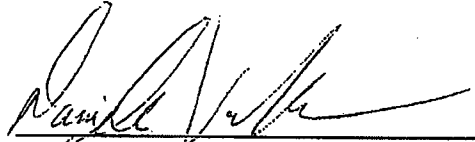
FREE STATE REPORTING, INC.
Court Reporting Depositions
D.C. Area (301) 261-1902
Balt. & Annap. (410) 974-0947

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 3, 2007
Date


Danielle VanRiper, Transcriber

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