

John Bachelor: Today's date is March 20, 2012. The time is 6:10 p.m. Present is as well as John Post, or Jim Post, with the uh, State Attorney's office, 18th Judicial, and myself, John Bachelor, a special agent with the Florida Department of Law Enforcement. The purpose and scope of our inquiry today is to conduct an independent follow-up with regards to the shooting investigation that has been conducted by the Sanford Police Department within your community. The inquiry is being conducted by agents of the Florida Department of Law Enforcement as well as investigators with the Office of the State Attorney. I'm gonna hand you a copy titled Narrative Report, Sanford Police Department and dated February 26, 2012. If you would please look that over and indicate if that is your handwriting, your signature and a statement that you provided to the Sanford Police Department.

Speaker 2: That is definitely my handwriting. Yes.

John Bachelor: OK, is that your, your signature on the bottom?

Speaker 2: Correct.

John Bachelor: And it's dated February 26, 2012?

Speaker 2: Yes.

John Bachelor: And the time is 6:12 p.m. If you would, could you please uh, go over the events that occurred that night on February 26, 2012?

Speaker 2: About the time, around when all this started, we were watching TV like we usually do at nighttime. I believe it was the same weekend as the Daytona 500 and while we were watching TV, we kinda heard some loud noise outside, so we figured maybe it was just, you know, either kids in the neighborhood or people, you know, just havin' a good time outside, and then we heard it again, so we muted the TV, but didn't hear anything for a second. Um, and then we heard it like it was coming towards us, gettin' a little louder, so I kept the TV on mute and went to go look outside, through the sliding glass door, through the blinds, and there's only a porch light, so I couldn't truly see what was out in the grass area and my fiancée, I, I'm pretty sure advised me not to open the door, but I had, I had to check, just to see what was going on. And I opened the sliding glass door and looking out there, it almost looked like, uh, like a dog attack by, or something like that, 'because there was a man vertically looking forward, on, like towards the ground, so if I'm standing at the glass door, I don't know how to describe, it was pretty much like I was laying on the ground, directly in front of -, like directly in front of me on the sidewalk. So I couldn't really tell what was going on until I heard "Help, help, help" yelled again, and then I noticed there was a guy in a lighter colored shirt or sweatshirt or whatever he was wearing, um, I, I think it was a red color or a white color, uh, on the bottom of the person. So I yelled what was going on, um, and you know, help, help came out, and then I was like hey, cut it out, and they kinda turned and made it onto the sidewalk, and the person wearing the black outfit was on top of that person at that time, and that's when I said I was calling 9-1-1. I turned around, told, get off the phone, get upstairs, and I locked the door and started dialing 9-1-1, and as soon as I picked up the 9-1-1, a couple seconds later, as we were about to make our way upstairs, it sounded like, like a rock hit a window. I've never heard a gunshot before, but now, knowing that was the gunshot that I heard, um, and from that point, as she was still making it up the stairs, I ran upstairs while I was on the phone with the uh, 9-1-1 person that answered my call, and I ran over to the window to look down, and when I looked down, I saw the person that was actually on top at that point, was laying in my grass, kind of in a sprawled position, not moving. Um, and then I saw the, another person with his hands in the air, as it looked, I don't believe it was cops at that point. It looked more like neighbors with flashlights that were comin' around the corner. Uh, and the guy had his hands in the air, saying, the gun's on the ground, I shot this guy in self-defense and no lie, at least maybe 20 seconds later the cops are already all

there. I think it was just 'cause so many people had already dialed in, and the operator also told me that, you know, there was five other callers, calling in for the same thing that happened. Um, at that point, um, you know, I think I even stated, you know, holy shit, or somethin' like that. You know, I think he's dead, because he wasn't moving. Um, when we went back downstairs, um, you know, I was still shaken up and everything. I'm pretty sure they flipped the body over to do CPR, 'cause I do remember someone trying to do CPR, um, so at that point I didn't know if he was still alive, or where, I didn't know if he had been shot, you know, where he had been shot, or if he had been shot, but I was guessing at that point when they were doing CPR he had been shot. Um, and then when I looked out my blinds again a couple minutes later, um, I noticed there was a yellow, uh, I'm guessing it was a couple of minutes. I don't know, the time kinda flew after that point, but I noticed there was a yellow sheet or blanket over uh, the person laying in my grass and I know that usually means that that person is deceased at that point. Um, and then after that, it was just, you know, pretty much giving statements the rest of the night, um, you know, talking with my neighbors next door. Um, I didn't have my patio door open, but I heard, um, you know, from other people, other people had, you know, doors open or somethin' like that, so they could hear it a little better, but I could only hear the helps through, you know, with all the doors and windows closed, so I couldn't tell, you know, who was yelling help, this or that, but you could tell it was a male, of course. Um, but as to who was yelling, you know, I, I can't make that call. At first I thought it was the person on the ground, just because, you know, me thinking rationally, if someone was on top, the person on the bottom would just be yelling, but you know, that's just an assumption. I truly can't tell who, you know, after I thought ab-, you know, after I'm thinkin' about it, was yelling help just because it is so dark out on that sidewalk. Um, you can't see a mouth, or you know. I really wish I could've, 'cause that woulda really helped, but that was pretty much, you know, all I saw at that point. I didn't see how it started, I didn't see how it ended, I just saw the part where they were in an altercation on the ground.

John Bachelor: OK. You mentioned in the very beginning of your statement -

Speaker 2: Mm hmm.

John Bachelor: You were inside when all of this started.

Speaker 2: Mm hmm.

John Bachelor: What was you referring to?

Speaker 2: You could tell it was farther away from where it ended up, in the grass area, you know, behind our townhomes right here. It seemed like it was a lot farther away, 'cause as time went on, it got closer, and you, you could really tell, oh, that's, I think that's someone actually yelling "Help" this time and it's not people outside, you know, roughhousing and, you know, so when my first, uh, thought when I did open the door and noticed it was a man, you know, on the ground, I thought it was just two guys out there wrestling, you know. Just, I don't know, just horse, you know, horsing around or somethin' like that, but then when I noticed "Help, help, help" was yelled out, I knew it was serious. That's when I said, you know, "Stop", or I said "Stop" before, "What's goin' on?" and I said "Stop" and they were still wrestling and I said that's when I'm calling 9-1-1 and then went inside.

John Bachelor: You keep referring to "it was farther away". What was farther away?

Speaker 2: If you hear someone yelling and they're two blocks, three blocks down, it's gonna be a faint, uh, sound, you know, you're not gonna hear it as loud, but it sounded like it morely, it more, it progressed towards us. I don't know if it was coming from the left or the right, but the sound just got louder, um, because I think it, either someone had started, you know, yelling help and it just got closer and closer until you know, we could truly hear it, close enough, and it makes

senses because it was right, you know, in the backyard area. That's what I mean, um, it sounded, you know, like it was getting closer, just the, the sounds of the "helps" that were getting closer with movement towards, you know, our location.

John Bachelor: And you're, you indicated you're not sure what direction the sounds would have been coming from?

Speaker 2: No.

John Bachelor: Did you hear any other noises or sounds other than what you believed to be "help"?

Speaker 2: No.

John Bachelor: You mentioned, when you first opened the door, you, you described what you saw, it might have been a dog fight.

Speaker 2: Yeah.

John Bachelor: What made you believe?

Speaker 2: 'Cause it was so dark outside, and uh, you know, I, it seemed like the person that was on top or what I could see –

John Bachelor: Was wearing? The person on top was wearing?

Speaker 2: All, it was a dark colored jacket. It was like all black jacket, or, or somethin' like that. Um, I just couldn't tell what was going on because I didn't see anybody underneath. I didn't see anybody on the left or the right, but then, uh, there was a guy on the bottom, that seemed like he was pushing up or, you know, I can't tell what it was, but then I finally saw, you know, like a guy on the bottom, and I heard, you know, "help, help, help" and then, you know, I yelled at them and said, "Hey, cut it out" and you know, it kept going and then, uh, you know, I said, I'm calling 9-1-1 and I went back inside.

John Bachelor: You mentioned the person on the bottom.

Speaker 2: Mm hmm.

John Bachelor: What was he wearing when you noticed that?

Speaker 2: It was either a lighter colored shirt that ha-, it was, or something red on it, or white. It was, it wasn't a solid, dark color. You could tell a distinction between uh, you know, what each person was wearing at that point.

John Bachelor: You could tell what each person was wearing?

Speaker 2: Meaning like a da-, one had a dark shirt on, compared to another person had a red or a white shirt on. That's what I mean by a distinction.

John Bachelor: OK. And the person on top, as indicated in your statement today, dark colored?

Speaker 2: Yes.

John Bachelor: And the person on the bottom was wearing?

Speaker 2: Either a red shirt or a white shirt of some sort. It happened so quick, there's only so many things I could catch right away, but definitely the person on top had a, at that point when I did see them wrestling, it was a dark, you know, sweatshirt or somethin' like that on top.

John Bachelor: Could you tell if there was a hood up or down?

Speaker 2: Not really.

John Bachelor: Or a hat or anything on the person on top?

Speaker 2: Not really 'cause it, I mean it was just so dark, and if you see the back sidewalk at nighttime, if someone's out there, you really have to look out there for the most part to even tell if it's, you know, if it was, say you're wearing a hat or a hoodie of some sort.

John Bachelor: OK.

Other Speaker: Sorry.

John Bachelor: And this person on top with the dark-colored jacket.

Speaker 2: Mm hmm.

John Bachelor: How was he on or did, could you determine if it was a male or female on, on the top?

Speaker 2: I never thought it was a female. I don't know if that's just from me thinking, you know, a guy and a girl wouldn't be out there fighting, um, but it definitely couldn't tell, you couldn't, I mean, there was no long hair or anything like that, so there mighta been a hoodie on. Um, mighta just had all black hair, um –

John Bachelor: Could you tell uh, what race the person on top?

Speaker 2: At that point when I did see it, when I first walked out there, the black guy was on top. And the only reason I can tell that was because the guy that was on, uh, the ground under him at that point, wrestling, was definitely a lighter color.

John Bachelor: And this is the time you're, you are looking at the window?

Speaker 2: Yelling at them, yes, to stop.

John Bachelor: Can you indicate that the guy on top is darker?

Speaker 2: Yes.

John Bachelor: And how do you know that?

Speaker 2: That's what I say-, unless he had a hoodie all the way on, it was a dark colored man on top.

John Bachelor: And the person on the bottom, could you see their face?

Speaker 2: I could see that it wasn't another dark man on the bottom. That's the only thing

that I could truly differentiate. I didn't know if he was white, Hispanic, Asian, I just knew he wa-, he didn't have a dark color tone at that, you know, who was on the bottom at that point.

John Bachelor: Right. At this moment, the person on the top -

Speaker 2: Mm hmm.

John Bachelor: How were they positioned? On -

Speaker 2: The guy on top was on top of the other guy, vertically.

John Bachelor: And, and, you're gonna have to maybe help me with what vertically, when what you're saying, was he laying down?

Speaker 2: Yeah, laying down, yeah. They were on the ground. Like, so if I'm standing up and I lay completely down flat, face first -

John Bachelor: Mm hmm.

Speaker 2: It's pretty much like if you were on top of someone wrestling. They're on their back. He's on uh, you know, he's on top of him.

John Bachelor: And, and this is your first account when open the door?

Speaker 2: Yeah.

John Bachelor: We're still talking about the same event?

Speaker 2: Yes.

John Bachelor: OK. At that moment, when you look out and you see this person on top, in a, in, in a laying position -

Speaker 2: Mm hmm.

John Bachelor: What is happening?

Speaker 2: They're struggling. That's what I mean by wrestling at that point. I can't tell, you know, what is going on at that point. All I know is someone is on top of the other person and I hear "help, help, help" yelled a couple times and me just thinking that it is the person on the bottom yelling help because you know, just, if anybody saw that, they probably would have thought the same thing, that the person on the bottom's yelling help if you see two guys fighting. 'Cause I couldn't see the front side of uh, the black male's face. But I could see partial, you know, front side of the guy on the bottom, because his face was facing this way when he was pushing up, or you know, they were wrestling on top of each other. And this, and when I, when I say how they were laying, the sidewalk out there goes like this.

John Bachelor: Mm hmm.

Speaker 2: They were at that, at that point.

John Bachelor: OK.

Speaker 2: I don't know if that'll help.

John Bachelor: We'll have you draw here in just a second.

Speaker 2: OK.

John Bachelor: OK. Again, back to this same account, when you're looking out, your initial, we're, we're referring to your initial view.

Speaker 2: Correct.

John Bachelor: Do you see anything in any of, of the two persons' hands?

Speaker 2: No. I don't see anything in their hands, not to say that there wasn't, but I, I really can't see anything in their hands at that point.

John Bachelor: And you indicate today, you heard, while you were looking at this, "help"?

Speaker 2: Yes.

John Bachelor: Do you know how many times?

Speaker 2: I believe it was, like three. Two or three, I believe.

John Bachelor: Did you ever make eye contact with the person on the bottom?

Speaker 2: When I first saw the account, it looked like, I can't tell if he was making eye contact with me, or if he was just trying to get up from the bottom. Uh, bein' that dark out, you, I can't see that far. I can't tell if he was making eye contact with me. No, I cannot. But it does look like he was trying to get up, while they were both wrestling each other.

John Bachelor: OK. Was anything else, other than help said at that time?

Speaker 2: Not that I heard. Once I closed the door and ran upstairs, I don't know if anything else was said.

John Bachelor: When you looked at this individual, and you wasn't sure if he was making eye contact, did you, did you see, describe what you saw.

Speaker 2: All I saw was at first, it looked like just one individual out there. It was dark. I couldn't really tell what was happening. And then, after I said "Hey what's going on?", I could see that there was another man, in a lighter shirt, or a lighter colored shirt on the bottom, who looked like he was trying to get up at that point, and then I heard "help, help, help" yelled. So that's when I said, "I'm calling 9-1-1" or I said, "Cut it out, and I'm calling 9-1-1" and that's when I turned around and locked my door and ran upstairs to call 9-1-1.

John Bachelor: In, in your original statement that you read today –

Speaker 2: Mm hmm.

John Bachelor: You indicate, and if you would, you can read it –

Speaker 2: Mm hmm.

John Bachelor: Would you –

Speaker 2: When they moved to the sidewalk?

John Bachelor: Well, could you start here where you write, "I opened the door"?

Speaker 2: Yeah. Do you want me to read it out loud?

John Bachelor: Yes.

Speaker 2: OK. "Opened the door and saw a guy on the ground getting hit by another man on top of him in a straddling position. Position hitting a guy in a red sweatshirt, or something of a red top. The guy on the bottom getting hit was yelling help." Keep going? Oh.

John Bachelor: The, you indicate the guy on the bottom was yelling help.

Speaker 2: Yeah, 'cause that's my first thought when, you know, I look out there, and I see this happening, and the other guy is on top with, you know, I don't know if they're, you know punches that are bein' thrown at him at this point, or if he's tryin' to hold him down, um, you know, it really just happened so quick for the most part, but if anybody had not known anything what was going on, that's what it seemed like to me at that point when, you know, I looked out there, and there's one guy on top of the other at that point, and both arms are, you know, down, I don't know if he's tryin' to hold him down or if those are actually, you know, punches, um, but yeah.

John Bachelor: All right, now you, you just mentioned moving to the sidewalk.

Speaker 2: Mm hmm. So when they were wrestling, when I said, "Cut it out" and before I turned to go inside, they moved up onto the sidewalk, and they're no longer laying this way, they were this way at that point. So they had wrestled to that point.

John Bachelor: And, and you're showing um, parallel with the –

Speaker 2: Yeah, this is the –

John Bachelor: With the dog walk?

Speaker 2: Yeah, this is the sidewalk.

John Bachelor: OK.

Speaker 2: They were this way when I first saw 'em, wrestling and moved to that way.

John Bachelor: OK.

Speaker 2: That –

John Bachelor: And, and who's in what position at this point?

Speaker 2: Same position at that point.

John Bachelor: And, and wha-, and what is that?

Speaker 2: Uh, the guy with the black sweatshirt is on top of the guy with the red or, or white sweatshirt. And that's why I made the statement that he was hitting him, on top, because tha-, I mean that's what it looked like from where I was standing. It coulda been him just trying to

forcefully hold the guy down, or it could be hitting him, you know, I just truly can't, you know, after I thought, you know, I'm thinking about it and everything, it coulda been either. It's, you know, I can't see that close to where they were actually at, but he was still on top with both hands, uh, either tryin' to hold the guy down or hitting him at that point.

John Bachelor: At this time in the event that you're describing -

Speaker 2: Mm hmm.

John Bachelor: Can you now see the face of the person on top?

Speaker 2: Not, maybe just from the side, that's about it.

John Bachelor: Did you?

Speaker 2: I don't even know.

John Bachelor: Can you see the person's face on the bottom?

Speaker 2: No.

John Bachelor: Are they, is there any conversation between the two persons?

Speaker 2: I did not hear a conversation?

John Bachelor: Any yelling between the two persons?

Speaker 2: Just the "help" and more of a struggle and help. That's what I thought was very odd when, you know, I ran, I opened the door and said to stop, that you know, neither, whoever was on top at that point, didn't you know, get off at that point and say, you know, hey, listen this guy is, you know, attacking me or I'm a, you know, that's what was weird to me, that it didn't stop at that point and that's when you know, the helps came out and I yelled, you know, 9-1-1 and I'm calling 9-1-1 and went back inside.

John Bachelor: At this time where they change positions can you see anything in either one of them's hands?

Speaker 2: No.

John Bachelor: And I think I asked you but I'm gonna ask again, could you see the person on the bottom's face?

Speaker 2: No I could just see the color of the outfit for the most part.

John Bachelor: Which was?

Speaker 2: Uh, the red on the bottom and the black sweatshirt on top. Now at that point when I did see, when they did move to the sidewalk it was one, two, calling 9-1-1 inside. So it was that quick.

John Bachelor: And I'm gonna have you take a piece of paper here and I'm gonna give you a pen.

Speaker 2: OK.

John Bachelor: And I would like you to, you can show the, an X or an O where the, the, the two individuals you're describing was located. Please indicate your house, maybe something else that would be a landmark and then would you please, uh, show the first position that you described in your statement today and label it No. 1.

Speaker 2: OK.

John Bachelor: And then the second position that you described today and maybe put a No. 2 or label it as No. 2 above it please. Does that help? OK we are looking at a sketch provided by, you have door of patio, you have one and two. Where it says door of patio is this going to be your residence?

Speaker 2: Yes.

John Bachelor: OK. Would you write, uh, maybe my house. OK. Did you notice anybody else out there?

Speaker 2: No.

John Bachelor: During either the first position you observed or the second position, did you notice anybody else outside?

Speaker 2: No.

John Bachelor: OK. In your statement today you indicated that you closed the door to call 9-1-1.

Speaker 2: To get my phone and call 9-1-1, correct.

John Bachelor: Was it during that conversation that you heard the rock as you described on the window?

Speaker 2: Yes.

John Bachelor: Where were you at inside the house at this point?

Speaker 2: I want to say I was about, I don't know how far that is from the window there, but I was right about going up the stairs right there **** was following me.

John Bachelor: Could you tell me again what happens after that?

Speaker 2: I'm on the phone with 9-1-1. I tell 'em, you know, I think I heard a sh - you know, it sounded like somethin' hit my window or a shot went off I think. Um, and I run upstairs as fast as I can to see what happened from above instead of going right back to my door 'cause I have no idea if there's, you know, a gunfight or anything goin' on in the backyard. So I go upstairs to a more safe location. When I get upstairs then I look down and I noticed that, uh, the guy that was on top is actually in the grass not moving while the other gentleman has his hands in the air, um, and there's another, uh, I think there were two other gentlemen out there with flashlights asking what was going on and the one guy that was on the bottom said I shot the other guy in self-defense. My gun's on the ground.

John Bachelor: You mentioned earlier that the person on top when you went out to view was in a sprawled position not moving.

Speaker 2: Correct. And that's when I actually said on the call I believe he's dead.

John Bachelor: Can you describe if he, this person was face up or face down?

Speaker 2: From how I was looking at it, it looked like he was face down.

John Bachelor: And how was this person's hands positioned?

Speaker 2: It almost looked like a crime scene, uh, a crime scene photo that you would see painted on a floor with the legs kind of, uh, I don't know how to explain it, um, it wasn't in, you know, arms next to each other, legs next to each other. It was kind of in a sprawl position. I just remember looking at the legs and, and thinking oh that has to be face down and not the other way because I'm pretty sure he was face down.

John Bachelor: You keep moving your hands and again for the sake of the audio recording can you try to indicate the sprawled, the hands position?

Speaker 2: I mean that's kinda what, uh, I'm trying to remember the full position of the body when I'm looking down into the grass but it is in a position, you know, with one hand up, you know one hand down type of position and the position that I saw him in there was not the position that I saw him when I went back downstairs and opened my blinds. Uh, he was on, it looked like he had been turned on his back, uh, you know, hands and legs next to each other and that's why also, you know, thought that he was face down because they had to flip him to give him CPR when they got here 'cause I don't think if he was on his back, uh, the medical staff would have moved him at that point to make sure nothing else was wrong. I think the only reason why they had to move him because he was face down and they had to flip him to give him CPR.

John Bachelor: A, again referring to the hands real quick for the sake of the audio recording, you were indicating a hand position kind of as if you were swimming with a hand forward.

Speaker 2: Correct.

John Bachelor: And a hand back.

Speaker 2: Correct. That's -

John Bachelor: As a face down position.

Speaker 2: Correct.

John Bachelor: You indicated when you came downstairs the body was flipped over.

Speaker 2: By the time I came downstairs like I said it was, I mean 20 seconds the cops were already here.

John Bachelor: OK.

Speaker 2: Um, and by the time, I didn't open the blinds as soon as I came downstairs 'cause of course, you know, I'm still frazzled and everything but when I did open the blinds, uh, he looked like he had been turned and the body wasn't in the same position because I'm guessing they flipped him over 'cause I did see them giving CPR.

John Bachelor: OK. Was it, who was giving CPR?

Speaker 2: That I really couldn't, I couldn't tell. I didn't know if it was maybe the guys with flashlights if it was the cops at that point. Um, and I really didn't want to actually look out there because it was very traumatic seeing that.

John Bachelor: And what makes you think it was CPR they were doing?

Speaker 2: Uh, no I could see them over, you know, and you could kind of hear through the window a little bit, um.

John Bachelor: From the time you hear the sounds as you indicate in today's statement initially to the time you hear the rock as you indicate against the glass door -

Speaker 2: Mm hmm.

John Bachelor: - how long do you think that was?

Speaker 2: I, I truly couldn't even give an estimate, um, maybe five minutes, maybe. Um, I mean, at that point, you know, I'm really not keeping track 'cause I just think it's somethin' else going on, um, but, you know, I, yeah, I really don't know how long between, you know, when we first initially thought we heard something to when we knew someone was out in our back and, you know, it was a lot louder.

John Bachelor: And you indicated that you turned your porch light on.

Speaker 2: A porch light's always on. So is -

John Bachelor: What color -

Speaker 2: - our **** -

John Bachelor: - what color is your porch light?

Speaker 2: Uh, just a regular light.

John Bachelor: White light -

Speaker 2: Yeah, white.

John Bachelor: - not a yellow or anything.

Speaker 2: No. But it also only shines on my patio part 'cause it's got a, a globe around it. So it's not like a flood light or anything like that.

John Bachelor: Do you know what the weather was that night?

Speaker 2: Ugly. It was -

John Bachelor: The, huh -

Speaker 2: - it was drizzly, uh, definitely not a, a nice night out.

John Bachelor: When you say drizzly -

Speaker 2: Uh, raining a little here off and on and it was dark at that time, of course.

Other Speaker: Um, I just wanted to try to clarify a little bit on when you said that they were wrestling.

Speaker 2: Mm hmm.

Other Speaker: Can you describe what either person was doing a little bit more with their hands? Uh, uh, uh –

Speaker 2: It looked like almost a struggle, a hand struggle. If I was on top of you, you know, just kinda wrestling around trying to get with like a position of some sort maybe –

Other Speaker: Mm hmm.

Speaker 2: – um, that's all I could, you know, see with the hands for the most part and then if you were the person on the bottom, um, I'm not sure if he was holding on to the guy on the top or if he was trying, 'cause it looks like he's trying to get up, uh, from the one point when I do see him finally 'cause I only see one guy at first. Um, it looks like the other guy was trying to get up because, I mean, his back was raised off, uh, the ground at that point so it looked like he was trying to get up at that point but I don't know, I couldn't see his hands, the guy on the bottom, I couldn't see where his hands were so I don't know if they were on the other guy's sweatshirt or if he was, you know, trying to actually push off of him or anything like that, I couldn't see the other guy's hands.

Other Speaker: OK. At, at one point in a verbal statement that you gave, you had mentioned, um, like MMA and –

Speaker 2: Yeah –

Other Speaker: – what was ****

Speaker 2: – 'cause when it moved –

Other Speaker: – are you referring to **** –

Speaker 2: – when it moved onto the concrete, um, the guy in the black shirt, or sweater, was on top of him, um, and when I say, when I meant to say MMA, it was more of just like he was, you know, over his leg part, like he – I'm trying to think how to put this – if you, if you ever watch MMA, the guy that's on top is usually in control is what I, that's what I meant, like, he had control at that point is what I meant. Um, as if I was on top of you at that point I don't know if I'm trying to hold you down, that's what I was saying it looked like, uh, you know, he had been hitting him from on top but, you know, I can't truly see how close, you know, they were to each other, if he was hitting him or if he was trying to hold him down in that position until the cops got there. So that's what I mean in a, in a MMA position, because it's usually called like a mounted position or, or something like that, but I'm not sure if that's what it was, but he was on top at that point.

Other Speaker: OK. Is, is this information, do you, do you, uh, follow the MMA fighting? Do you, do you –

Speaker 2: I used –

Other Speaker: Have you fought or –

Speaker 2: No -

Other Speaker: - wrestled or -

Speaker 2: - no, I don't fight or wrestle, no. Um, you know, I just watch; it's all over the TV now, so, yeah, it's just everywhere. So that's just when, you know, I made that statement, that's the type of, uh, body situation he was in at that point, um, but like in my first statement that I made, I did say he was hitting him from on top, um, the, 'cause that's what it looked like, I mean he could have still been hitting him or he could have been trying to hold him down, you know, it was, you know, I really truly can't tell at that point. Um, but my first reaction, you know, from what, just seeing it real quick, bam, bam, bam, uh, that's what it looked like at that point.

Other Speaker: OK. When, when they were laying on the ground -

Speaker 2: Mm hmm.

Other Speaker: - the person on the bottom would've been some degree facing you, uh, I mean flat -

Speaker 2: Yeah.

Other Speaker: - but, but facing towards you, maybe even an angle. The person on the top would've been facing away?

Speaker 2: Away, correct.

Other Speaker: OK. When, I want you to just take a minute -

Speaker 2: Mm hmm.

Other Speaker: - and think about the, the help, help, help.

Speaker 2: Mm hmm.

Other Speaker: And is there any indication whether, I mean does that give you any recollection as to whether -

Speaker 2: Timing, timing-wise?

Other Speaker: No, I'm trying, what, I guess what I'm sayin' is when somebody's facing you, sometimes it's a clearer. ****

Speaker 2: That's why I thought, when I first gave my statement, it was coming from the guy on the bottom. One, he was on the bottom, so of course I'm thinking why would the guy on the top be yelling help? Two, it was a clearer help. It wasn't an echo-y el, uh, help, bouncing off, you know, another house from the guy facing away from me. It was more a projected, uh, help at that point. So that's why, like I say I can't truly see the face if the guy on the bottom was yelling help. That's why I thought, uh, you know, the help was coming from the guy on the bottom at that point. 'Cause it was a clear help, and it wasn't, uh, you know, kind of an echo-y, you know, bouncing off walls type of help. If that helps.

John Bachelor: Based on the, the, the help, help -

Speaker 2: Mm hmm.

John Bachelor: – and what you observed in the first position –

Speaker 2: Mm hmm.

John Bachelor: – what did you feel was happening?

Speaker 2: At first?

John Bachelor: Well, what did you, based on what you were seeing –

Speaker 2: Mm hmm.

John Bachelor: – what did you think was happening?

Speaker 2: Two guys fighting.

John Bachelor: Of that, who did you, if, if, based on what you were looking at and your observation, who had the advantage based on your observation?

Speaker 2: At that point whoever had the advantage was the guy wearing the black shirt. There were no, um, you know, punches at that point or any hands flare, you know, in the air. It was just more of looked like it was wrestling, but he was on top at that point.

John Bachelor: As you indicate on your, on, on your drawing here into the second position. From that observation, what did you feel was happening at that point?

Speaker 2: That the person that was still on top had the other guy on the concrete at that point. And I felt at that point that's when I said, when they didn't stop, that I'm calling 9-1-1 and locked my door inside, because it looked like it was getting intense at that point.

John Bachelor: And the person on top at that time was?

Speaker 2: Is wearing the black sweater or outfit at that time. But as I said, when I first saw it, just how quick everything happened, it looked like he was on top, the one wearing the black sweater, and there were, uh, you know, hits being, uh, given from the top. Um, but thinking back on it, you know, it coulda just been him trying to hold him down, too, and keep him secure. But, you know, I don't know. I didn't get to see pictures of either of 'em.

John Bachelor: Yeah. In, in the second position who did you feel had the advantage?

Speaker 2: Same person.

John Bachelor: Who is?

Speaker 2: Uh, wearing the black top. 'Cause from what I saw, uh, which was probably only ten seconds maybe, of how quick it was me yelling, you know, this, that, help, help, me comin' back inside, for that ten seconds, uh, it was always the same person on top, wearing the black, uh, jacket or sweater.

Other Speaker: All right.

John Bachelor: Would you, uh, on this same piece of paper –

Speaker 2: Mm hmm.

John Bachelor: — would you just indicate when you went upstairs —

Speaker 2: Mm hmm.

John Bachelor: — and you looked out the window after you heard what you described as the rock, and you looked out there, say, could you describe where you, where the, the person —

Speaker 2: OK.

John Bachelor: — who is, is, in the state that you mentioned —

Speaker 2: Want me to just make another 3 over here and just do it?

John Bachelor: Uh, just from right here off of the No. 2 drawing where the person on top —

Speaker 2: The person on top?

John Bachelor: Uh, that, as per your statement —

Speaker 2: Yep.

John Bachelor: — the person on top was in a sprawl position, not moving. Where, where was that location of that person? And, and if you'll just put a little 3 beside it and circle it so we'll know that is, uh —

Speaker 2: OK.

John Bachelor: — now will you initial and date? It is the 20th, 6:53 p.m. About how far, in, in, were they from your — and we'll walk over there, uh, from your vantage point to where this was, about how far do you think it was?

Speaker 2: You talkin' about —

John Bachelor: From, from where you were looking —

Speaker 2: From like 3? Or just from what I saw?

John Bachelor: From, from 1 and 2, when you were looking, from the position —

Speaker 2: Oh, right at the window. And they were right before the sidewalk starts.

John Bachelor: OK.

Speaker 2: Yeah.

John Bachelor: And you, porch light was on.

Speaker 2: Mm hmm.

John Bachelor: With the white light, and a lamp on on there.

Speaker 2: Mm hmm.

John Bachelor: And you indicated that there was no one else that you could see out there at that point?

Speaker 2: Correct. Also I don't know if my drawing's gonna help, but from what I remember they start here. When I saw 'em it was on the concrete, but then I end up seeing the body of the guy that was on top farther down in the grass from where I first saw them. I don't know if you wanna —

John Bachelor: And, and, and, right. And what we'll **** —

Speaker 2: Yeah, and that's why I put, yeah. 'Cause it's def, he's, from the end position he's definitely farther from when I stopped seeing them on the sidewalk.

John Bachelor: Have you provided a statement other than this written one?

Speaker 2: Yes.

John Bachelor: And, and was that —

Speaker 2: I believe that was the detective.

John Bachelor: And how was that statement given?

Speaker 2: On the same night, in person outside my residence, and then I'm not sure how many days later, uh, via phone, again.

John Bachelor: So you provided two statements to the Sanford Police Department?

Speaker 2: I, I think it was the Sanford Police Department. Uh, chief of police, maybe, or crime scenes investigator. I, I think that's what his name was.

John Bachelor: An investigator?

Speaker 2: Yeah, investigator. Yeah.

John Bachelor: After these events have you spoken to anyone?

Speaker 2: Only the, I believe it was the next day.

John Bachelor: And was anybody in the house at the time? Here, not with the reporter, I'm sorry. During the events on the 26th?

Speaker 2: Oh. No, there was no one else besides ****.

John Bachelor: And you. OK.

Other Speaker: I can't think of anything else.

John Bachelor: We're gonna conclude the interview today. It's 6:55 p.m.

Custom Filename: wit_6_ffile_320_1
Date: 05/16/2012
Billed Word Count: 7373

Speaker 1: We are back on the record. Today's date is, uh, March 20, 2012, approximately 7:24 p.m. Nextel time. Present is Jim Post, State Attorney's Office, 18th Judicial Circuit, myself, John Bachelor, Special Agent with the Florida Department of Law Enforcement. Upon conclusion of the interview, we came outside and we observed some of the areas as identified in his initial statement, uh, we returned to swear the initial statement in. If you would raise your right hand. The statement you provided today, do you swear that it's the truth?

Speaker 2: Yes.

Speaker 1: This concludes the interview at 7:24 p.m.

SpeakWrite
www.speak-write.com
Job Number: 12137-021
Custom Filename: wit_6_fdle_320_2
Date: 05/16/2012
Billed Word Count: 103