

**CERTIFIED COPY**

REPORTER'S TRANSCRIPT OF THE INTERVIEW OF

BEVERLY SAM RHOADS

INTERVIEW CONDUCTED BY DETECTIVE BRIAN McCOLGIN

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Trancribed by: RAJAHNIQUE JONES, CSR# 13457



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P R O C E E D I N G S

BY DETECTIVE McCOLGIN:

Q. R-h-o-d-e-s?

A. No. R-h-o-a-d-s. I couldn't really see. Is my son alive?

Q. We're going to go check on him right now. Okay? Okay?

UNKNOWN SPEAKER: He came this way. He should be coming this way.

BY DETECTIVE McCOLGIN:

Q. All right? R-h-o-a-d-e-s?

A. No E.

Q. R-h-o-a-d-s?

A. Uh-huh.

Q. What's your first name?

A. Beverly, and I go by Sam. And my middle name is Mullins, M-u-l-l-i-n-s. Oh, my God.

Q. Beverly, what's your date of birth?

A. 2/19/54.

Q. What's your son's name?

A. Joshua Dustin Rhoads. And his date of birth is 1/6/83.

Q. Joshua?

A. Uh-huh.

Q. Dustin?

1 A. Uh-huh.

2 Q. D-u-s-t-i-n?

3 A. D-s-t-y-n. And I need to call his daddy.

4 Q. No problem. And his last name is Rhoads,  
5 R-h-o-a-d-s?

6 A. I'm a single mom. This guy did the lot -- he  
7 did an addition on my house, and there's a lot of  
8 problems. So we're involved in a lawsuit, and I guess  
9 they were mad. They already -- earlier they threw a --  
10 had a report -- I know Nathan threw that river rock  
11 through my front plate glass window and the back of my  
12 car.

13 Q. Okay. So --

14 A. And I made a report with you guys.

15 Q. So who was in the house today?

16 A. My son and I. And somebody was in the other  
17 bathroom, but I think it was -- I don't know if it was  
18 Sean or his girlfriend. I don't know who was in there.

19 Q. Okay. How did Nathan Medina get in your  
20 house?

21 A. He just walked in the front door. It was  
22 unlocked. He just walked right in.

23 Q. And what did he do when he came in?

24 A. He started -- he tried to -- he started  
25 spraying me first, and I'm like -- and I started

1 screaming and ran down the hall. And he came and  
2 grabbed me, and then Joshua came after -- out of the  
3 laundry room after him. And he went after Joshua and  
4 started spraying -- I ran in the laundry room with  
5 Joshua, and then I called -- Joshua said, "Mom, call  
6 911." And then he barricaded us in there and told  
7 Nathan to get the hell out of our house. And he just  
8 started shooting.

9 Q. Okay. Nathan sprayed you with pepper spray?

10 A. Yeah.

11 Q. Did he say anything to you before that?

12 A. No.

13 Q. No words. He just came in and sprayed you and  
14 your son with pepper spray?

15 A. Yeah.

16 Q. And then your son tried to barricade  
17 himself --

18 A. Yeah.

19 Q. -- and he shot him?

20 A. Yeah. He barricaded both of us in the laundry  
21 room, and then -- and when I called 911 I -- he said,  
22 "He's shooting me," so I crawled up on the counter  
23 because I was trying to make the phone call. Then --  
24 and then it was, like, he broke the door in half, and I  
25 was just --

1 Q. Okay. Hold on, ma'am.

2 (Break taken.)

3 BY DETECTIVE McCOLGIN:

4 Q. Sam, what's the name of Dustin's mom and dad?

5 I mean, not Dustin, but -- I'm sorry -- but Jason --

6 A. Joshua?

7 Q. No. Medina.

8 A. Medina? Yeah.

9 Q. Nathan Medina.

10 A. It's -- it's Anthony, known as Tony Latteri,  
11 is his stepfather, and his mother is Jamie Latteri.

12 Q. Do you know how you spell Latteri?

13 A. L-a-t-t-e-r-i.

14 Q. And does he have a construction company?

15 A. Yes, he does -- well, he has a painting  
16 company.

17 Q. A painting company?

18 A. Yeah.

19 Q. Do you know the name of it?

20 A. I should know that.

21 Q. And you're in the middle of a lawsuit with  
22 them..

23 A. Yeah. It started in September and, basically,  
24 we had a -- we were friends for over, almost, 20 years,  
25 and so I didn't think he was ripping me off. We had,

1 like, an agreement, and he -- the job should have taken  
2 four to six months, and it didn't. And after a year  
3 and a half -- and he took 90 percent of my money at  
4 that point, and he had only done about 60 percent of  
5 the job. So I kicked him off the job and got an  
6 attorney. And --

7 Q. You started a lawsuit September of last year?

8 A. No -- well, this -- well, this lawsuit, yeah.  
9 Before that -- this -- it started in 2003 when the job  
10 started, but I kicked him off the job in the beginning  
11 of 2005. And I went after the bond company for the  
12 bond on the -- on his surety bond. That took a year  
13 and they didn't do anything about it, so then I got an  
14 attorney and -- who's representing me for this suit.  
15 And he's -- his name is Judson, G. Judson Scott, and --  
16 out of Pleasanton. And he -- and it's basically -- he  
17 didn't have the license to do the job that he did for  
18 me, and so the loss is on my side. And so they really  
19 have no argument. And so he was going to have to pay  
20 me a lot of money.

21 Q. How much were you suing him for?

22 A. \$178,000. And they own a lot of properties,  
23 by the way. They own two in this county and about six  
24 in Oregon.

25 Q. So you've known this family for several years;

1 is that right?

2 A. Oh, about 20 years.

3 Q. So you know Nathan Medina pretty well?

4 A. Hell yeah.

5 Q. So when he came in your house today you  
6 clearly recognized him; is that right?

7 A. Absolutely. I knew exactly who it was.

8 Q. Okay.

9 A. It was no doubt in my mind who it was.

10 Q. Okay. Hold on one minute.

11 (Break taken.)

12 BY DETECTIVE BRIAN MCCOLGIN:

13 Q. You don't know the number of (unintelligible),  
14 do you?

15 A. No. I have it at the house.

16 (Break taken.)

17 BY DETECTIVE BRIAN MCCOLGIN:

18 Q. So, Sam, we're getting back to the interview  
19 now where he owed you \$178,000.

20 A. Yeah. Well, that was what the attorney was  
21 suing him for.

22 Q. So you -- I'm going to get back. You've known  
23 this guy from this family for, like, 20 years?

24 A. Uh-huh.

25 Q. And you've known Nathan Medina for how long?

2

3

1 A. As long as I've known them, almost, you know.

2 Q. Okay.

3 A. He was -- he's a stepson of Tony. And --

4 Q. So tell me what happened today. You and your  
5 son --

6 A. Were in the house. I was working in my  
7 office, and all of a sudden the power went out. So I  
8 went --

9 Q. Hold on one minute. Okay. So getting back to  
10 Nathan, what happened this morning. You and your  
11 son --

12 A. Were in the house.

13 Q. You're in the house. What rooms were you in  
14 in the house at the time?

15 A. Well, what happened was I was in my office  
16 working, and all the power went off in my office.

17 Q. Okay.

18 A. So I got up to go down the hallway to tell my  
19 son that the power was out, and he told me to go check  
20 the power -- the fuse box, which is in the laundry room  
21 behind the door. So I went in there and I told him I  
22 couldn't see any buttons that were flipped -- flipped.

23 Q. Right.

24 A. And so it was purposely done by Nathan.

25 Q. Okay. How long thereafter did Nathan come in



1 your house?

2 A. Right away. Because -- like, we came right  
3 out of the laundry room and he -- my son was saying --  
4 somebody came in the front door and I went to look to  
5 see who it was, and it as him. And he came in spraying  
6 me with this stuff, and he chased me down the hall. I  
7 started screaming --

8 Q. Right out of the shoot without saying anything  
9 he just started --

10 A. Without saying a word, yeah. Well, because he  
11 was masked. You know, he had his black -- that knitted  
12 thing on his head.

13 Q. How could you tell it was him?

14 A. I know him. I've known him. You have no  
15 idea. I know who it is. There's no doubt in my mind  
16 who it was.

17 Q. Did you recognize any other parts of his body  
18 that you would --

19 A. Yeah. His neck, everything. You know, I know  
20 him.

21 Q. So you know him so well. But even though he  
22 was wearing a mask, you clearly recognized him?

23 A. Oh, I clearly recognized him. So did my son.

24 Q. Okay.

25 A. And my son said, "Get out of here. Are

1 you" -- "Are you kidding me?" Like, he couldn't  
2 believe he was doing this.

3 Q. So then tell me what happened next.

4 A. So he came down the hallway and he tried to --  
5 he put his arms around me like he was going to spray me  
6 more, you know, and then my son came out of the laundry  
7 room at him, and he came down there and started  
8 spraying him. And so I came back down to where my son  
9 was, and we went in the laundry when Joshua tried to  
10 barricade us in the laundry room. And he broke the  
11 door down and started shooting through the door. And  
12 then he broke the door in half until he killed my son.  
13 Or -- I don't know. I think he did.

14 Q. All right.

15 A. Because my son wasn't moving, and I couldn't  
16 see anymore.

17 Q. Did at any time -- did -- at any time did  
18 Nathan say anything to ya'll?

19 A. No.

20 Q. And then he ran out of the house after?

21 A. I don't know if he did. I kept hearing all  
22 these noises. I didn't know. I heard a door slam and  
23 my little dog went down the hall, and I don't know  
24 where she is.

25 Q. Okay. All right. We're going to stop this

1 interview now and go to the hospital. Okay?

2 A. Yes.

3 Q. It's 1235 hours.

4 (Break taken.)

5 BY DETECTIVE McCOLGIN:

6 Q. Sam -- okay. We're at John Muir Hospital.

7 It's now 12:45 p.m.

8 Sam, while we're sitting here talking, I mentioned  
9 to you earlier that we're going to need to go into your  
10 house to search for evidence of what happened.

11 A. Yes, you can.

12 Q. Okay. We have consent to search your house?

13 A. Yes.

14 Q. You and your son are the only ones living  
15 there? No one else lives in the residence with you?

16 A. No. My adopted mom stays there sometimes,  
17 but...

18 Q. But you're the owner of the home?

19 A. I'm the owner of the home.

20 Q. Okay. I have a consent to search form here  
21 that I'm going to ask you to sign if you could open  
22 your eyes. And put an X right by the signature box.  
23 And I apologize.

24 A. It's not your fault.

25 Q. Here. I'll hold the water for you.

1 UNKNOWN SPEAKER: When you sign that, I need to  
2 get your last name spelled and your birthday and your  
3 first name, legal.

4 THE WITNESS: Okay. It's Beverly Sam Mullins  
5 Rhoads. That's what's on my driver's license.

6 UNKNOWN SPEAKER: Beverly, spell your last name.

7 THE WITNESS: R-h-o-a-d-s. I don't know what --  
8 put -- do this to my --

9 BY DETECTIVE McCOLGIN:

10 Q. It's R-h-o-a-d-e -- d-s?

11 A. -- d-s.

12 Q. D-S. There you go.

13 UNKNOWN SPEAKER: And your birthday?

14 BY DETECTIVE McCOLGIN:

15 Q. Okay. It's okay.

16 UNKNOWN SPEAKER: It's okay.

17 THE WITNESS: 2/19/54.

18 UNKNOWN SPEAKER: 2/19/54?

19 THE WITNESS: Uh-huh.

20 UNKNOWN SPEAKER: Okay.

21 THE WITNESS: Oh, my son.

22 BY DETECTIVE McCOLGIN:

23 Q. We'll find out who he is -- we'll find out how  
24 he is in just a minute. If you can't sign it now, it's  
25 okay.

1 A. Yeah.

2 Q. Okay.

3 A. That's okay. You can go. You can go.

4 Q. I know. Don't worry. Take some deep breaths.  
5 Here's some more water.

6 Let's go over that one more time. He was wearing  
7 a mask over his head and he had a hat on?

8 A. He had a black hat -- like, a black hat on  
9 him. I think the -- there was -- I think it was, kind  
10 of, masked. I mean, it was Nathan. I know who it was.  
11 I mean, I know.

12 Q. But what I mean by that is you could see  
13 portions of his face?

14 A. Yeah. You could see portions of his face. I  
15 could see his neck and his -- you know --

16 Q. And you clearly recognized that?

17 A. Absolutely.

18 Q. -- as --

19 A. Nathan.

20 Q. -- Nathan Medina?

21 A. Uh-huh.

22 Q. Okay. Tell us again what kind of vehicle he  
23 drives?

24 A. I big pickup truck, and it's blue.

25 Q. Blue jacked up?

1 A. I think it's blue.

2 Q. Jacked up?

3 A. It's always jacked up, yeah.

4 Q. Do you know the make or the model of it?

5 Like, a Ford? Dodge? Chevy?

6 A. Sean might know.

7 Q. Okay.

8 A. My son probably knew, but...

9 Q. Okay. And has he ever done anything to you in

10 the past --

11 A. Yes.

12 Q. -- prior to this incident?

13 A. Yes.

14 Q. Tell me what he did.

15 A. Well, I filed a complete police report with --

16 Q. Walnut Creek PD?

17 A. -- Walnut Creek Police and -- in the fall

18 right after they had gotten -- been served with the

19 first papers, right after that.

20 Q. From the lawsuit?

21 A. Yeah. The -- somebody came and put --

22 threw -- I was home in the back of the house and they

23 threw a river rock through my front plate glass window

24 and through the back window of my car. Now, Sean's

25 brand-new truck and my adopted mom's Lexus were also

1 parked right in front of the house. Neither one of  
2 those vehicles were touched, so it was clearly obvious  
3 to me, you know, who did that, you know.

4 Q. Who did you think did that?

5 A. Nathan.

6 Q. But there were no -- were there any witnesses  
7 to that event that you know of?

8 A. Nobody saw it.

9 Q. Did the police ever make contact with him?

10 A. No. Because he asked me if I wanted them to,  
11 and I didn't -- said, no, I didn't, you know,  
12 because --

13 Q. You didn't want to pursue it?

14 A. Yeah. I just tried to --

15 Q. Okay.

16 A. I don't know. I don't know how that happened.  
17 I don't know what happened.

18 Q. Did you see what kind of gun he had?

19 A. It was a small gun. You know, like -- kind of  
20 like that.

21 Q. Kind of like the gun that I have on?

22 A. Uh-huh.

23 Q. Was it -- what color was it?

24 A. That kind of gray and black.

25 Q. Gray and black gun?

1 A. Yeah.

2 Q. Which hand did he hold the gun in?

3 A. I believe it was the right hand.

4 Q. He held the gun in his right hand?

5 A. I believe.

6 Q. Okay. Now, I want you to think carefully, and

7 I know this is hard for you, but can you tell me how

8 many gunshots?

9 A. No. Just multiple.

10 Q. Multiple?

11 A. Yeah. Because -- and I was trying to dial you

12 all at the same time.

13 Q. So you were trying to call the police?

14 A. Uh-huh. My son said, "Call 911," so I dialed

15 911. He goes, "He's shooting me. He shot me. I'm

16 shot, Mom." And then he kept -- and he wasn't

17 satisfied that -- he busted the door in until he shot

18 (unintelligible) my son, and I was up on the counter

19 crouched because I was calling you guys to tell you to

20 come out and --

21 Q. Which room of the house were you in? The

22 laundry room?

23 A. In the laundry room.

24 Q. So is there a phone in the laundry room?

25 A. Yes. There's a phone in the laundry room. I



1 couldn't reach my cell. It was underneath me.

2 Q. Did you have difficulty dialing the number  
3 because you were pepper sprayed?

4 A. Yes. That smell is (unintelligible) up on,  
5 you know, but it went through really fast.

6 Q. Did he -- did he respond to you in any way  
7 when this was all going on? Did he say anything?

8 A. No. He never said one word. Nothing.

9 Q. So then after you heard the gunshots and you  
10 realized that your son was shot, you didn't leave the  
11 house because you felt the suspect was still in there?

12 A. I knew he was still in there.

13 Q. Uh-huh.

14 A. He was walking down the hallway and -- up and  
15 down, you know.

16 Q. Right.

17 A. Then he shot another time in the house, and I  
18 don't know if it was my dog or if it was somebody else.

19 Q. Okay.

20 A. My dog (unintelligible). I only have this  
21 little Yorkie. And so (unintelligible). Can -- is my  
22 adopted mom here? Marlene Vannucchi.

23 Q. It's 1:10. Sam, when you -- when he came --  
24 when Nathan came in your house --

25 A. Yeah. The front door was op- -- was unlocked,

1 so he just opened the door and walked in.

2 Q. So he didn't kick the door in or anything like  
3 that?

4 A. No. He kicked in when we barricaded ourselves  
5 in the laundry room.

6 Q. Uh-huh.

7 A. He kicked the door and he was shooting through  
8 the door before he kicked it in. My son fell down and  
9 he goes, "Oh, my God, Mom. I've been shot." Then the  
10 next -- and he -- I mean, he couldn't believe it. He  
11 has a gun and he's shooting us. I mean, it's just  
12 surreal. I mean, it's not even, like -- and he had  
13 to -- I don't know how he broke -- he broke the door,  
14 like, in half, so I couldn't get out of the laundry  
15 room. I couldn't even see. You know, I got up on the  
16 counter so I was like -- like, well, you saw -- I don't  
17 know if you were there.

18 Q. I didn't go --

19 A. You weren't the ones there. Okay.

20 Q. But you met him in the hallway, he pepper  
21 sprayed you --

22 A. In the hall.

23 Q. -- you ran back -- you ran back --

24 A. Back down the hallway towards my office. I  
25 passed the laundry room, and he came around and was

1 attacking me trying to spray more stuff in my face.

2 Q. And is that when you ran into the laundry  
3 room?

4 A. Yeah. With my son because then he went after  
5 my son, started spraying him. Went in the laundry room  
6 and he shut the --

7 Q. Your son slammed the door on him?

8 A. Uh-huh.

9 Q. Now, did your son ever -- did your son know  
10 who he was?

11 A. Yeah. Yeah. He said -- he said to him, "Are  
12 you kidding me? Get the fuck out of my house."

13 Q. But did he say his name?

14 A. I don't -- I don't remember if I heard that or  
15 not. I think he --

16 Q. That's okay, ma'am. Don't worry about it.

17 A. It's just been so stressful.

18 Q. Has he ever made threats to you in the past,  
19 Nathan?

20 A. Yeah. Yeah, he did before. It's just --

21 Q. What types of things has he said to you in the  
22 past?

23 A. Well, he -- when he was -- he -- he wasn't  
24 supposed to ever work on the job.

25 Q. Uh-huh. Why is that?

1           A. Because he wasn't a licensed electrician.  
2 He's the one that put the electrical in the house and  
3 my --

4           Q. Nathan is?

5           A. Yeah. And then the stepdad did it because he  
6 wanted to save money, so he had him do it. But the  
7 agreement that Tony and I had originally was that he  
8 was not to work on the job because he knew I didn't  
9 care for him and I didn't want him on the job.

10          Q. Nathan?

11          A. Yeah.

12          Q. And how come you didn't care for him?

13          A. Because he -- he's -- he's just not very  
14 competent. He's a very arrogant person, and he -- he's  
15 always been in trouble. He's like a shady character.  
16 I don't know how exactly to say that.

17          Q. Okay. Because -- it's fair to say you just  
18 didn't trust him?

19          A. Oh, absolutely. Yeah. I didn't trust him.

20          Q. Did you and him ever have words?

21          A. He -- he put in a phone line for me on a long  
22 weekend when I couldn't get the phone company to come  
23 out for days or something. He moved a phone wire and  
24 charged me some money, and I paid him, and his -- and  
25 his bank never presented the check to my bank. And so

1 he accused -- so the check went back to his bank or  
2 something, and so he got -- he accused me of writing  
3 him a bad check. The bank -- my bank wrote a letter  
4 and said there was money in the account and the check  
5 was never presented by your bank.

6 So some kind of fluke in the system, but that  
7 was -- he eventually -- I mean, he eventually got paid  
8 because he put it through again, I guess, and it got  
9 paid -- you know, got returned. So -- but I just have  
10 never --

11 Q. Describe what he was wearing for me again  
12 today when he came in your house. He had on a -- you  
13 talked about a hat or a mask or something like that?

14 A. Yeah. He had a -- I'm not -- see, I just  
15 don't -- I just knew it was him.

16 Q. Okay.

17 A. He had a black hat on and, you know, that --  
18 with the roll up thing.

19 Q. Roll up front?

20 A. Yeah. And I'm not sure --

21 Q. Like, a knit cap?

22 A. Yeah. A knit cap.

23 Q. Okay.

24 A. Yeah. And I don't know -- I can't remember if  
25 it was all the way down or if it was just down about

1 here.

2 Q. Okay.

3 A. You know what I mean like that?

4 Q. How about covering his mouth though?

5 A. No. I mean, I don't remember -- I just  
6 don't -- it's, like, kind of -- it happened all so fast  
7 and I got sprayed so fast that it was hard for me to  
8 see.

9 Q. But you clearly --

10 A. But I clearly knew it was him. I saw his neck  
11 and his -- and he had a round collar -- a round  
12 shirt -- T-shirt on.

13 Q. Long sleeve or short sleeve T-shirt?

14 A. He had long sleeves on, but the dark -- the  
15 sleeves were dark like it was -- like an -- either like  
16 a jacket or a sweatshirt that probably zipped up. It  
17 wasn't a pull over.

18 Q. Okay.

19 A. You know, and -- because it was more open  
20 here, you know.

21 Q. Right.

22 A. And it was like he had long underwear or  
23 something under here. I don't know what, and I don't  
24 remember the color of the slacks.

25 Q. Okay. And he held a gun --

1           A. I didn't see the gun. I never saw the gun  
2 until he was shooting through the -- he was -- when he  
3 was breaking the door down is when I saw the gun -- him  
4 shooting my son. My son was falling on the floor, and  
5 I was trying to get on the phone with you guys. And I  
6 was getting up on the counter.

7           Q. Right.

8           A. That's the only thing that -- I mean, if he  
9 had known that I was -- I don't know how he didn't know  
10 I was up there.

11          Q. Uh-huh.

12          A. You know, because I thought for sure I was  
13 going to be dead so quick.

14          Q. Okay.

15          A. You know, I mean, because he could have, but  
16 the door was busted from the top open, so that's why I  
17 couldn't --

18          Q. So a portion of the door was broken open, the  
19 top portion.

20          A. Yeah. He busted it off.

21          Q. Uh-huh.

22          A. Then he shot -- then he came -- and then I  
23 saw -- and he came over the wall to shoot again at my  
24 son, so he wanted -- I guess he wanted to be sure he  
25 was dead or whatever. I don't know.

1 Q. Right. And you heard several shots, but  
2 you're not able to say exactly how many?

3 A. No. I don't know.

4 Q. Now --

5 A. And there was another shot after he left the  
6 room in another part of the house that I heard.

7 Q. Okay.

8 A. I'm scared that's my dog.

9 Q. All right.

10 A. I don't know.

11 Q. All right.

12 A. I just don't know.

13 Q. Okay. And he never said anything out loud?

14 A. Never said a word.

15 Q. And then you just took cover in the laundry  
16 room --

17 A. I just was --

18 Q. -- and called the police?

19 A. Was on the phone, and it was underneath the  
20 cord. And I -- soon after a while I got disconnected,  
21 but I was on there for a long time with the lady. And  
22 I couldn't talk any louder because I didn't know if  
23 he's right there in the hallway a couple feet from me.

24 Q. Right.

25 A. You know, and if I moved out, he would see me.



1 Q. Right.

2 A. You know, so -- and I could only see my son's  
3 foot out of the corner of my eye because I couldn't  
4 see -- and I saw this red on the floor, and I just --

5 Q. All right. Was he wearing gloves? Do you  
6 remember?

7 A. He might have been.

8 Q. Okay.

9 A. He might have been.

10 Q. Now, since you're thinking about that, let me  
11 go back to his description again. You know he had the  
12 hat on with the bill -- a knit cap with the bill rolled  
13 up?

14 A. Uh-huh.

15 Q. Do you remember now -- because you saw his  
16 chest?

17 A. And his neck.

18 Q. You could see his neck and his chest. Do you  
19 remember now whether or not his entire face was covered  
20 or a portion thereof, or do you remember how that was?

21 There were certain facial features that you  
22 recognized?

23 A. I absolutely -- yeah. It hit the profile of  
24 his face. I just knew.

25 Q. So his face may not have been covered with a

1 mask?

2 A. Yeah. It may not have been, but -- see, he  
3 sprayed me so fast that my vision just --

4 Q. Okay. So it may have --

5 A. And I screamed because I was so frightened of  
6 him.

7 Q. Right.

8 A. And I just covered because I didn't -- I  
9 didn't know what to do. I mean, I guess I don't  
10 respond very well under this kind of situations, but I  
11 don't.

12 Q. Oh, that's okay. I mean, what are you  
13 expected to do? I mean, it's not like you face these  
14 types of things, you know, ever before.

15 So now -- as you think back now -- and sometimes  
16 it helps once you calm down a little bit and clear your  
17 head. Now you look at it and you realize that he did  
18 have a hat on but that his face may not have been --  
19 his --

20 A. Yeah.

21 Q. But, anyway, it was clearly -- it was  
22 clearly --

23 A. It's clearly him. My son knew who it was too.  
24 He goes, "You're kidding me." Because he -- my son  
25 said that to Nathan. "You are kidding me." Like, he

1 couldn't believe he would come in our house and spray  
2 us with pepper spray.

3 Q. Right.

4 A. And then when he had the gun and was shooting,  
5 it was like, Oh, my God.

6 Q. Okay.

7 A. I mean, this is like -- it's like --

8 Q. Right.

9 A. I don't want to live in that house anymore.

10 Q. All right.

11 A. You know.

12 Q. All right. Calm down.

13 A. This was my dream home that I built. You  
14 know, it's where I was going to live forever, you know.

15 Q. Right. Okay. It's 1:20 now. We'll stop for  
16 a little while.

17 (Break taken.)

18 THE WITNESS: You now, (unintelligible).

19 BY DETECTIVE McCOLGIN:

20 Q. The power box?

21 A. Yes.

22 Q. In the laundry room?

23 A. In the laundry room. And so I went in there  
24 and I took the picture off the wall and I opened it and  
25 there was nothing flipped. And so -- because he had

1 done it from the outside. But I know now what  
2 happened. He did it from out -- and then -- then  
3 after -- after that he -- I heard the front door open,  
4 so I went to see who was coming in the front door. And  
5 it was him, and he started spraying -- didn't say  
6 anything --

7 Q. It was Nathan?

8 A. It was Nathan. He just started spraying me.  
9 You know, and then I started screaming and running back  
10 down the hall because I didn't know what to do.

11 And Josh was in the laundry room at that time  
12 trying to fix the box or whatever. And he came out and  
13 I said -- and Joshua came out and he goes, "You're  
14 kidding me." You know, because he couldn't believe  
15 Nathan was in our house spraying, so he shut the door  
16 and told him to get the hell out because he was  
17 spraying the hell out of Josh too.

18 Q. Wait a minute. So he started spraying Josh  
19 when Josh was outside the laundry room?

20 A. He was inside -- yeah. He came out to help  
21 me.

22 Q. Right. That's when he sprayed him the first  
23 time?

24 A. Yeah. And then Josh backed into the laundry  
25 room and I went in there with him, and we barricaded

1 ourselves in there.

2 Q. So after you and Joshua both get sprayed,  
3 Joshua and you go into the laundry room and you close  
4 the door?

5 A. Yeah.

6 Q. In order to prevent Nathan from entering?

7 A. Exactly. And then -- and Joshua said -- and  
8 then he shot and Joshua said, "Mom. Call 911. I'm  
9 shot." He shot through the door. Nathan shot through  
10 the door. So I called 911 and I had to jump -- I  
11 jumped up on the counter because the bullets were  
12 coming through the door. You know, and Joshua was on  
13 down the door. You know, and I -- just slid down the  
14 door. And I was on the phone and I couldn't see, you  
15 know, and I was talking to the lady. And I just  
16 crawled into the sink -- the bar sink in there and just  
17 countered up on the counter --

18 Q. Okay.

19 A. -- behind the laundry and --

20 Q. Tell me about how he broke the door down.  
21 Tell me what happened then.

22 A. I think he must have kicked it in. I don't  
23 know. And then he shot -- and I saw his hand.

24 Q. Did you see --

25 A. I saw out of the -- yes. And I saw the hand

1 come in and the gun. That's the only time I saw the  
2 gun was then. And it was, like, he had that gun that  
3 looks like yours, and I guess -- are you the one -- you  
4 were the one I told gun --

5 Q. Yes, ma'am. So he -- how did he point the  
6 gun? Did he point the gun down?

7 A. Yeah. Down towards my son. And I just  
8 crawled up on the counter and I just -- because I  
9 didn't -- but only half the door was in. You know what  
10 I mean --

11 Q. It's like he broke the door in half?

12 A. Half, yeah.

13 Q. Now, did -- and, again, now that you've had  
14 time to think, he didn't say anything to anybody?

15 A. Nobody. Nothing.

16 Q. And when he was shooting down at your son like  
17 this you saw his arm, but did you also see his face or  
18 his body?

19 A. No. I couldn't see his -- I just saw the  
20 hand, the arm.

21 Q. Okay. But, again, you recognized --

22 A. Oh, I know it was -- there's no doubt.

23 Q. Okay. All right.

24 A. There's no doubt that that's who it was.

25 Q. Okay.

1 A. I don't have enemies. My son didn't have  
2 enemies.

3 Q. Okay. All right. Does your son work? Does  
4 he have a job?

5 A. Yes. He works in construction. He just was  
6 doing it for some friends of his that have -- had  
7 rental properties. And they do little jobs, and he was  
8 supposed to go to work in a little while today. I kept  
9 hearing after this happened all the phones -- phones  
10 were going off all over. I just couldn't --

11 Q. All right.

12 A. My little dog. I don't know how my little dog  
13 is.

14 Q. Okay. You're not sure how many gunshots you  
15 heard?

16 A. No.

17 Q. And the gun was a black pistol like the one I  
18 have --

19 --o0o--

20  
21 (Whereupon, the recording concluded.)

22  
23 --o0o--

24  
25

1 STATE OF CALIFORNIA )  
 ) ) SS.  
2 COUNTY OF CONTRA COSTA)

3 I, RAJAHNIQUE JONES, CSR, License No. 13457,  
4 State of California, do certify:

5 That the foregoing pages are a true and correct  
6 transcription of the electronically recorded  
7 proceedings, except as noted "unintelligible" or  
8 "inaudible."

9 I further certify that I am not interested in  
10 the outcome of said action, nor connected with, nor  
11 related to, any of the parties of said action or to  
12 their respective counsel.

13  
14 IN WITNESS WHEREOF, I have hereunto set  
15 my hand and affixed my official seal this  
16 14th day of February, 2014.

17   
18 RAJAHNIQUE JONES, CSR, License No. 13457.  
19 State of California.

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