

On 3/20/08, Detective Jower and I spoke with Sean Mendell at the Walnut Creek Police Department. Mendell told us that he rents a detached room that is located in the backyard of 1110 Boulevard Way. Mendell rents the room from Beverly Rhoads, who he has been friends with for many years. Mendell is also long time friends with Beverly's son, Joshua Rhoads. Mendell said that Beverly Rhoads commonly goes by the name of "Sam".

On 3/20/08, Mendell was inside of his residence with his girlfriend Longfellow. At approximately 1026 hours, Mendell heard "three loud bangs". Mendell looked through the front window of his home, which overlooks the back of the main residence, and noticed that the backyard gate and the door from the garage to the backyard were both open. Mendell was concerned that the family dog would escape; therefore Mendell went outside to close the gate. Mendell exited his residence and as he walked towards the east side of the backyard, towards the gate, he heard the sliding glass door from Beverly's bedroom open. Mendell looked towards the sliding glass door and saw a white male adult, wearing a black beanie style cap, sunglasses and a trench coat exit through the sliding glass door. The WMA walked quickly towards him, and as the WMA did so the WMA removed a handgun from the WMA's trench coat. The WMA waived the handgun in the air and repeatedly yelled, "where is Sam, where is Sam Rhoads". When the WMA got near Mendell, Mendell dropped to his knees. Mendell offered to give the WMA anything that he wanted. The WMA put the handgun to the left side of Mendell's head and fired one round from the handgun. Mendell heard a loud "bang" in his left ear, at which time Mendell thought he had been shot in the head. When he realized he had not been shot, Mendell looked at the suspect, who was manipulating the handgun in what Mendell thought was an effort to reload the gun. The WMA said to Mendell, "give me your money". Mendell told the WMA he would go into his residence and get his money for him. The WMA agreed and followed Mendell to the threshold of Mendell's front door. Mendell retrieved his wallet and when Mendell returned to his front door, the WMA was gone.

Mendell told me that he did not recognize the suspect. Mendell described the handgun as a black, semi-automatic style handgun. Mendell said that because he was not injured after he heard the gun discharge, he believes the handgun was most likely a cap gun or pellet gun.

Mendell told me that he is aware that Beverly Rhoads was having civil problems with a contractor by the name of Tony. Rhoads hired Tony approximately six years ago to do an addition to her residence. Mendell told me that Tony has a son by the name of Nathan, who also helped Tony with the addition. Mendell said that Rhoads had many arguments with Tony and Nathan over the quality of their work. Mendell said that Rhoads ultimately fired Tony and eventually sued Tony for approximately two hundred and fifty thousand dollars. Mendell said that ever since the lawsuit, Rhoads has complained to him about many threatening phone calls that Rhoads has had with Tony.