

Files 102, 108:

To: jliebman@law.columbia.edu
From: "william belford" <williambelford3@hotmail.com>
Date: 01/27/2005 07:51PM
Subject: DE LUNA - DPS documents on Carlos Hernandez

Jim - yesterday I reviewed the remaining DPS material on HERNANDEZ in person. Of the 114 pages that were to be reviewed, those relating to driver's license details concerned the wrong Carlos HERNANDEZ ? this individual had DOB: 11/23/60 . I asked Assistant General Counsel Pamela Smith to find any material on the right Carlos HERNANDEZ.

The other documents I reviewed were from the DPS laboratory records and concerned 2 cases ? the 1979 death of Dahlia Saucedo and the 1994 possession of a controlled substance.

Re: Saucedo, the material concerned the hairs recovered from the crime scene and the polygraph examination of the key players. HERNANDEZ gave 2 inconclusive tests, Pedro OLIVAREZ deceptive result, Jesse GARZA deceptive result, John LONGORIA non-deceptive result, Jerry CONDON non-deceptive result, Freddie SCHILLING non-deceptive result, Apolinar SAUCEDA non-deceptive result, Rogelio FUENTES (a minor) deceptive result.

Re: 1994 PCS case, the material concerns the chemical analysis of the heroin recovered.
Regards, William

Files 102, 108

Thanks, William for this. Will you be able to scan/copy ask for copies of the entire 114 pages? Even some of the really mundane drivers license stuff is really important if it shows his location, cars, and ability to operate a vehicle at various points. If possible, therefore, I would like to get everything. But I would especially like to have YOU scan everything. Would that be possible? Let me know. Again, thanks. j

James S. Liebman
Columbia Law School
435 W. 116th St., Box B-16
NY, NY 10027
212-854-3423
212-854-0031 (fax)
jliebman@law.columbia.edu

"william belford" <williambelford3@hotmail.com>

01/21/2005 06:43 PM

To
jliebman@law.columbia.edu
cc

Subject
RE: Fw: DeLuna: materials from Dan No

Jim - I received the materials from the DPS that cover points 1 to 4 - see your email below.

1. **re-arrest report** - arrested 10/18/78 by NCSO for evading arrest. There's no information concerning the reverse side. If this copy from microfilm maybe the reverse was never put onto microfilm - if there was something on it.
2. **re-arrest report 1627** - arrested 11/15/83 by NCSO for bodily injury and violation of state parole. No information concerning the reverse side.
3. **form with the number "0003211509" in the upper left hand corner and the number "1856" in the upper right hand corner** relates to 03/15/94 arrest by CCPD for possession of controlled substance (heroin). Information comes from previous page of same date as the copy is still unreadable.
4. Still largely unreadable. Relates to 01/12/1996 arrest by CCPD for assault threaten bodily injury.

There are 114 pages of documents concerning Heranndez that the DPS has - 70 pages from the crime lab and 44 from the drivers license division. Pamela Smith has allowed me to inspect them in person or have them posted. I thought I might go in person as its quicker and I can ask about the reverse side of the re-arrest reports. William

>From: James Liebman <jliebman@law.columbia.edu>

>To: williamsbelford3@hotmail.com

>Subject: Fw: DeLuna: materials from Dan North

>Date: Mon, 13 Dec 2004 14:53:23 -0500

>

>here is what i'm really after from DPS, especially the info under "Second"
>below.

>

>I think, however, that you should make an omnibus request for everything

>they have on Hernandez --- all reports, records, etc. where the informaiton

>is either public or is not public for reaons of personal privacy that are

>superseded by the release. Thanks. j

>

>

>

>

>James S. Liebman

>Columbia Law School

>435 W. 116th St., Box B-16

>NY, NY 10027

>212-854-3423

>212-854-0031 (fax)

>jliebman@law.columbia.edu

>----- Forwarded by James Liebman/CLS on 12/13/2004 02:51 PM -----

>

> James Liebman/CLS

>

> 11/24/2004 03:39 To

> PM Susan Swanson

>

cc

> williamsbelford3@hotmail.com

>

Subject

> DeLuna: materials from Dan North

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>Susan:

>

>I received the materials from Dan North and have these responses.

>

>First, it would be very helpful if Dan would inquire whether there is any

>way to get more readable, usable versions of the prints off of the

>microfilm or microfiche. If the answer is no, then so be it.

>

>Second, there is another set of probelms with four pages in the materials

>Dan received and sent to me. We very much need to have better versions of

>these four pages provided in a readable form, as follows:

>

>1) What looks to be a 4.5" x 7" "REARREST REPORT" indicating an arrest by
>the "SHERIFF'S OFFICE - Corpus Christi, Texas" on which there is a right
>hand print of Carlos Hernandez, Jr. and his name is hand-printed on the
>form. Every other bit of information on this one-page form, however, has
>been blacked out, including the "Date of arrest or received," the "Charge,"
>the "Date of Report," and "Name" and "Official Title" of the person filling
>out the report. (There is nothing written in the blank for "Disposition and
>remarks." In addition, the form indicates that there is a "Reverse Side"
>but that has been withheld from Dan. The AG's 10/26/04 decision in this
>case (page 2, first paragraph, last 3 sentences) says that, given the
>"authorization for the release of records of" Carlos Hernandez, the DPS
>"must release" those fingerprint records because the confidentiality of the
>information on them about the arrested individual has been waived by the
>authorization for release. Dan therefore has a right to a full copy of
>both sides of this "REARREST REPORT." What we are most interested in is the
>"Date of arrest or received," the "Charge," and the "Date of the Report."
>It would be a shame to have to take this matter back up to the AG. This
>information can only be deemed confidential when necessary to protect the
>rights of the prisoner, but those rights have been waived by the
>release-authorization provided to Dan by Carlos Hernandez's next of kin.
>That is what the AG's ruling says.

>

>2) "REARREST REPORT 1627" on which there is a hand print of Carlos
>Hernandez, Jr. and his name and "Sex" handwritten on the form but on which
>every other bit of information has been blacked out, including his "Date of
>Birth"; the "Date of arrest or received" the "Charge," the "Date of Report"
>and "Name" and "Official Title" of the person filling out the report. There
>is nothing written on the form in the blank for "Disposition and remarks."
>In addition, the form indicates that there is a "Reverse Side" but that has
>been withheld from Dan. The same analysis applies to this report as to item
>1 above.

>

>3) There is a form with the number "0003211509" in the upper left hand
>corner and the number "1856" in the upper right hand corner and some
>fingerprints on it from Carlos Hernandez. The form shows that Carlos
>Hernandez was "printed" on the "DATE" of "3/15/1994)". Nearly all of the
>rest of the writing at the top of the form is unreadable on the copy
>provided to me (it hasn't been blacked out; it just is unreadable). Dan
>has a right to a readable copy of this form.

>

>4) There is a form with the numbers "400868223?0" and then "TX01771823"
>towards the upper left hand corner of the document, which has fingerprints
>on it from Carlos Hernandez. The number "1005 2183" appears in the middle
>of the page about an inch down from the top of the page. The document shows
>that Carlos Hernandez was "printed" on the "DATE" of "1/26/96)". Nearly
>all of the rest of the writing at the top of the form is unreadable on the
>copy provided to me (it hasn't been blacked out; it just is unreadable).
>Again, Dan has a right to a readable copy of this form.

>

>Many thanks, Susan. Let me know what Dan thinks is the best way to proceed
>on these. I would hope that items 3 and 4 are a mere matter of getting
>better copies and that items 1 and 2 could also be resolved by a quick

>conversation between him and Pamela Smith, Assistant General Counsel of
>DPS, with an eye towards the first paragraph on page 2 of the AG's 10/26/04
>decision in this case (the paragraph that runs over from the first page).

>

>I very appreciate this, and all the great work both you and Dan have put
>into this. Many thanks. J

>

>

>

>

>James S. Liebman

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>

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TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

www.txdps.state.tx.us



THOMAS A. DAVIS, JR.
DIRECTOR

DAVID McEATHRON
ASST. DIRECTOR



COMMISSION
COLLEEN McHUGH
CHAIRMAN

ROBERT B. HOLT
CARLOS H. CASCOS
COMMISSIONERS

July 9, 2004

Mr. William Belford
809 Henderson Street
Houston, Texas 77007

Re: Public information request for documentation pertaining to the investigation into the November 20, 1979, murder of Ms. Dahlia Saucedo. ORA04-1249

Dear Mr. Belford:

The Department Public Safety is in receipt of your request for the above referenced information. Because the Department believes some of the requested information is excepted from disclosure under §1703.306, Occupations Code, we have filed a request for decision with the Attorney General regarding the release of that information. A copy of our request for decision is enclosed for your review.

Notwithstanding the above, the Department is prepared to release the remaining information responsive to your request. Copies of these documents are enclosed for your review. These are the only records the Rangers were able to locate concerning this investigation. Because there is such a limited amount of documentation responsive to your request, the Department is waiving the usual copying charges.

The Attorney General will notify you by mail of his decision regarding the release of the remaining information responsive to your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Allen W. Smiley".

Allen W. Smiley
Legal Assistant
Office of General Counsel

cc: Honorable Greg Abbott
Attorney General of Texas
Attn: Open Records
209 W. 14th Street, 6th Floor
Austin, Texas 78701

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COMMISSION
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ROBERT B. HOLT
CARLOS H. CASCO
COMMISSIONERS

July 9, 2004

Honorable Greg Abbott
Attorney General of Texas
Attn: Open Records
209 W. 14th Street, 6th Floor
Austin, Texas 78701

Re: Request for information from Mr. William Belford for information pertaining to the investigations into the November 20, 1979, murder of Ms. Dahlia Saucedo.
ORA04-1249

Date Request Received:

06/28/04

Date Request for Decision hand-delivered to Attorney General:

07/09/04

Dear General Abbott:

The Department of Public Safety received the above-referenced request for public information on June 28, 2004. The Department will be making most of requested information available to Mr. Belford. However, the Department believes some information contained in the requested documentation is confidential and excepted from disclosure. Specifically, the Department believes that any information obtained from polygraph tests is confidential under §1703.306, Occupations Code, and therefore excepted from disclosure under §552.101, Government Code.

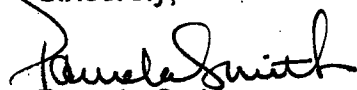
The Department believes any information acquired from the polygraph tests conducted during the investigations in question must be withheld from disclosure pursuant to Section 552.101, Government Code, which excepts from disclosure information confidential by law, either constitutional, statutory, or by judicial decision. Information relating to polygraph examinations is confidential pursuant to §1703.306, Occupations Code. §1703.306 states in pertinent part that "A polygraph examiner, trainee, or employee of a polygraph examiner, or a person for whom a polygraph examination is conducted or an employee of the person, may not disclose information acquired from a polygraph examination..." except as permitted by that section. Mr. Belford is not one of the entities authorized by the statute to receive such information. Therefore, the

Department believes any information acquired from polygraph examinations conducted during the investigation in question is excepted from disclosure under §552.101, Government Code in conjunction with §1703.306, Occupations Code.

In addition to the information we are seeking to withhold we are also enclosing a copy of Mr. Belford's request and a copy of our letter to him regarding this matter.

Please feel free to contact me at (512) 424-2890 if you have any questions regarding this matter.

Sincerely,



Pamela Smith
Assistant General Counsel

aws

cc: *(without enclosures)*
Mr. William Bedford
809 Henderson Street
Houston, Texas 77007

TEXAS DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
AUSTIN

16628

CAS # _____

CRIMINAL OFFENSE REPORT

A7963-19.02

Date of Report November 21, 1979

OFFENSE Murder COUNTY Nueces
 PLACE OF OCCURRENCE Vacant Property, Intersection of Mexico & Mussett, Corpus Christi, Texas DATE 11-20-79 TIME Between 1:00 A.M. and 3:00 A.M.
 VICTIM DALIA SAUCEDO RACE White SEX Female AGE 27
 VICTIM'S OCCUPATION Res. address: 1806 Cliff Maus, Corpus Christi, Texas
 INVESTIGATION REQUESTED BY Corpus Christi Police Department DATE November 20, 1979
 PROPERTY ATTACKED - DESCRIBE -----

REPORT IN DETAIL: (See reverse side for suggested additional M.O. data)

On November 20, 1979 at 7:19 A.M., the above offense was reported to the Corpus Christi Police Department by Emilio Parker. The initial investigation was conducted by Officer R. M. Boos #94. It was learned that sometime between 7:00 A.M. and 7:15 A.M. on 11-20-79 two Mexican males found a van parked in a vacant field, near the intersection of Mexico and Mussett Streets, Corpus Christi, Texas. Inside the van they discovered the above named victim's body. These two witnesses were identified as follows:

- #1 Emilio Parker, 1509 Caldwell, Corpus Christi, Home Phone 888-5864
- #2 Joe Duron, 1509 Caldwell, Corpus Christi, Home Phone 884-3849

The victim's body was found nude in the back of a 1979 Dodge van, brown and silver in color, bearing Texas . A small child was also found in the van asleep and unharmed. The cause of death was not apparent from looking at the body.

A possible suspect was identified by Captain Wimbish, Corpus Christi Police Department, as Jerry Condo, 1509 Caldwell, #2, Corpus Christi, Texas.

Investigation to continue.

REPORTING OFFICER Bobby C. Poynter
 Bobby C. Poynter, Ranger #848
 Title & Department Texas Rangers, Company "D"
 Address Corpus Christi, Texas

16628

AS-3

DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION

AUSTIN

- PROGRESS REPORT
- INVESTIGATION REPORT
- INTELLIGENCE REPORT
- LEAD SHEET REQUEST
- LEAD SHEET REPLY

File No. _____
CAS No. _____

Date of Report November 21, 1979

A7963-19.02

Offense	<u>Murder</u>	County	<u>Nueces</u>	Date	<u>11-20-79</u>
Victim	<u>DALIA SAUCEDO</u>	Place	<u>Vacant Property, Intersection of Mexico & Mussett, Corpus Christi</u>	Time	<u>Between 1:00 A.M. and 3:00 A.M.</u>

Report in detail: Information developed through additional investigation.

On November 20, 1979, JEFFERY EDWARD CONDO, white/male, DOB 12-6-57, and FERNANDO MUNGIA SCHILLING, white/male, DOB 6-3-56, were administered polygraph examinations reference the above offense. The results of the polygraph examination

On November 21, 1979, APOLINAR SANCHEZ SAUCEDA was also administered a polygraph examination reference the above offense. The results of the polygraph examination indicated

On this same date this officer submitted the victim's blue jean pants to the DPS Lab for appropriate evidentiary examination and comparison.

Possible witnesses and suspects were also interviewed reference the above offense on this same date with negative results.

Investigation continues.

Bobby C. Poynter
Bobby C. Poynter, Ranger #848
Texas Rangers, Company "D"
Corpus Christi, Texas

16628

DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
AUSTIN

- PROGRESS REPORT
- INVESTIGATION REPORT
- INTELLIGENCE REPORT
- LEAD SHEET REQUEST
- LEAD SHEET REPLY

File No. _____
CAS No. _____

Date of Report November 29, 1979

Offense Murder County Nueces Date 11-20-79
Mexico & Mussett St.
Victim DALIA SAUCEDO Place Corpus Christi, Texas Time About 2:00 A.M.

Report in detail: Information developed through additional investigation.

On November 28, 1979, Sergeant Sydney Smith requested that this officer interrogate JESUS ZARAGOSA GARZA, SR., white/male, DOB 11-5-60, reference the above offense. He advised that he had been warned of his Constitutional Rights.

At approximately 2:30 P.M. on this same date, this investigator entered the Interrogation Room at the Corpus Christi Police Department, where this subject was alone after being questioned by a Corpus Christi Police Department investigator. Both of the subject's hands were lacerated on the knuckle area. There was a dented area in the acoustical tile with blood on it on the wall of the Interrogation Room. When subject was asked what happened to his hand, subject stated that he had gotten mad and had beat the wall with his fists because he had been accused of murdering Dalia. He stated that he was a boxer and knew how to use his fists.

During further interrogation by this officer, this subject refused to admit that he had participated in the murder of the above named victim.

James R. Peters

James R. Peters, Ranger #1919
Texas Rangers, Company "D"
Corpus Christi, Texas

cc: Ranger Bobby C. Poynter

16628

AS-3

DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
AUSTIN

- PROGRESS REPORT
- INVESTIGATION REPORT
- INTELLIGENCE REPORT
- LEAD SHEET REQUEST
- LEAD SHEET REPLY

File No. _____
CAS No. _____

Date of Report November 30, 1979

963 - 19.02

Offense Murder County Nueces Date November 20, 1979
Mexico & Mussett St. Between 1:00 A.M.
Victim DALIA SAUCEDO Place Corpus Christi, Texas Time and 3:00 A.M.

Report in detail: Information developed through additional investigation.

On November 19, 1979, a crime scene search was conducted by Corpus Christi Police Department Officer O. Escobedo assisted by several other Corpus Christi Police Department officers and this officer. The scene consisted of a 1979 Dodge Van, bearing Texas license # and a vacant field near the intersection of Mexico and Mussett Streets. (Refer to Corpus Christi Police Department Supplementary Report dated November 19, 1979, Offense #91120-021, signed by Officer Escobedo, for complete details. A photocopy of this report is attached to and made a part of the file copy as Attachment #1.) Also, it should be noted that a pair of blue jeans were obtained by this officer from Sergeant Sidney Smith and marked as evidence for crime laboratory examination.

On November 20, 1979, at approximately 10:00 A.M., Dr. Joseph C. Rupp, Nueces County Medical Examiner, Corpus Christi, Texas, performed the autopsy of the deceased. It was Dr. Rupp's opinion that the death was caused by traumatic injuries of the neck, chest and abdomen. (A photocopy of the autopsy report is attached to and made a part of the file copy of this report as Attachment #2.)

On November 20, 1979, Joe Luis Duran, 1509 Caldwell St., Corpus Christi, Texas, home telephone #884-3849, was interviewed by Corpus Christi Police Department Sergeant Paul Rivera. Sergeant Rivera advised this officer that Joe Duran and Emilio Parker found the deceased and reported it to the police. (A photocopy of the statement of Joe Luis Duran is attached to and made a part of the file copy of this report as Attachment #3.)

On November 20, 1979, Emilio Parker, 1509 Caldwell St., Corpus Christi, Texas, home telephone #888-5864, was interviewed by Corpus Christi Police Department Sergeant Curtis Roberts. Sergeant Roberts advised this officer that Emilio Parker's and Joe Duran's statements about the findings of the deceased are essentially the same. (A photocopy of Emilio Parker's statement is attached to and made a part of the file copy of this report as Attachment #4.)

On November 20, 1979, Ms. Virginia Guerrero, the victim's stepmother, identified the victim as Ms. Dalia Saucedo. The deceased was separated from her husband, Apoliano Saucedo, who worked as an air condition repairman somewhere in Houston, Texas. Ms. Guerrero further advised that her stepdaughter had been seeing other men during the separation. She advised that the last time she saw the deceased was Monday, November 19, 1979, about 8:00 A.M., at the house. The deceased had three men with her and told her that she was going to Kingsville to take Johnny Longoria to pick up his wife, Georgia Rand. Ms. Guerrero stated that she had no further contact with the deceased that day. (A photocopy of her statement is attached to and made a part of the file copy of this report as Attachment #5.)

16628

gress' Report - November 30, 1979
ia Saucedo Murder - November 20, 1979
e 2

November 20, 1979, Ms. Irma Ramirez, 440 W. Avenue G, Robstown, Texas, home telephone 87-2673, a close friend of the deceased, was interviewed by Officer O. Escobedo. Ramirez told Officer Escobedo that the deceased was dating a man named Freddie Schelling who recently threatened the deceased because she was seeing other men. Officer Escobedo contacted this officer reference Ms. Ramirez's statement and we scheduled a polygraph examination for Freddie Schelling. (A photocopy of Ms. Ramirez's statement is attached to and made a part of the file copy of this report as Attachment #6.)

November 27, 1979, Ms. Irma Guyton, 2830 Martin Luther King, Corpus Christi, Texas, was interviewed by Corpus Christi Police Department Sergeant Curtis Roberts. Ms. Guyton is an employee of the Seven Eleven Store, 521 South Staples, Corpus Christi, Texas, and identified the deceased as having been in her store on November 20, 1979, at about 1:20 A.M. She further advised that the deceased was accompanied by two Mexican males. Two photographic lineups were shown to Ms. Guyton, and she identified the photographs of Jesus Z. Garza, DOB 11-5-60, and Pedro Olivarez, DOB 6-27-56, as the two men with the deceased. (A photocopy of her statement is attached to and made a part of the file copy of this report as Attachment #7.)

November 28, 1979, Rogelio Sosa Fuentes, Jr., 2522 Dunbar St., Corpus Christi, Texas, and Jesus Z. Garza, Sr., 2225 Dunbar St., Corpus Christi, Texas, were administered polygraph examinations reference the above offense. The results of the polygraph examinations

November 28, 1979, John B. Longoria, 760 12th St., Corpus Christi, Texas, was administered polygraph examination, and he was

November 29, 1979, Pedro Olivarez, Jr., 1314 Whitaker St., Corpus Christi, Texas, was administered a polygraph examination on the above offense. The results of the polygraph examination: A post investigation interrogation was conducted by this officer. Subject Olivarez admitted he was involved in the murder but denied committing the murder himself. He stated that Jesse Garza killed the deceased. (A photocopy of his statement is attached to and made a part of the file copy of this report as Attachment #8.)

On November 30, 1979, a laboratory report #L3C-2442610-61 was received from the Texas Department of Public Safety Laboratory, Corpus Christi, Texas. The report, signed by James F. Waller, Laboratory Supervisor, on November 30, 1979, reported that one hair found on the legs of the jeans in the looped area is similar to the head of hair of the deceased.

It is believed by this officer and substantiated by statement of Pedro Olivarez, Jr. that the jeans were used to strangle the deceased and her hair in the jeans leg loop tends to confirm this opinion.

Investigation continues.
Bobby C. Poynter
Bobby C. Poynter, Ranger #848
Texas Rangers, Company "D"
Corpus Christi, Texas

16628

TEXAS DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
AUSTIN

CRIMINAL CASE REPORT

963 - 19.02

CAS # _____

DATE OF REPORT November 30, 1979

OFFENSE Murder COUNTY WHERE COMMITTED Nueces

LOCATION Mexico and Mussett Streets DATE November 20, 1979 TIME Between 1:00 A.M. and 3:00 A.M.
COUNTY Corpus Christi, Texas

INVESTIGATION REQUESTED BY Corpus Christi Police Department DATE November 20, 1979

INVESTIGATING OFFICERS Corpus Christi Police Department Officer O. Escobedo and Sergeant Sid Smith and Texas Ranger Bobby C. Poynter

VICTIM

NAME OF BUSINESS FIRM _____ ADDRESS _____

INDIVIDUAL FULL NAME DALIA SAUCEDO RACE White SEX Female AGE 27

ADDRESS 1806 Cliff Maus OCCUPATION _____
Corpus Christi, Texas

DEFENDANTS

#1 NAME IN FULL JESUS Z. GARZA RACE White HEIGHT 5'4" HAIR Black
DATE OF BIRTH 11-6-60 SEX Male WEIGHT 135 lbs EYES Brown
ALIASES "JESSE" FBI _____
ADDRESS 2522 Dunbar, Corpus Christi, Texas DPS NO. _____ OTHER Texas DL

#2 NAME IN FULL _____ RACE _____ HEIGHT _____ HAIR _____
DATE OF BIRTH _____ SEX _____ WEIGHT _____ EYES _____
ALIASES _____ DPS _____ FBI _____
ADDRESS _____ NO. _____ OTHER _____

FINGERPRINTED: DEFENDANT #1 YES NO AGENCY Corpus Christi Police Department NO. _____
DEFENDANT #2 YES NO AGENCY _____ NO. _____

STATUS OF CASE In custody.

REPORT IN DETAIL (USE REVERSE SIDE IF NECESSARY)

As the result of information obtained from witnesses and the written statement of Pedro Olivares the defendant was arrested and indicted for the above offense. Defendant was arrested on Murder Warrant #1427. For complete details, refer to Progress Report dated November 30, 1979.

Bobby C. Poynter, Texas Ranger #848, Company "D", Corpus Christi
REPORTING OFFICER TITLE AND DEPARTMENT

DPS Materna
on Dalia Saucedo
11/21/79

TEXAS DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION
AUSTIN

CAS-1

CAS # _____

CRIMINAL OFFENSE REPORT

A7963-19.02

Date of Report November 21, 1979

OFFENSE	<u>Murder</u>	COUNTY	<u>Nueces</u>
PLACE OF OCCURRENCE	<u>Vacant Property, Intersection of Mexico & Mussett, Corpus Christi, Texas</u>		<u>Between 1:00 A.M. and 3:00 A.M.</u>
VICTIM	<u>DALIA SAUCEDO</u>	RACE	<u>White</u> SEX <u>Female</u> AGE <u>27</u>
VICTIM'S OCCUPATION	<u>Res. address: 1806 Cliff Maus, Corpus Christi, Texas</u>		
INVESTIGATION REQUESTED BY	<u>Corpus Christi Police Department</u>	DATE	<u>November 20, 1979</u>
PROPERTY ATTACKED - DESCRIBE	<u>-----</u>		

REPORT IN DETAIL: (See reverse side for suggested additional M.O. data)

On November 20, 1979 at 7:19 A.M., the above offense was reported to the Corpus Christi Police Department by Emilio Parker. The initial investigation was conducted by Officer R. M. Boos #94. It was learned that sometime between 7:00 A.M. and 7:15 A.M. on 11-20-79 two Mexican males found a van parked in a vacant field, near the intersection of Mexico and Mussett Streets, Corpus Christi, Texas. Inside the van they discovered the above named victim's body. These two witnesses were identified as follows:

- #1 Emilio Parker, 1509 Caldwell, Corpus Christi, Home Phone 888-5864
- #2 Joe Duron, 1509 Caldwell, Corpus Christi, Home Phone 884-3849

The victim's body was found nude in the back of a 1979 Dodge van, brown and silver in color, bearing Texas . A small child was also found in the van asleep and unharmed. The cause of death was not apparent from looking at the body.

A possible suspect was identified by Captain Wimbish, Corpus Christi Police Department, as Jerry Condo, 1509 Caldwell, #2, Corpus Christi, Texas.

Investigation to continue.

REPORTING OFFICER Bobby C. Poynter
 Bobby C. Poynter, Ranger #848
 Title & Department Texas Rangers, Company "D"
 Address Corpus Christi, Texas

16628

DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION

AUSTIN

CAS-3

- PROGRESS REPORT
- INVESTIGATION REPORT
- INTELLIGENCE REPORT
- LEAD SHEET REQUEST
- LEAD SHEET REPLY

File No. _____

CAS No. _____

Date of Report November 21, 1979

A7963-19.02

Offense	<u>Murder</u>	County	<u>Nueces</u>	Date	<u>11-20-79</u>
Victim	<u>DALIA SAUCEDO</u>	Place	<u>Vacant Property, Intersection of Mexico & Mussett, Corpus Christi</u>	Time	<u>Between 1:00 A.M. and 3:00 A.M.</u>

Report in detail: Information developed through additional investigation.

On November 20, 1979, JEFFERY EDWARD CONDO, white/male, DOB 12-6-57, and FERNANDO MUNGIA SCHILLING, white/male, DOB 6-3-56, were administered polygraph examinations reference the above offense. The results of the polygraph examination

On November 21, 1979, APOLINAR SANCHEZ SAUCEDA was also administered a polygraph examination reference the above offense. The results of the polygraph examination indicated

On this same date this officer submitted the victim's blue jean pants to the DPS Lab for appropriate evidentiary examination and comparison.

Possible witnesses and suspects were also interviewed reference the above offense on this same date with negative results.

Investigation continues.

Bobby C. Poynter
 Bobby C. Poynter, Ranger #848
 Texas Rangers, Company "D"
 Corpus Christi, Texas

16628

DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION

AUSTIN

AS-3

- PROGRESS REPORT
- INVESTIGATION REPORT
- INTELLIGENCE REPORT
- LEAD SHEET REQUEST
- LEAD SHEET REPLY

File No. _____
CAS No. _____

Date of Report November 29, 1979

Offense <u>Murder</u>	County <u>Nueces</u>	Date <u>11-20-79</u>
	<u>Mexico & Mussett St.</u>	
Victim <u>DALIA SAUCEDO</u>	Place <u>Corpus Christi, Texas</u>	Time <u>About 2:00 A.M.</u>

Report in detail: Information developed through additional investigation.

On November 28, 1979, Sergeant Sydney Smith requested that this officer interrogate JESUS ZARAGOSA GARZA, SR., white/male, DOB 11-5-60, reference the above offense. He advised that he had been warned of his Constitutional Rights.

At approximately 2:30 P.M. on this same date, this investigator entered the Interrogation Room at the Corpus Christi Police Department, where this subject was alone after being questioned by a Corpus Christi Police Department investigator. Both of the subject's hands were lacerated on the knuckle area. There was a dented area in the acoustical tile with blood on it on the wall of the Interrogation Room. When subject was asked what happened to his hand, subject stated that he had gotten mad and had beat the wall with his fists because he had been accused of murdering Dalia. He stated that he was a boxer and knew how to use his fists.

During further interrogation by this officer, this subject refused to admit that he had participated in the murder of the above named victim.

James R. Peters
 James R. Peters, Ranger #1919
 Texas Rangers, Company "D"
 Corpus Christi, Texas

cc: Ranger Bobby C.Poynter

16628

DEPARTMENT OF PUBLIC SAFETY
CRIMINAL LAW ENFORCEMENT DIVISION

AS-3

AUSTIN

- PROGRESS REPORT
- INVESTIGATION REPORT
- INTELLIGENCE REPORT
- LEAD SHEET REQUEST
- LEAD SHEET REPLY

File No. _____
CAS No. _____

Date of Report November 30, 1979

7963 - 19.02

Offense	<u>Murder</u>	County	<u>Nueces</u>	Date	<u>November 20, 1979</u>
			<u>Mexico & Mussett St.</u>		<u>Between 1:00 A.M.,</u>
Victim	<u>DALIA SAUCEDO</u>	Place	<u>Corpus Christi, Texas</u>	Time	<u>and 3:00 A.M.</u>

Report in detail: Information developed through additional investigation.

On November 19, 1979, a crime scene search was conducted by Corpus Christi Police Department Officer O. Escobedo assisted by several other Corpus Christi Police Department officers and this officer. The scene consisted of a 1979 Dodge Van, bearing Texas license # and a vacant field near the intersection of Mexico and Mussett Streets. (Refer to Corpus Christi Police Department Supplementary Report dated November 19, 1979, Offense #91120-021, signed by Officer Escobedo, for complete details. A photocopy of this report is attached to and made a part of the file copy as Attachment #1.) Also, it should be noted that a pair of blue jeans were obtained by this officer from Sergeant Sidney Smith and marked as evidence for crime laboratory examination.

On November 20, 1979, at approximately 10:00 A.M., Dr. Joseph C. Rupp, Nueces County Medical Examiner, Corpus Christi, Texas, performed the autopsy of the deceased. It was Dr. Rupp's opinion that the death was caused by traumatic injuries of the neck, chest and abdomen. (A photocopy of the autopsy report is attached to and made a part of the file copy of this report as Attachment #2.)

On November 20, 1979, Joe Luis Duran, 1509 Caldwell St., Corpus Christi, Texas, home telephone #884-3849, was interviewed by Corpus Christi Police Department Sergeant Paul Rivera. Sergeant Rivera advised this officer that Joe Duran and Emilio Parker found the deceased and reported it to the police. (A photocopy of the statement of Joe Luis Duran is attached to and made a part of the file copy of this report as Attachment #3.)

On November 20, 1979, Emilio Parker, 1509 Caldwell St., Corpus Christi, Texas, home telephone #888-5864, was interviewed by Corpus Christi Police Department Sergeant Curtis Roberts. Sergeant Roberts advised this officer that Emilio Parker's and Joe Duran's statements about the findings of the deceased are essentially the same. (A photocopy of Emilio Parker's statement is attached to and made a part of the file copy of this report as Attachment #4.)

On November 20, 1979, Ms. Virginia Guerrero, the victim's stepmother, identified the victim as Ms. Dalia Saucedo. The deceased was separated from her husband, Apoliano Saucedo, who worked as an air condition repairman somewhere in Houston, Texas. Ms. Guerrero further advised that her stepdaughter had been seeing other men during the separation. She advised that the last time she saw the deceased was Monday, November 19, 1979, about 8:00 A.M., at the house. The deceased had three men with her and told her that she was going to Kingsville to take Johnny Longoria to pick up his wife, Georgia Rand. Ms. Guerrero stated that she had no further contact with the deceased that day. (A photocopy of her statement is attached to and made a part of the file copy of this report as Attachment #5.)

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On November 20, 1979, Ms. Irma Ramirez, 440 W. Avenue G, Robstown, Texas, home telephone 387-2673, a close friend of the deceased, was interviewed by Officer O. Escobedo. Ms. Ramirez told Officer Escobedo that the deceased was dating a man named Freddie Schelling who recently threatened the deceased because she was seeing other men. Officer Escobedo contacted this officer reference Ms. Ramirez's statement and we scheduled a polygraph examination for Freddie Schelling. (A photocopy of Ms. Ramirez's statement is attached to and made a part of the file copy of this report as Attachment #6.)

On November 27, 1979, Ms. Irma Guyton, 2830 Martin Luther King, Corpus Christi, Texas, was interviewed by Corpus Christi Police Department Sergeant Curtis Roberts. Ms. Guyton is an employee of the Seven Eleven Store, 521 South Staples, Corpus Christi, Texas, and identified the deceased as having been in her store on November 20, 1979, at about 1:20 A.M. She further advised that the deceased was accompanied by two Mexican males. Two photographic lineups were shown to Ms. Guyton, and she identified the photographs of Jesus Z. Garza, DOB 11-5-60, and Pedro Olivarez, DOB 6-27-56, as the two men with the deceased. (A photocopy of her statement is attached to and made a part of the file copy of this report as Attachment #7.)

On November 28, 1979, Rogelio Sosa Fuentes, Jr., 2522 Dunbar St., Corpus Christi, Texas, and Jesus Z. Garza, Sr., 2225 Dunbar St., Corpus Christi, Texas, were administered polygraph examinations reference the above offense. The results of the polygraph examinations

On November 28, 1979, John B. Longoria, 760 12th St., Corpus Christi, Texas, was administered a polygraph examination, and he was

On November 29, 1979, Pedro Olivarez, Jr., 1314 Whitaker St., Corpus Christi, Texas, was administered a polygraph examination on the above offense. The results of the polygraph examination A post test interrogation was conducted by this officer. Subject Olivarez admitted he was involved in the murder but denied committing the murder himself. He stated that Jesse Garza killed the deceased. (A photocopy of his statement is attached to and made a part of the file copy of this report as Attachment #8.)

On November 30, 1979, a laboratory report #L3C-2442610-61 was received from the Texas Department of Public Safety Laboratory, Corpus Christi, Texas. The report, signed by James F. Waller, Laboratory Supervisor, on November 30, 1979, reported that one hair found on the legs of the jeans in the looped area is similar to the head of hair of the deceased.

It is believed by this officer and substantiated by statement of Pedro Olivarez, Jr. that the jeans were used to strangle the deceased and her hair in the jeans leg loop tends to confirm this opinion.

Investigation continues.
Bobby C. Poynter
Bobby C. Poynter, Ranger #848
Texas Rangers, Company "D"
Corpus Christi, Texas

