

[Material that is irrelevant to Los Tocayos Carlos and contains sensitive personal information about one or more persons has been removed.]

INVESTIGATION MEMORANDUM

TO: JIM LIEBMAN
FROM: PESO CHAVEZ
DATE: AUGUST 18, 2004

RE: CARLOS DELUNA

On the above date I contacted **ROSIE ESQUIVEL**, at a restaurant in Garland Texas as per her request. [Material removed] I identified myself, stated who I represented and the purpose of my visit to which she understood. Ms. Esquivel lives at the above address with her mother and father and her only child Bridgette (11) whose father is Manuel DeLuna. Bridget has never met her father in person and has only communicated with him by phone or through letters. Ms. Esquivel is employed at UNICARE [material removed] as a claims examiner.

In the early 80's Ms. Esquivel worked with Mary Conejo, Carlos DeLuna's sister-in-law and was aware that Carlos was on death row. She became a pen pal and the letter writing began. Over the years hundred of letters were written—two years ago Ms. Esquivel discarded them. Between the letter writing and several personal visits Ms. Esquivel was of the opinion that Carlos DeLuna did not kill the person he was convicted of. She basis her opinion on a number of factors including statements Carlos made to her. She stated, "Carlos never liked talking about what had happened-he would

MEMO / ROSIE ESQUIVEL

August 18, 2004

Page 2

rather look to the future. But he told me on numerous occasions that he did not kill the women and that it was another Carlos—I think Hernandez. He said he was not involved in anyway. When he told me this I believed him—it was the way he looked at me when he told me. He sounded sincere

and truthful. The only other thing he told me was that he ran when he saw the cops and that they found him hiding under a car”.

Ms. Esquivel is willing to meet with me in the near future if necessary and will cooperate in anyway that she can. She summed up the interview by saying, **“He fought the way he could fight. Sometimes he just wanted to give up. They just would not listen to him when he told them it was someone else”.**