

**MEMORANDUM**

To:	DeLuna Team
From:	Sita Sovin, Lauren Eskenazi Capital Case Project
Date:	September 15, 2004
Re:	<b>Fidela Hernandez Contact and Interview September 16, 2004</b> <b><i>Carlos DeLuna</i></b>

**NOTE: The following memorandum is protected by the attorney-client and work product privileges. It is a draft of our opinions and impressions.**

Although we had prearranged with Fidela to meet with her on Friday, September 17, 2004, we stopped by her house to return the original photograph of the young Carlos and to provide a copy of a picture of Cindy. At the time we arrived, Fidela was dressed, waiting with the door open looking a taxi to arrive to take her to the doctors. We drove Fidela to the doctors and returned and picked her up from the doctors. She provided information both on the way to the doctor's office, on the return trip and after, in a lengthy interview at her dining room table. Fidela also provided a news article from the time of Carlos' arrest in connection with the Saucedo murder.

Fidela provided an enormous amount of background information, names of relatives, neighbors and family friends, complete with telephone numbers, explaining relationships and where they were and may currently be located .

Fidela asked if we thought Carlos was guilty of the Saucedo murder.

We told her we were still making our assessment and do not yet have a full opinion. We asked her what she thought. Fidela was not adverse to considering that Carlos may have done it. She said she did not know if he did or not. She told that if he did it, she had no problem acknowledging it.

Fidela does not think Carlos attended high school but dropped out.

She does not remember a Carlos DeLuna. Her Carlos had nothing to do with DeLuna's problem. Carlos H did not have many friends.

Ronnie was with Dahlia the night she was killed. He had a sexual relationship with her.

Fidela could not recall Carlos' date of birth. "19 fifty something."

Fidela went to court. She does not know why/how/who x'd out Paul Rivera in the photo in the news article.

Carlos was in a truck accident with Freddy Schilling and fell from the truck.

The night of the Saucedo murder, Carlos was home early. He was drunk. He had been with Dahlia but left the van. He left his underwear there because he was in there and someone was knocking.

Two male police officers came and spoke with Fidela about what time Carlos came home that night. "I went to court, but what could I say? I will not say he did do it and will not say he did not do it."

Dahlia's husband said that Dahlia liked to party with young guys. Fidela does not recall where she heard this.

"I took care of Carlos but told him he had to leave and then Cindy took care of Carlos."

Fidela only saw Rosa once. She came to the house with him. He was working at the Pipeline. They came and they got clothes and he went with her.

Fidela raised Priscilla alone. Fidela was a mother and father to her children.

The one who messed with knives was Javier, not Carlos. Javier was wild, Carlos was not wild.

Carlos lived with Marguerite at Fidela's who had a baby from another guy. Carlos took care of her son Erik. He bought a bed, pampers. One night he came from work and asked Fidela where she was. **"It was not my business to tell him so he could kill her."** He left and went to her mother's who lived in the house at the corner of Carizo up the street. The house was either at Carizo and Kinney or Carizo and Agnes. She was not there but she was at the park with another guy. Carlos dragged them both back to Fidela's and put them out and told them to take everything, even the bed he bought for the child. Marguerite then went to her mother's.

Fidela has lived at the Dahlia house for 10 years.

Fidela does not recall a Martinez family. One neighbor couple was Raul and his wife who was loco. Nice neighbors were Ronnie and his mother Bea. Ronnie's mom is Beatrice who Fidela called Bea. They were neighbors.

We can ask Bea about Carlos.

One time, a lady came from the school because another lady said Fidela was not taking care of her children. Fidela had clothes for her children to show that she provided for them.

Fidela directed us to retrieve a small red telephone book from her dining room buffet drawer. The following names and numbers were written in the book in no particular order.

Carlos H.  
sherif  
887-2219

855-9426 Mary Ann  
814-2829 Olga  
884-2138 Lida  
Bee 853-2362

Fidela took Priscilla to live with Paula when Priscilla was 11 years old.

Fidela's mother's obituary was on the refrigerator:

Paula M. Solis  
daughters - Josephine Guadalupe Arsuaga  
Beatrice B. Martinez

grandchildren - pall bearers:

Johnny and Alex Arsuaga  
Francisco and Jesse Martinez

Carlos was with Rosa who had two boys. Carlos lived with her on Mary Street. Carlos had one son with Rosa whom Fidela never met.

Fidela's birthday is April 24.

Fidela referred to taking care of "my sons." She frequently referred to her children as "my sons."

Fidela showed us her payment books for the insurance policies she had for her children. He agent is/was Janie H. Garcia.

Fidela had a Texas Welfare Card ID # 212564901

Priscilla's Welfare Card ID # 278679102

Fidela personal effects also include a birth announcement card from Mr. and Mrs. Francisco Mungia for the birth of their child Rosalinda.

During the day when Fidela worked at the laundry, Fidela's stepmother looked after her children.

Fidela cleaned hotel rooms at night for lady's?

Fidela also worked at a saloon. Her boss was her "compadre" and took care of Fidela. When she was there men tried touching her so she said you have to take me somewhere and pay me if you want to touch me.

Fidela learned the hard way to survive. She took care of her boys.

There was a gringo in her life that worked in the sea and bought Fidela a freezer. He liked Fidela and wanted to be with her but she did not want to have a family with him.

Fidela's first child, Arelia who she had with her husband Santiago Ramos died of hunger at 11 months because he would not give her

anything to take care of the child. Fidela had no milk for the baby. She went to the owner of the apartments where they were living on 24<sup>th</sup> or 25<sup>th</sup> and the woman told Fidela to take the baby to the hospital because the baby would die. Fidela went to the doctor who told her he would put something else down as the reason the child died. Ramos did voodoo. Fidela was only 17 years old. She was still playing with balloons and innocent. She had never been with a man before she married Ramos.

Fidela married Ramos because her stepfather was, "after my bones. My mother (stepmother?) did not believe me. "I told Santiago I did not love him but he just wanted to be married with a virgin." My mother gave him \$20 to buy a dress and cheap sandals. "I had a picture of us at the wedding but it got wet in a storm."

Marguerita was born when Fidela was with Tangumas. Her father is Antonio Menduola. Tangumas had three children with Lupe. She lived near Rose Hill and was always fighting with him and Fidela. Fidela would get the children ready to go with her and she would bring them back like tramps. Lupe's mother was a midwife.

Fidela would like to have Cindy's address and to know where Jerry is.

Fidela would also like to know the dates of birth of her children.

"Jerry (her son) thought my kids were bad. All his education went to his head. He thinks he is better than the family. I went there once and he was rude and did not make me feel at home."