

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

**Jon Kelly: 8/24/04 interview by Jim Liebman and Bruce Whitman**

notes not summary

Thoughts on getting documents: Fred Flores, Sheriff's Office fingerprints; Chief of police Pete Alvarez; pen pack for fingerprints.

Another effort to rate the defense lawyers (this one based on who they went to, to represent Selena's killer: 1<sup>st</sup> is Doug Tinker; 2<sup>nd</sup> Jon Kelly; 3<sup>rd</sup> Jim Lawrence.

Problems with DeLuna's trial: bad lawyer (Hector dePena) and bad judge (visiting judge Wallace):

**Hector dePena:** he wasn't even on the (judges' mental) list of decent criminal defense lawyers to appoint to homicide or capital cases. His dad was a judge and maybe his dad let it be known that his son needed money. You could make 15-20,000 in a month on a capital case. That was a nice piece of change. *When Hector was appointed to that case (DeLuna), we were all aware there were problems in the case; and that's why they appointed Jimmy Lawrence later on.* Jimmy Lawrence brought in because Hector was out of his league. Hector didn't make money as a lawyer. He was not diligent. There was a case where deposition was set and he didn't show and didn't even call. Didn't even have the courtesy. We were shocked when Hector got appointed (to DeLuna). Only reason we could think of was that he needed the money. Jon Kelly ran against Hector for judge in 1984; out of deference, he never let it be known that he knew *Hector had filed for bankruptcy in early 1983. He was probably in financial trouble; he undoubtedly was in financial trouble. Hector wasn't very good; he had no business doing a capital case; if he was lead counsel, that was a miscarriage .... That sounds strong, doesn't it?* Sloppy investigation; should have been 2 people from beginning; least competent lawyer.

Re: **Jimmy Lawrence**, JSL says: "Jimmy told us it (DeLuna) was Hector's case, not his." JK response: He said that because he (JL) wasn't proud of that case.

To enlist Jimmy Lawrence to our side, tell him that Botary, having interviewed CH himself in that other case (Sauceda killing), let Schiwetz argue in closing in DeLuna that CH was a 'phantom.'

On 8/25/04, Jon Kelly calls me on my cell phone and says:

My conscience is bother me. I will help you. [**Material removed**]

In regard to **Olivia Escobedo**: Nobody thought well of her in the department.

Then volunteers: “Guy you’re trying to blame was my client. Sounds kind of lame, doesn’t it.” [meaning lame as a public presentation.]

How can I help?

JSL: “Search your memory and conscience for things Carlos Hernandez told you.” JK: “that will come in time if I can look at the underlying documents.”

Left it that I would send JK some dox.