

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

James Lawrence interview by JSL on 2/25/05.
Rick Perez was present during this interview.

1 month ago, JL ran into Schiwetz in court. Schiwetz brought of DeLuna. JL said to Schiwetz, of all the cases I tried, I remember the DeLuna case the least. Whole damn case and I can't remember it. Schiwetz approached JL because S was hot under collar by about investigation. But JL cannot remember. He asked S to describe case. Still can't remember much.

Schiwetz is a private individual so he said he wouldn't talk to anyone who came to talk to him about the case.

Lawrence— challenging me; what are is our project doing with this. I tell him this isn't a blame game; it's about the truth. We think he got sandbagged in this case about Carlos Hernandez. He asks, by whom and I say I'd prefer not to say. He asks if I spoke to Hector DePena and Jon Kelly. I say yes. He then lets on that he knew that. He doesn't have file in case. He says he needs to see police reports. I show him the reports.

“Mylett is a lying sack of shit” says JL, reading reports. Mylett has been disciplined. I've heard more complaints about him. Maybe worker's compensation fraud. One cop I wouldn't trust.

JL remembers CDL under car; money found on him. (It's coming back.) **[Material removed]**

“He (CDL) told me I saw the cops and I just took off running because I knew they were going to blame me. I saw him (someone else) and I ran away. When I heard the cops.”

The problem was he was found under the truck so close to the station.

I remember him telling me he ran because he was on parole. He saw what was going on in there (inside station) and then heard sirens running away.

I (JL) asked him (DeLuna) why was his shirt off.

JL— asks us our theory that CH was the sole perpetrator and I say we're investigating.

JL tells me he's had 3 death penalty executions and remembers “CH” name rings a bell.

Girl (MaryAnn Peralies) hurt us.

I prejudge my clients. They lie to you and say didn't do it. Worry about perjury.

But, says, JL, I don't recall my pre-judgment about this case.

Recently: Schiwetz very angry and adamant; angry about our investigation. No question in his mind that this man was guilty

Schiwetz— always honest with JL; one of few honest ADAs; you can count the honest ones on one hand

Everything pointed at CDL, but no physical evidence against him.

No blood on him, knife; close and no blood on clothes; raining that night; it was wet. That was their out.

My client wasn't going to take a deal because he said "I am innocent." He told me from the beginning that saw something, heard sirens and cops wouldn't believe him, so he ran.

You almost have to believe him because no physical evidence.

Today I would use the money thing; they don't keep that much money in their drawer.

We got along real well (CDL and JL).

CDL: Reluctant to give up a name. He wanted to be sure he would be protected if he gave name.

JL: I remember asking him, if you point a finger at the other guy, what corroboration would we have.

He gave me a name. We didn't have doodly, no height, weight, DOB. If I'd had a DOB I could've found. We never got that far because we just had a name.

I got along with him well

Fact of physical evidence (none) bothered me.

JL: BUT: It's a B.S. story CDL was telling; too much of a coincidence that he was there when CH – the worst damned criminal in the city--- happened to be robbing the place. I cannot say I could believe him. Too much of a coincidence

Tell me someone else did it, you don't give me information on CH and you pick the worst criminal in CC. I can see why Schwietz is convinced CDL did it.

I remember more now. I've been more upset about other cases than CDL. I hate to lose all of them but... I'm not 100% sure he didn't do it.

JSL asks are you 100% sure he did do it. JL: "Hell no" Don't know what percentage I'd

put on it.

Things that bothered him were no physical evidence and that his guy saw a man coming out of that store who described another person.

Hell if that isn't reasonable doubt I don't know what is.

JL: Refused to be taped.

When I went to car to get police reports, Rick Perez told JL he was videographer sent by funders to check up on me.