

Tape# 017

*DeLuna Tape #17 05:32:57*

**JSL:** It's December 8, 2004. We're in Corpus Christi, Texas. We're in a Community Center, I guess, and a school. This is Rene Rodriguez I'm talking to, and we're gonna kind of go from here. So tell me a little about yourself, Rene, where you were born, and, you know, what you're doing and where we are.

*DeLuna Tape #17 05:33:30*

**RR:** I was born in Kingville, Texas, I was a year old when my dad got a job at Reynolds. I grew up here went to school here, went to school in Kingsville, to college, at Texas A and I, then went to Texas Southern, law school, and got a job with the Federal Trade Commission, in Dallas, with the government, for a few years in Dallas. And couple of years with the Department of Energy. And about '81, I started looking at myself and I realized I looked just like all the other government lawyers. I had yellow socks with a yellow shirt, baby blue socks with a baby blue shirt, then I had white shoes and a white belt, and I said it's time to go! I look just like all the rest. So, I came home here in Corpus, opened up a practice. My wife at that time had just finished law school also. I had been out four years, for and a half

years, so we opened up a husband and wife office. Neither one of us knew what we were doing. And we started off doing mostly, I did mostly criminal law, court appointments, because nobody would come to me. I was young. I looked like a little punk. And she looked like a little girl, so she did divorces and stuff. And I'm still in practice in the same building, and she's a court of appeals judge now. And this is a school I lease with the diocese. We do, we have a karate team. We have a karate team. We have computers. We have... we do art, we do a lot of art with kids. We do a lot of mentoring, a lot of helping with the homework.

**JSL:** When we came in this afternoon, we saw you in one of the rooms. What were you doing?

*DeLuna Tape #17 05:35:13*

**RR:** I was seeing how they were playing certain games on the computer. Because, up to four-o'clock we work ... the kids that you saw me working with, we were working on their Spanish homework. So, we had just finished all that, then they get to play from four to four-thirty.

*DeLuna Tape #17 05:35:36*

**JSL:** And what's the purpose of setting this place up?

**RR:** Well, you know, this place is located in probably the most impoverished area of Corpus Christi. It's funny, you

know, when I was a young lawyer, I always would go to schools and give speeches and stuff. I always did that. And I always talked about how poor I was. Until I came here. I don't say that anymore. I wasn't poor. These kids are poor.

*DeLuna Tape #17 05:36:04*

**JSL:** We're here to talk about a case that you handled back in, I guess it was filed back in late 1984, and then it went from there. And what I'd like you to do, and talk to you about, is just kind of the history of that case.

**JSL:** So, can you just tell me about how that case came to you and why you took it, and go from there.

*DeLuna Tape #17 05:36:44*

**RR:** I remember that, that ... I think the family had gone to different lawyers, and nobody wanted to take the case. It was kind of a novel thing back then, that type of premises liabilities case, especially one involving a crime, because technically an employer is not liable for, you know, when there's criminal acts, because it's, you know.... But! Anyway, there was a lawyer, I think it was Juan Barroso. He's a very well known lawyer in town, criminal lawyer. Somehow the family ended up with him, and he said, "I don't think there's a case, but you know, you're .... Look at it." And I did. And I saw.... My father used to go to that Shamrock

all the time, all the time. He knew Wanda, you know, I didn't know her I didn't go to that Shamrock. My dad did. He lived down the street. There was something. There's some cases that you take and you just have a gut. Although everybody is telling you, "You're crazy. You're wasting your time, you're wasting your money. You know, you're going to give these people false hope." It was just one of those cases where you just had a gut. And, I've had those kinds of feelings on other cases that turned out well. And the more I looked into this case, the more, I mean, it was real tragic. Real tragic.

*DeLuna Tape #17 05:38:16*

**JSL:** This is the case of the stabbing to death of Wanda Lopez, who mentioned, on February 4, 1983. A lot of people were involved in this, as you say. There was a crime committed there, as you say, so obviously there is a criminal involved. And then there's the owner of the gas station, Diamond Shamrock. And then there were the police who were involved in this. And so, I wanted to.... You took this as a civil case, so of course you weren't concerned, as a legal matter, with the individual who had committed the crime. So I want to skip over that part and ask you, if you would, to talk about the problems that you saw, let's start, first, with the problems that you saw with the way that the company

was arranging things.

*DeLuna Tape #17 05:39:03*

**RR:** Well, back then, they had Wanda Lopez working by herself late at night. Wanda Lopez had complained many times about being by herself. It was next to a topless joint, a beer joint. It was very popular. It had a big old two-story figurine of a woman in a bathing suit, a very revealing bathing suit, so it attracted a lot of people. All kinds of people. The place at the time was owned by a local motorcycle club, similar to the Hell's Angels, called the Banditos. So there were all kinds of people. You saw people, real rough looking people, and you saw, what I'd call the suits. There was all kinds. But at night, late at night, they tended, because, like I said, my dad lived down the street, so I would always drive by there and I would always see people coming in. There was plenty of cars around, from that place. It's right next to the Shamrock. Drunks walking over to buy cigarettes and whatever. And she was afraid of that, because a lot of people would go in there, most of them drunk, and they would try to flirt with her or whatever, and she was just scared. So her father started coming and staying there because they wouldn't hire anybody else. And so, she worked there, her father would stay, and somehow the manager or

whoever, some top brass from Shamrock found out and they ordered him off the premises. After that he would park across the street or one the other side of the highway and just watch, when he could. On the day that this happened he was not there.

*DeLuna Tape #17 05:40:46*

**JSL:** What was her situation? What protection did she have there?

*DeLuna Tape #17 05:40:50*

**RR:** She had no protection. I mean, one of the things that we looked at was, not only could you not see in the store because there was a lot of displays and coke cases stacked high.... You couldn't see the counter. And then, she basically was trapped. The counter was such that she couldn't have gone anywhere. She couldn't have run anywhere. And the width of the counter was such that, you know, you could easily just reach over, or just pick it up. I don't remember at this point whether he picked it up and went in, or he just reached over, but I remember, what was real striking, was that she was trapped in the little corner, so even if he didn't go over, he could have just reached over she couldn't go anywhere. There was nothing she could do.

*DeLuna Tape #17 05:41:38*

**JSL:** Suppose somebody's driving.... It was up there, it's a gas station that sits next to the freeway called South Padre Island Drive. And supposing cars were driving by on South Padre Island Drive, could they look... people in those cars... look down in there and at least sort of see what was going on in there?

*DeLuna Tape #17 05:41:58*

**RR:** No, because of the displays on the windows and because of the stacks of product that they had on the outside. I mean, for years, even afterwards, even after we complained about it, that continued. I don't know if they changed later on....

**RP:** I'm sorry, can you answer that again, but incorporating the question: "If somebody were driving by..."

*DeLuna Tape #17 05:42:22*

**RR:** If somebody were driving by, they could not see into the Shamrock because of the displays and the posters that they had, the advertising posters that they had on the windows, and the stacks of products that they had outside. They always had a lot of Cokes and things. Wood, they would sell wood. No, it would be real hard to see. Maybe you could see bits of people going back and forth. But I don't think you could see if anyone was in trouble or with or without clothes. I don't think you could tell that. Not if you were driving.

*DeLuna Tape #17 05:42:57*

**JSL:** And what was the.... This was a suit, as you said, that people said you're crazy to take it. So, what happened?

*DeLuna Tape #17 05:43:06*

**RR:** Well, we started the trial. And I remember the last witness that testified before they decided to settle, was one of their, I think it was the head of national security. And he said, if it was so dangerous, why would he, head of security, allow his son and daughter to work in the Shamrock that was exactly like the one that I'm talking about. I think when he said that, the jury got really upset. And that's when they called time out and we talked and they settled.

*DeLuna Tape #17 05:43:50*

**JSL:** So the family got some money out of this.

**RR:** Yeah, they got some money.

**JSL:** Do you remember how much?

**RR:** I don't remember. It was substantial, but I remember it was supposed to be a confidential settlement, but I don't remember. It was a lot. It was a lot. I mean, not a lot for ...

*DeLuna Tape #17 05:44:10*

**JSL:** And tell me, that lawsuit in a sense broke some ground. In other words, people didn't say it was crazy after,

after ...

*DeLuna Tape #17 05:44:16*

**RR:** No, no, after that there was a lot, I mean, there was another highly celebrated case here, it was caught on film, where this kid, and I think it was a college kid, working late at night, in a similar type of establishment. It was called 7-11, I think. And the guy stabbed him to death for no reason, just for the twenty or thirty bucks that was left in the register. And that was a pretty large law suit. And, that was like ten years later, yeah, about ten years later. And that got a lot of publicity actually.

*DeLuna Tape #17 05:45:05*

**JSL:** Now, let's switch if we could, and, in the course of this lawsuit, did you, obviously you must have conducted a bunch of discovery, to find out everything you could, get records not only from the Diamond Shamrock, but also from the Police Department.

*DeLuna Tape #17 05:45:*

**RR:** Yeah, I obtained records from the police department, trying to get the criminal activity of the area. There was a lot of crime in that area. Mostly assaultive type crimes too. I mean, there were a lot of shooting in that bar, next to Wolfies, it was called. There was shootings, I think even

one of the Banditos got killed there at one time. A lot of stabbings. Just a lot of assaultive type crimes in that whole area.

*DeLuna Tape #17 05:46:57*

**JSL:** Were there any crimes that had affected the Diamond Shamrock?

**RR:** Yes, there were others. Well, there were basically fights that ended up from the bar, in the Shamrock, you know, those types of things. I don't remember right now whether there was any robberies or such at the Shamrock. I don't remember. There may have been.

*DeLuna Tape #17 05:46:22*

**JSL:** OK. I actually read the papers that you filed, some of them, the one we were able to find in the courthouse, which is a very incomplete set, but there, you had determined, at least it turned up in the discovery, that there had been a robbery not too long before.

*DeLuna Tape #17 05:46:36*

**RR:** Well I remember that Wanda was scared to death. That's what her father and mother had said, and for the father to be staying there at night just so that she could make minimum wage.

**JSL:** And what was your impression of the quality of the

police work that was done that particular night, in that particular incidence?

*DeLuna Tape #17 05:46:53*

**RR:** It was my impression that they didn't react quickly enough, and that it was just some old girl what was complaining about some scroungey looking guy outside, who may or may not have a knife. I kind of remember that they initially just, I mean, everybody says that somebody's got a knife, it's no big deal to them. And then the guy walks in and he's got a knife and she's on the telephone. They were asking her all these crazy questions and you can just, you could tell that it made her even more nervous because she was afraid that they guy knew that she was talking to the cops, like she was kind of saying yes or no. You could just tell she was very scared. And at some point he just started stabbing her.

*DeLuna Tape #17 05:47:36*

**JSL:** What your impression about why he might have started stabbing her?

*DeLuna Tape #17 05:47: 40*

**RR:** I don't know. I mean, she wasn't doing anything to him, he didn't ask for money.

*DeLuna Tape #17 05:47:50*

**JSL:** You were describing, a minute ago, that she's on the phone trying to hide what she's doing, and they keep asking more and more questions that make it harder and harder for her to hide what was going on. And you had said that you thought that may have had something...

*DeLuna Tape #17 05:48:04*

**RR:** Yeah, well I think that probably her demeanor, to the guy, telegraphed that she was on the phone with the police or somebody. You know, in the tape, because you could hear, in the tape, because you could hear the tape, she's just answering questions, yes or no, that kind of stuff to the dispatcher, who has not even called to tell the cops to go yet. Then he calls, and you could hear her screaming when he was stabbing her.

*DeLuna Tape #17 05:48:34*

**JSL:** Let me go through this. As I understand what happened, she hears from a customer outside that there is a man out there with a knife.

**RR:** Right.

*DeLuna Tape #17 05:48:48*

**JSL:** She calls up the police and says, "Hey, there's somebody outside, scruffy looking man outside..."

**RR:** [coughs]

**JSL:** scruffy looking man outside with a knife. And then, they say, "If he comes inside..."

**RR:** Yeah, "if he does anything..."

**JSL:** "...call us back."

**RR:** Yeah, that's right.

*DeLuna Tape #17 05:49:05*

**JSL:** And then she calls him back, and she's trying to hide the fact that she's on the phone with the police...

**RR:** Right.

**JSL:** ... when this scruffy looking man with a knife is there, because of course, he's not going to be happy about that. And instead of sending someone out they want to know exactly...

*DeLuna Tape #17 05:49:20*

**RR:** Yeah, they're asking her, "Is he black? Is he white? Is he Hispanic?" "Yes, no, no." "Is he tall? Is he heavy?" Those types of questions.

*DeLuna Tape #17 05:49:27*

**JSL:** OK, let me just, for the purposes of recording this, because it's so much more powerful from you than, kind of, question and answer. If you would describe what you learned about how the events of that evening went down, as far as what Wanda was doing in interacting with the police, from the beginning of the process till the end, and what that led you

to believe about the quality of the police work?

*DeLuna Tape #17 05:49:53*

**RR:** Well, you know, when she first called ... And I remember also that because of where this place was at, police would come every once and a while and would get off and have coffee and knew Wanda. So, a lot of these cops knew that she was alone. So when she called, telling them where she was at and what she saw, I mean, the dispatcher, the police, everybody know where she was at, because of that two story lady that was right, facing Shamrock. Everybody knew. Everyone that uses the freeway sees it everyday, or they used to see it everyday. So they knew where she was. They knew it was a high crime area. They knew there had been a lot of calls. They knew all that! They tell her, call us back if it looks serious. Like it was no big deal. Some little minimum wage girl calling, concerned about something that's happening at eleven-o'clock at night in front of a topless place. And it was no big deal to them. And then she when she called back, again they were asking all these crazy questions instead of telling her to do something. Or, you know, I mean, I don't know where she could have gone because, like I said, she was trapped. There was no place to run.

*DeLuna Tape #17 05:50:08*

**JSL:** If you would start from the beginning of that, and just describe everything she tried to do to help herself and what the police did.

*DeLuna Tape #17 05:51:22*

**RR:** Well she uh, a customer came in to tell her that there was someone outside with a knife, and they looked like of scruffy. She called the cops, they basically tell her, the dispatcher tells her, "just call back, he's not doing anything to hurt you?" "No, no." "Call back if you see anything unusual." Next thing she knows the guy's coming in, she sees the knife so she calls, but she can't really say anything, and they start asking her all these crazy questions, about, you know, describing the fellow. And the next thing you know it, in the middle of all this she starts screaming, and I'm assuming that's when he's cutting her, with the knife. And as I told you before, listening to the tape really gives you, I mean, I never knew what chills in your spine were till I hear that tape. It was horrible to listen to someone just die.

*DeLuna Tape #17 05:52:13*

**JSL:** Oh boy. Was it your impression that perhaps the perpetrator, the assailant, got wind of what she was doing and got upset about this?

*DeLuna Tape #17 05:52:27*

**RR:** Well, I could never understand why he attacked her, other than he thought she was on the phone talking to the cops. I mean, I would think that if I was there to do no good, and the person behind the counter is on the phone with the police, I would run. I wouldn't stay there and do something and then run. Which apparently what he did. I think that's why he got caught. I think they found him under a car or something. So, I didn't know anything about this DeLuna guy. I don't know if he was on drugs or just crazy, just mean. I've done criminal work since '81, and I do a lot of civil too now, but in representing people, you have all kinds. You have people who are just crazy. They don't care. You know? Life means nothing to them. And you've got this macho thing. "How can this bitch be calling the cops on me? I haven't done nothing." I've seen that mentality. Pull out the knife. And that's why she was so scared, because she also knew based on what she saw every day, every night, that there were those kind of people that would do harm for no reason. You don't even have to give them a reason. In the olden days, you would think, two people fight, somebody's girlfriend or wife, or I stole from you. Nowadays, especially in that type of situation, that setting, you know, it doesn't matter why

you are going to do whatever you do. People can get hurt and killed. And I think that's why when I got involved there was that gut thing that told me, this ain't right. I know this ain't right. Because, when I grew up, I had a lot of jobs, too, that were kind of dangerous. Physically dangerous, not dangerous criminally, where you can get killed. But I remember that these big companies, they don't care, the bottom line is, you get your minimum wage, you pay minimum wage, and, "if you ask any questions, get out of here." And that's what was happening here. I mean, you would think, if I'm going to pay you minimum wage, to work at a place like that, where it's dangerous, and you said, "Well, I'm gonna bring my dad." And so you have two people there, for the price of one minimum wage, why would you tell that guy to leave, you know? You have two people for the price of one! One person doing it for free. And that didn't make any sense. That's what angered me the most out of everything.

*DeLuna Tape #17 05:55:17*

**JSL:** Maybe referring to an incident that even happened last night, but how much safer do you think it is today, working in those...?

*DeLuna Tape #17 05:55:24*

**RR:** Well, I think it's a little safer in that they have these

cameras now. I've seen a lot of these convenience stores afterwards, they've taken a lot of the displays out, you know? And in this neighborhood, for example, which is a real tough neighborhood, go to any convenience store, you'll never see just one person, you'll see at least two or three, and that's all day long. You'd never see one person behind the counter.

*DeLuna Tape #17 05:55:58*

**JSL:** Um.

**RR:** Like that kid I was telling you about in North Beach who got killed. He was by himself.

*DeLuna Tape #17 05:56:09*

**JSL:** Um... We have attempted to talk to some of the people at Wolfie's and been unable, partly because it's twenty some years later, and it's hard to find people. We actually tracked somebody down to Tennessee who owned the place, but it was run by the Bandito people. But it was actually owned, the building itself, by somebody else. So, I'm just curious whether you heard anything from them, not only about the general unsafe nature of that neighborhood and things that would spill over to the Diamond Shamrock, but what happened that night. Because one story that has been told about that night was that the person who committed this crime

was actually in Wolfies earlier that evening, and then came across.

*DeLuna Tape #17 05:57:02*

**RR:** Well, I heard, through my investigation, that this DeLuna guy had been drinking, that they could smell alcohol. If ... he didn't have a car, so I'm assuming that if he was drinking that he was drinking in a nightclub. I never heard from anyone in the club whether DeLuna was in there for not. But I just assumed that he was. And I don't know if it was the guy that told her that he saw someone out there or not. I don't know if he's the one who told me that he came from that direction. He was walking that way.

*DeLuna Tape #17 05:57:44*

**JSL:** Coming from West to East.

**RR:** Right.

*DeLuna Tape #17 05:58:13*

**JSL:** Have you, in the course of your dealings here, criminal cases, ever come across a gentleman by the name of Carlos Hernandez?

*DeLuna Tape #17 05:58:28*

**RR:** I've heard the name. I've heard that name. Carlos Hernandez. That would be a common name, but I've heard that name in the criminal context. I don't recall right now, how.

*DeLuna Tape #17 05:59:51*

**JSL:** When we spoke to one of the lawyers for Carlos DeLuna, he told us that--

**RR:** Do you remember who his lawyer was?

**JSL:** Hector de Peña.

**RR:** OK.

**JSL:** And he was also represented by James Lawrence, but this is Hector de Peña who we were speaking to. And he told us that at trial they only played the second tape, the second part of the tape, after the man had come in, and they never disclosed that there was an earlier call, that the woman, that Wanda had made.

*DeLuna Tape #17 06:00:20*

**RR:** Right.

**JSL:** And that it was your lawsuit that...

**RR:** ...that brought it out.

**JSL:** ...that brought that out. And he was describing how angry he was when he learned about that, because it would have affected the case, because it was part of the story of the case. But I was wondering if you had any recollection, that you had made that discovery...

*DeLuna Tape #17 06:00:36*

**RR:** I remember, see, well now that you mention Hector de

Peña, I remember talking, either to Hector, either Hector called me or James Lawrence. I kind of think it was James. And I remember them going through my files and saying, "well, we didn't have..." to quote them, "We didn't have any of this. Shit!" you know? And so, I don't know if they used that at his appeal or not. I know they they executed him a few years ago.

*DeLuna Tape #17 06:01:42*

**RR:** I remember that it was either Hector de Peña, who later became a judge, after many years, or Jimmy Lawrence, James Lawrence. It could have been both of them because they were working together on the capital murder case. They were both court appointed. And I remember, because of something that they had heard, they came to my office and wanted to look at the file. And looking at this file, I remember them saying, "We didn't get any of this, shit." So I don't know if they just withheld it or, it's hard to say.

*DeLuna Tape #17 06:02:13*

**JSL:** It would have been embarrassing to the police department to have that tape.

**RR:** It would have been very embarrassing because, in fact, I remember during the trial, we started the trial and stuff and they were coming by a lot which was unusual for them to

come and sit down and listen to it. I think they were worried about the bad press.

**JSL:** So when you say "they were coming by," the police?

**RR:** The police, they would come by and sit in...

*DeLuna Tape #17 06:01:42*

**JSL:** OK, start that over, say that again, but just tell it, when you say, "the civil trial..."

**RR:** During the civil trial, you know, throughout, I think it lasted about a week, during the course of that trial, police officers or detectives, would come in and watch. And I know that a lot of it was, at some point I knew a lot of these cops. They were concerned about the embarrassment it would cause the police department. And they wanted to make sure that I was going to focus completely on the Shamrock and not too much on them.

*DeLuna Tape #17 06:03:13*

**JSL:** Did you ever think about suing the police?

**RR:** I sure did. I wanted to, and I thought they were just as culpable as Shamrock. But, in our society, the government has all sort of immunities and protections and they make it almost impossible.

**RP:** Can you say that again, because it's unclear who you are considering suing.

**JSL:** If you can say who you considered suing.

*DeLuna Tape #17 06:03:37*

**RR:** I considered suing the Corpus Christi Police Department because I thought they were just as at fault at the time because of their non-reaction to the first telephone call, and even the second telephone call. They didn't push the button to send the troops in until after she started screaming.

**RP:** The detectives who were out in the audiences who came to see the civil trial, do you recall which detectives they were, who they were?

*DeLuna Tape #17 06:04:03*

**RR:** No. That was a long time ago. I don't know if they'd still be around. Because, they would kind of rotate, they would come in. And I don't make it, when I try cases, I don't look back. The only time I ever look at the audience is during the break I'll get up and I'll look and I'd see them and then we'd have another break and I'd see somebody else. I'd see another set of detectives sitting there. But, I couldn't remember. It was 1984.

*DeLuna Tape #17 06:04:50*

**RP:** You said that you had, that you were in the trial, and it went a week.

**RR:** About a week, I think.

**RP:** Had you already concluded your case, and the defense had already put on their case?

**RR:** I had concluded and I had started, because, I remember the last witness as their head of security.

*DeLuna Tape #17 06:05:11*

**RP:** And did you have an investigator go out and do investigative work?

**RR:** I remember I hired an investigator. I remember getting a lot of criminal records, the calls that were made in the whole area for a period of time, I don't remember if it was two years or three years before [inaudible]. And there were computer pages and pages of calls. And a lot of them at that Wolfies.

*DeLuna Tape #17 06:05:44*

**JSL:** How did you know how to do that? How did you know how to do that kind of case?

**RR:** I used to work for the federal government! [chuckles]  
I learned all kinds of stuff. Although, we never tried any cases in the federal government, or at least not in the division I was. We basically, in the Federal Trade Commission, we did anti-trust and consumer work back then, back in the late seventies. So, we, what we would do is

develop the case and get information and deal with the FBI and different people, to get stuff. And then, that package is then given to the US Attorney and they do whatever they do with it. And then when I was in the Department of Energy we'd do greenhouse regulatory stuff, and we'd have accountants assigned to attorneys. And so, that was also investigating. That was all I did was investigate. Never did anything else! Didn't know how to try a case! Didn't know where the courthouse was, but I could investigate something!

*DeLuna Tape #17 06:06:36*

**JSL:** Well, that's interesting. It probably helped you a lot to put the two skills together.

**RR:** Yeah, it did. And because I was so inexperienced... You know, it's kind of like, nowadays, you know, in the olden days when they had the draft, you'd want the young soldiers because you'd tell him, "go through that door," and they don't ask no questions, their going to go through that door, with or without a gun. You're in your thirties, "Go through that door!" "Wait a minute. What's on the other side?" And I was that way. I was inexperienced and stuff and so I was doing stuff that normally, I mean, now, I would think about it first. I mean, I'd go to the Police Department and demand stuff. Now I'd probably say, wait a minute. So, and I would

talk, I mean, I went to the neighborhood. I went knocking up and down on the doors and stuff. And I knew a little bit about Wolfie's too because I think it was a year before or two years before, there was this guy named Jesse. And Jesse was a little kid. He must have weighed a hundred pounds. He went into the Wolfie's, got drunk, two beers, three beers, he was just a little punky kid. Eighteen, nineteen years old. And he started grabbing the girls. And so they told him "quit grabbing them." Well, the more he drank the more he grabbed. So they took Jesse outside, the Banditos did, and not only did they beat him up, but then they told him, so that he would never forget, they sliced up his back. So then, he was in the hospital, when he got out, well he didn't forget. He came back in and went to the ... Fat Richard was his name. He was the bouncer at the door. He went in, he drank a couple of beers, came back, and said, "I didn't forget," and emptied six guns, six bullets, into Fat Richard. He killed him. Ran out, and they caught him about two or three blocks from there. And so, I was familiar with some of the stuff.

*DeLuna Tape #17 06:08:40*

**JSL:** You heard--

**RR:** I represented the kid.

**JSL:** You represented the boy.

**RR:** Jesse. Got him off, too! [giggles gleefully] I got him off...

*DeLuna Tape #17 06:08:49*

**JSL:** How did they carve up his back? With a knife...?

**RR:** With a knife.

**JSL:** Did they actually...?

**RR:** Well, I said carve up, but it's a street term. They just sliced him up so that he wouldn't forget. That little bastard, though, he was from a little town called Rockstown [Robstown? Rockport?]. A lot of tough, tough people come from .... He was one of those tough little hundred pound kids. He came back and said he didn't forget. So, I knew it was a tough place. I would go into Wolfies and talk to.... I knew the owner, you know, the guy... We went to school, and I kept up with him throughout the years.

*DeLuna Tape #17 06:09:24*

**JSL:** If you run into him ever soon, you tell him that some people would like to talk to him that have nothing on him, nothing against him, he just happens to be an innocent bystander who was there at that time, and we'd like to talk to him about that night. Really.

*DeLuna Tape #17 06:09:37*

**RR:** I'll call some people that might know where he's at. I

haven't seen him in a long time.

*DeLuna Tape #17 06:10:17*

**RR:** You know, you should talk to Jim Lawrence, you know, if anybody tried that case, it was probably Jim.

**JSL:** Why do you say that?

**RR:** Well, you know, as lawyers, everybody thinks, the lay-person thinks that because you're a lawyer you try a case. Well, at least in this town, ten percent of lawyers try cases, the rest of them don't. This guy's one of them, and then he became a judge, and just recently lost after, I guess ten, twelve years on the bench. I remember when DeLuna went to trial, Jim was the one who was doing all the work.

[tape ends]