

OFFENSE REPORTED CAPITAL MURDER		LOCATION OF OFFENSE 2602 SPID		OFFENSE RECLASSIFIED TO				
DATE OF OFFENSE 2-4-83		DATE OF SUPPLEMENTARY 2-8-83		VICTIM'S NAME LOPEZ WANDA				
WITNESSES	1	ADDRESS CHECKED	PERSON CONTACTED	HOME ADDRESS	TELEPHONE Res. Bus.			
	2				TELEPHONE Res. Bus.			
SUSPECT	RACE/SEX	AGE	HGT	WGT	HAIR	EYES	CLOTHING DESCRIPTION	ARREST SHEET NUMBER
	IDENTIFYING CHARACTERISTICS				NAME (L.F.M)	DOB	HOME ADDRESS	
SUSPECT VEHICLE	LICENSE	STATE	YEAR OF VEHICLE	DESCRIPTION				

Witnesses and suspects not named above should be identified and listed before beginning narrative.

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Sgt. Escobedo from CID contacted me and requested that I expand my supplementary originally written on the Homicide of Wanda Lopez at 2602 South Padre Island Drive on 2-4-83 (Signor Gas Station). I contacted the suspect Carlos De Luna as he was lying on his stomach under a pickup truck in the 4900 block of Franklin. This location was only several blocks from where the Homicide occurred and I contacted him shortly after it occurred. Deputy Constable R. Rivera was kneeling on the pavement on the pickup truck's west side and was ordering the suspect to get out from under the truck. Deputy Constable C. Vargas was on the truck's east side and doing like wise. I knelt next to Constable Rivera and we pulled the suspect by the arms from under the truck and put him stomach down onto the grassy area immediately adjacent to the truck. The subject yelled, "you got me now, don't hurt me" and I handcuffed him as he was saying this. The subject wore only black loose fitting pants and had no shirt or shoes on. His face was very dirty and his chest had dirt and stains on it. I searched him while he was still lying on the ground and found a wad of bills in the suspect's right hand pants pocket. I also removed the suspect's wallet from his right hand back pants pocket and set it on the ground (my intent was to search the wallet for the suspect's identification). This wallet I later tagged as evidence. The suspect was breathing very hard when Constable Rivera and I stood him up. His eyes were very staring and had a distant look in them. Officer Hylett then came to where we

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REVIEWING SUPERVISOR LT. NGONLEY 262	STATUS
REPORTING OFFICER MARK DSCHAUER 684	FILED WITH DA <input type="checkbox"/> CA <input type="checkbox"/> JP <input type="checkbox"/> MC <input type="checkbox"/> SUPERVISORY REVIEW <input type="checkbox"/>
PROGRESS REVIEW DATE	CONFESSION <input type="checkbox"/> INDEXED <input type="checkbox"/> INSUFFICIENT EVIDENCE <input type="checkbox"/> OTHER <input type="checkbox"/>
SUPERVISOR'S INITIAL	

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were standing and recognized the suspect by name. Constable Rivera and I then walked the suspect back to my car, several blocks away. I noticed the suspect had three or four scratch marks under his right arm and on his chest and the blood on them was still fresh. The scratches were only superficial. Before I transported him back to the crime scene, I read him the Miranda Warning (at 8:49 p.m.) and he interrupted me several times and said "Yeah, I know, I know" and even recited several lines of the warning with me. He talked very fast and asked "Hey, can I ask what I'm being arrested for, man?" "Hey, what am I charged with, man?" "Hey, man what's the charge?" He asked me these questions before I read him his rights and also after even when I told him what the charges were (at this time I told him aggravated robbery and murder). He continually asked me these same questions over and over during the short drive to the crime scene and he was not silent for even a moment. When we arrived at the crime scene I parked the car behind some other vehicles so the scene could not be observed from the car. The suspect said "Hey, man, you take care of me and I'll take care of you". He said this over and over and also kept asking to speak with a sergeant. He sat up right on the edge of the rear seat and still had that faraway look in his eyes. Before I transported him to the city jail, the suspect also said, "I didn't do it, but I know who did it", and again and again he said "I'll help you if you help me." He talked continually during transport and

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REPORTING OFFICER N. D. SCHAUER 684	CONT'D PAGE 03
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also at the booking desk. I asked him a number of times to calm down and wait a minute so that I could finish my reports while waiting for I. D. to come to the booking desk, and he would reply "all right, all right" and then say something and ask another repetitive question. I answered his questions as best I could but he would ask the same one over again. He also asked me to get cigarettes no less than ten times in five minutes and then again and again after that. The suspect originally refused to answer arrest sheet questions during transport and at the booking desk, however, I did answer his questions and he finally cooperated and answered all arrest sheet questions. I had the wad of bills rolled up and lying on the table where the suspect could see them. I pointed to them and asked, "How much money did you have there?" He looked hard at the wad and I observed that he appeared to be counting them to himself (the twenties were observable at the bottom of the roll). He then replied, "About 110, 115" I later counted the money and determined there was \$149.00. All these bills were wet, however those two, one dollar bills in his wallet were dry. I also asked him what he was doing in that area when I arrested him. He replied that he was buying beer at a location near the K Mart on Ayers and that the police had chased him for no reason. During transport I had asked him if he had been drinking, and the suspect replied that he had ("2) beers". I did not smell alcoholic beverages on his breath or person, however.

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REVIEWING SUPERVISOR L.T. MCCONLEY 262	STATUS <input type="checkbox"/> RTP <input type="checkbox"/> UTP <input type="checkbox"/> <input type="checkbox"/> FILED WITH DA <input type="checkbox"/> CA <input type="checkbox"/> JP <input type="checkbox"/> MC <input type="checkbox"/> <input type="checkbox"/> SUPERVISORY REVIEW <input type="checkbox"/> <input type="checkbox"/> CONFESSION <input type="checkbox"/> <input type="checkbox"/> INDEXED <input type="checkbox"/> <input type="checkbox"/> INSUFFICIENT EVIDENCE <input type="checkbox"/> <input type="checkbox"/> OTHER <input type="checkbox"/>
REPORTING OFFICER M. D. SCHAUER 604	28-2-83
PROGRESS REVIEW DATE	
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