

*February 24, 2005*  
***Robert Stange Interview Transcript***

15:09:32

*(shot of Robert Stange, seated)*

15:09:53

**JSL:** Ok, it's February 24<sup>th</sup>, 2005, it's about 6:30 in the evening. We're in Fredericksburg, Texas, and we're here with Robert Stange. Robert, would just tell us your name and a little bit about yourself, where you grew up, and where you live today. Just a little bit about yourself.

15:10:14

**Robert Stange:** Ok. My name is Robert Stange. I grew up in West Texas, in El Paso. I spent about 17 years there and then moved down to Corpus Christi with my parents, right after graduation. I started work there in several fields, and wound my way into the convenience store business. I did that for 18 years and decided it was time to move on. I decided I wanted to move to a quieter life. Corpus is not a big town, but I wanted a big change. I knew it wasn't where I wanted to live. It wasn't "home" home, it was just a place I was living, and so that's how I wound up here.

15:11:00

**JSL:** And when you were in the convenience store business, tell us about that, how you got into that, and your career in it for the time you've been doing it.

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15:11:10

**RS:** I got into that . . . I worked for a . . . One of my first jobs when I got to Corpus, I worked for a copy machine company. And I would do preventive maintenance on the machines, and deliver paper and copy machines, and pretty much whatever they needed. Well, one of the fellows that used to work part time for this Don Brown Business Systems, he was currently managing one of the locations for Sigmor, which ultimately became Diamond Shamrock and so forth. And when he found out I wasn't working anymore, he contacted me and said, "Would you like to go to work for us? We'll give you all the hours and all the overtime that you want. You'll make a good living." I said, "I already have a job," I had already gotten a job as a mechanic when that had fallen through. And I went in, and I went to their office and I took the honesty test or personality test, whichever you prefer. I never heard anything. So it was about two weeks later he called me and said, "Where you been?" I said, "I've been right here." He said, "Well, when are you going to come to work?" I said, "Well, as far as I know, I didn't pass the test." He said, "Yeah, you did. They want to talk to you. Come on in." I said, "Well, ok." And that's kind of how it started. He was a manager, and I started working for him. And that's kind of how it started. Within 6 or 8 months I became assistant manager at that location.

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Then within 3 or 4 months of that I took over another location for the company, which was ultimately this location.

15:12:52

**JSL:** So approximately what year was it that you first started working for Shamrock?

15:12:55

**RS:** I started in April of '81. So I started working in that particular location somewhere in '82.

15:13:10

**JSL:** Take us through, the first location you worked at, just take us through the locations you worked at.

**RP:** And whenever possible, could you use the name of the company, 'cause we're going to edit out all of Jim's questions, so that we know exactly what you're talking about.

**RS:** Ok. Now, the company changed hands multiple times. When I started, it was Sigmor. So do you want me to give you-

**JSL:** Well right now, you might take us through, and just tell us.

15:13:34

**RS:** Ok. Well, when I started with the company I worked at store number 126, was Weber and S.P.I.D. And at the time, we were called Sigmor. We were a small chain of a hundred and some stores owned by Tommy Turner out of San Antonio. He built not only that business, but he built the refinery, he built the bumper company,

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radio stations -- he was quite an entrepreneur. And so he built these locations and that was part of how Sigmor came to be. He was an industrial lubricant supplier. It was kind of like the Wal-Mart of today. He did everything. Like one of our grocery stores: they not only make their own products, they deliver, they supply other locations, so that's how . . . I believe he got started in 1968.

15:14:40

**JSL:** Ok. And then after it was Sigmor, start with Sigmor and tell me what it became after that.

15:14:45

**RS:** I believe it was '86, '87, or '88. Diamond Shamrock came in and bought those locations, or bought Tom Turner's interest in Sigmor, and the refinery, and the trucking companies that delivered the fuel. And I believe that was in . . .

**JSL:** You don't remember?

**RS:** I don't remember exactly. It could be '84 or '85.

**JSL:** And then what other companies did you work for?

15:15:19

**RS:** And then it went from Diamond Shamrock. But we still went under the trade name Sigmor until along '93. And then all the stores were renamed. Sigmor went away. They were all named Diamond Shamrock. And that floated along well. And that was '93.

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T. Boone Pickins bought us, and then they sold off the exploration part of it, and it was just Diamond Shamrock. And then, 'long about '96, Ultramar came in. We merged. Ultimately, in a couple years, it was the plan of the CEO, Roger Heminghouse, originally with Diamond Shamrock, that he would phase himself out over several years and he would then let Ultramar take over, which they did. Then a few years ago it became Volero. But they stayed under the name Diamond Shamrock.

15:16:31

**RP:** Can we turn off the fan here, because I'm getting a lot of noise.

**RS:** Ok.

15:16:34

(camera cuts to new shot, still Stange)

**JSL:** -through the locations you worked at, giving the addresses. You say you started and Weber-

**RS:** Weber and S.P.I.D. And we referred to the locations by store name. That was store number 146. That's where I started. And then I was to go in and fill in at another location while a manager was on maternity leave, with the possibility of taking over if things went well. And that was number 47, and that was at Ayres and S.P.I.D., ultimately this particular location where Wanda Lopez was killed. I stayed there until '91, and I got a

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transfer to a location in Portland, Texas, the store number was 979. It was a larger-volume store, so it was promotion. I did that for 2 years. In '93 I got promoted to an auditing job, where you travel around and you count each store. You go in and you do a store each day, and you take a physical inventory. We have in-house auditors, and I did that for them for 4 years, 5 years. And then ultimately became an area manager of nine locations, which didn't include the location where she was killed. That was given to another area manager at the time.

15:18:12

**JSL:** Going back to February of 1983, tell me the structure, the business structure, of that, I believe you said store number?

**RS:** 47.

**JSL:** Store number 47. Ok, so, employee, manager, just take us up through the chain of command.

15:18:37

**RS:** Ok, at the time we had store operators, which were clerks. And I believe at the time, that's what we called them, we only called them clerks. And depending on the volume of the store, you either had one, two, or four, it all depended on the number of payroll hours you were allowed. Then there was the assistant manager, then the manager of the location. And over above that was the supervisor, that was what they called them at the time,

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and they had multiple locations that they were responsible for. I believe, at that time, [Pete] Gonzales had between 6 and 8 locations at the time. Some were in the city, some were out of the city. And from there, there were 4 or 5 supervisors that covered the 40, 44, somewhere in that neighborhood. They all reported to a division manager. And the division manager reported directly to Tom Turner.

15:19:45

**JSI:** Ok. So tells us now, at that time, if you can remember, who the assistant manager was, manager, just take us up and give us the names.

15:

**RS:** Of store 47? I was the manager of store 47. Wanda was the assistant manager, and I believe at the time I had a clerk by the name of Roger, I'm not clear. It was a period when we were very short-handed, and if we had another one, it may have only been part-time, and I may have been sharing that particular person with another location. I'm not clear on the third person that was in the picture at that time.

15:20:27

**JSI:** And who was the next person up on the chain?

15:20:29

**RS:** The next person above the store manager, the supervisor, was

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Pete Gonzales. And the division manager at the time was Jim Manning. Jim Manning did report to another individual, and I'm not clear on who that was.

15:20:52

**JSL:** Describe your relationship with Wanda Lopez, how long you knew her, use her name.

**BW:** Tell us all you know about Wanda Lopez, what you remember about her.

15:21:10

**RS:** Wanda wasn't that long term in my store. I can't tell you how long she worked there. It was a period under 6 months, because she was a transfer from another location. Another location, another supervisor. She came from store number 143, at Eberhart and Holly. She came to us because there was a dispute between her and the manager, and she wanted . . . she had to get out from under that manager. At the time, I had an opening for an assistant, or we traded assistant managers. We might have made a trade. At the most, she worked for me probably four months, and I don't even think it was 3.

15:21:10

**JSL:** Using her name, tell us about Wanda.

15:22:06

**RS:** Wanda, she was always happy. It was about her daughter.

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Wanda was, I don't believe she was through divorce but I know she was in the process of getting a divorce. I don't know in-the-picture her husband was, I don't recall how that was. I do know that Wanda was living with her mother, that she did have custody over her daughter, 3, 4, or 7 years old.

15:22:45

**RS:** Wanda would go out on Friday nights or Saturday nights after she got off work, but she always, to my knowledge, she always went home. Ultimately, she wanted to appease her mother and support her daughter.

15:22:07

**JSL:** What was the situation with -- was she seeing anybody, were there other individuals in her life?

15:23:14

**RS:** I can remember her seeing somebody, but as far as a name, I'm not clear on who Wanda was seeing at the time. I don't believe it was a very long-term relationship, somewhere in the neighborhood of 6 months, probably quite a bit under. But I don't remember her going through multiple boyfriends. This individual, if they were boyfriend/girlfriend, she hadn't been seeing him other than that long. Like I said, I don't even know if Wanda was divorced at the time.

15:23:57

**JSL:** Did you have a sense of how happy she was in this

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relationship?

**RS:** In her marriage?

**JSL:** Not in her marriage, but in the relationship you've just described.

15:24:10

**RS:** I believe she was happy. It was still new at this point. The sad thing is I can't remember the name of the individual.

15:24:50

**JSL:** Did the individual who she was seeing come around the store at any time?

15:25:00

**RS:** I've tried to remember those details. I can picture her pulling up in a car and getting out on the passenger side on paydays, or being dropped off, but it could be her mother as well as her boyfriend. I'm sure, if it was her boyfriend, she was being dropped off by him.

15:25:24

**JSL:** Tell us about her relationship with her parents.

15:25:30

**RS:** I don't know much about her dad. I do know that she spoke a little bit of her mother. Her mother was kind of strict but allowed her to have some fun. Wanda never spoke ill of her mother. I don't recall her speaking about her dad, I don't recall

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that.

15:25:55

**JSL:** Was she concerned about her safety? Did she speak to you about that?

15:26:00

**RS:** If we spoke about that, it might have been more along the lines -- and I hate to put it this way -- but it was more along the lines of a joking manner. But as far as was she scared of being there? No. I had other employees before, and certainly after, who would call me because they were concerned or there was somebody outside or they just didn't feel right. And I would ultimately go up there and make sure they were ok. But Wanda never expressed that. I can't tell you if Wanda was ever robbed at another location, I can't tell you if she experienced that.

15:26:47

**JSL:** Do you know if there were people coming around while she was working there to see her? Her friends or others?

15:26:53

**RS:** As far as Wanda goes, it would be really unfair if I said that. Just about anybody we hired had people coming around. Mother, father, brother, sister, friend, new friend. Bring them dinner, those kinds of things. There were so many employees I worked with, I couldn't honestly tell you I remember anything

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specific about her. But in general, yes, they all did, they all did.

15:27:30

**JSL:** Tell us about February 4<sup>th</sup>, 1983, everything you remember, from beginning to end, using names, places, locations, whatever you remember.

15:27:50

**RS:** As far as that evening, that day, I can remember leaving the location somewhere in mid to late afternoon. We had a display of Tootsie Rolls. Inside that there was a cardboard backing of a heart, and it was filled with Tootsie Rolls. It sold for ninety-nine or a dollar forty-nine. We joked about Valentines Day coming up, and she hadn't gotten her Valentines present. So I handed her one of those and said, "Well, there you go." That was pretty much my day at that point, I was done at that point, and I went on home. My day started pretty early. It was later in the week, and that would have been after our inventory. Every week in our store you did a full physical inventory of all merchandise. And that would have been a day or two afterwards, and I'm sure I was tired, because I know when I got the call I was already asleep.

15:29:10

**RS:** I just remember it was dark when I got to the location. I remember the dispatcher calling me and telling me there had been

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an incident at the store, and I needed to come down and secure the location. They wouldn't tell me what it was about. They wanted to know what direction I was coming from in case they could give me an escort. I knew that wasn't good. I didn't know what had happened, but I knew that wasn't good. As far as this day, this is the overriding event of the day.

15:29:50

**JSI:** Take us from that point forward. You got the call.

15:30:00

**RS:** I got the call, I wasn't sure what happened, but I flew out the door and got there as quick as I could. My supervisor, Pete Gonzales, was already there, I believe he had just gotten there. I believe there was an ambulance on site, I believe they were pulled in on the other side of the store. There was police in and around and there was other people lingering around. And the police were talking to certain people. I went over to Pete and asked him what was going on, and he told me Wanda had gotten hurt, or she'd gotten stabbed, and they didn't know her condition at that point. And we were talking near his car on the sidewalk outside the store near the street. And we were leaning against the car and looking inside the location. At that time, we weren't allowed anywhere near the location. The police were . . . whoever was in the parking lot at the time or whoever the witness was, he

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was held in that location. His car was held in that location. We didn't really have any contact with the police at that point, or virtually anybody. He did tell me that it didn't look good, but he didn't know any more than that.

15:31:20

**JSL:** Take it from there, when you were speaking to Pete Gonzales outside-

15:31:27

**RS:** Yeah, we were trying to figure out what could have happened, what did happen. We were trying to understand how she could be stabbed. Certainly violence in Corpus at that time was not high. It was the first death in a convenience store for Corpus Christi. And so there was a whole lot of "What just happened here?" Wanda was on the stretcher, or they had just moved her to the stretcher. I remember Pete describing that she had stumbled towards the door, and she had fallen against the door frame, and that's where they found her when they got there. I believe she was revived before she left the store, and once in the ambulance, and they tried to revive her again at the hospital, but she had passed away. They were able to pull her back several times. She was taken to the location, we weren't allowed into the store at that point. Some time after she left, police did bring back in the car, and in the back sat a gentleman, and he didn't have his shirt on, and I

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believe that was the individual. I don't know how they came to that conclusion, they did say they found him hiding under a car. I don't know how far away, it was only a few blocks.

15:33:12

**RS:** I'm unclear as to how they were pointed in that direction, or how they were able to track or ascertain that that was the person. 'Cause we had robberies certainly after that, and the police never got there even close to the time, or found anybody, or saw anything. How they zeroed in on this particular individual, I don't know. I'm not sure.

15:33:45

**JSL:** Take us from there, what happened after they returned. When the police vehicle returned, you said the man was in his back and he had his hands behind his back. Was that because they were handcuffed?

15:33:57

**RS:** He was handcuffed in the car, and I believe they brought him back or . . . The one male witness who was out at the gas pumps across the way, directly in front of the cash area, he had seen what was going on. What he stated, or what he, in comments that were made but weren't made to me, he wasn't sure what was happening, what he saw. He thought at first they were just friends and they were just playing around. It was only at some

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point in there that he realized there was more to it. If I'm not mistaken, he had actually walked towards the door as this individual was running out, and he ran west and around the building.

15:35:05

**RS:** For some reason now, I'm picking up this, he'd opened the door, and he'd asked Wanda if she was all right, and she told him "Help me," or "I need help," something on those lines. I believe she was found close to the door if I'm not mistaken.

15:35:26

**JSL:** Stop there, and . . . When all of this was happening that you've just described, the police car comes back with the gentleman in the back seat with his hands behind his back. They were picking up some information from the gentleman who had been buying gas. Where were you at that point?

15:35:45

**RS:** When all this was going on, we didn't approach the location -- we, that would be Pete Gonzales and myself -- we didn't approach the location until the ambulance was gone and some of the commotion by the store was released. We were still considerably on the other side of the gas island, near the street. Only when the ambulance was removed did the police allow us to get closer. And at that point we began to meander around the area of the store

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that was closest to a side street.

**JSI:** That's Dodd Street?

**RS:** I believe it was Dodd Street. There was a cross street right by that location.

**JSI:** What was on the other side of that street?

15:36:36

**RS:** What was on the other side of that street? On the other side of the street was a bar, for no other better word. It was owned by the Banditos, still is.

**JSI:** Strip joint.

**RS:** Strip joint. I don't remember if it was open or closed. It might have been one of the periods when it was shut down for owner change or this, that, and the other. I don't remember if it was actually open at the time.

**JSI:** How many people were around?

15:37:15

**RS:** It's really hard for me to say. I know there was three or four police cars. There were people driving along real slow on the frontage road, and in the cross street, trying to figure out what was going on. There was three or four police cars at that point. There were crime scene people that were doing fingerprinting that were coming in and out of the building. Pete and myself, we found ourselves over by what we call the wing wall,

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which was an "S" there, a location for 2 or 3 cars to pull up to.

I remember they brought the car back, and we kind of wandered over to the car, and there was this gentleman sitting in the back.

That was the person they believed did it. If I'm not mistaken, the one male witness was brought over to actually identify him.

15:38:06

**JSL:** Describe that process.

15:38:09

**RS:** I'm not overly clear, because I believe we were kept separate from the witnesses. I don't remember ever getting really that close to him during that time. There was a period when we did, I can't tell you when that time frame was, was it before they brought him back, when Wanda was on the stretcher. I'm not clear on when that exactly was. But I remember him . . . if I wasn't listening to that conversation, I was heard it secondhand from Pete Gonzales as far as what he said, what he saw transpire inside. For some reason, Pete made the comment that he [the witness] was in the lines of one scared individual. He didn't want to be involved. Now that I think about it, he wanted to . . . He pulled up to the gas pumps, and he was waiting for Wanda to turn on the gas pumps, and that's what got his attention to look inside the store. And he needed gas to go somewhere. And one of his points was he just wanted to get his 10 dollars and get

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on his way. For some reason now that struck me, that he wanted to get his gas so he could get away. He didn't really want to be involved in this whole thing. He knew what had happened and he didn't want anything to do with this. That just came back.

15:40:00

**JSI:** When you said there was one scared individual, that was about-

**RS:** That was the male individual.

**JSI:** And looked inside.

**RS:** And I believe, if I'm not mistaken, he parked on the outside of the gas pumps. He'd gotten out, he'd pulled the pump handle out and stuck it in his car. He was waiting for Wanda to authorize the pump, because everything had to be authorized before the pump was turned on. And I don't believe the pump was authorized at that point, and that's what got his attention, to say, "Hey, I'm out here, turn the gas pump on." And I think that's when he actually saw what transpired, if I have the recollection as to what happened.

15:40:48

**JSI:** And describe that again, what your understanding was that he had-

15:40:55

**RS:** My understand was, when he looked in the location, he had seen Wanda and a man. At first he thought they were horsing

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around, and it was only a short period of time later that he realized that they weren't horsing around and that she was in danger. I believe he was fearful, he was afraid. I won't say he was paralyzed, but he didn't know what to do at that point. I believe he was young, between 23 and 28-year-old. He was kind of unsure what to do. I do remember that he did walk towards the door. I don't remember if he opened the door for him, or if the door was opened and he ran out. But I don't believe that the door had closed before he'd seen her. I'm sure he spoke to Wanda . . . excuse me, I'm sure Wanda spoke to him.

15:42:00

**JSL:** Your understanding was that his initial impression -- I'm going to offer this, and you tell me if it's right or wrong -- when he first saw them inside interacting with each other, that is, when the gentleman who was out there to pump gas looked inside the window, hoping somebody would turn the gas on so he could pump, he saw a woman and a man inside-

15:42:25

**RS:** Inside. Now let me go back just a little bit. The counter . . . there was a work counter for the employees that faced the gas pumps. Then it was a 90-degree turn to look down the aisle of the store. The counter was 4, 5 feet long, then there was a back room behind us, directly opposite the window.

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There was a flap door, or we had a counter door that closed. It was to remain closed. The gentleman was, I'm not sure, but I believe this customer had seen this Carlos -- I believe it was that's who it was -- he jumped over the counter, the counter was closed, and he was in the back area with Wanda. I don't know if he caught sight of the knife or the look on her face. I believe it was the look on her face.

15:43:43

**JSI:** And when he first saw them and he had this first reaction he thought they knew each other.

**RS:** And they were just horsing around, yes.

**JSI:** So if you could put that in your words, when he first looked at them, his first impression was-

15:44:00

**RS:** It looked like a friendly relationship at that point. It looked like Wanda and the gentleman were somehow engaged. Some form of physical engagement, whether he had his arms around her . . . it looked like they were embracing.

15:44:30

**JSI:** Would you describe what you understand took place in regard to the customer, the individual we've just been describing, the customer, when he was asked to go over to the police car where they had brought back somebody in the back seat. Describe how you

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understand that took place.

15:44:55

**RS:** He was asked to go over to-

**JSL:** The customer.

**RS:** The customer. I have no idea of his name. The customer was asked to go over to the police car. I was away from that situation, I was near or in the gas island area, and Pete was over closer to the police car. I don't remember if I was engaged in conversation with somebody else, another store manager, I don't recall. I do know that, when he was summoned over to the car to identify the person that, he was extremely scared and he did not want -- the witness did not want to go to the car to identify him, because he was scared. He did not want to go and be that close to that individual, and I believe the police had to do some coaxing to get him over to the car to make that identification.

15:45:56

**JSL:** How did the process go at that point, when they got him over to the car? Where was the man, was he . . . How did that happen? You described some of this for Kate, at least she has some notes here . . .

15:46:18

**RS:** I remember the suspect sitting in the back of the police car. The police car was parked kind of along the line of the side

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street. The car was parked parallel to the side street or relatively close. He was sitting on the back left, he was sitting in the rear seat closest to the left door, in the light.

**JSL:** Passenger side or-

15:46:55

**RS:** Driver's door in the back. And he was sitting closest to the light of the store, so that he could be seen. The witness, I don't remember if the witness came around the car to look in the window, or whether he looked in the front window to make his identification. I don't recall that clear enough.

15:47:22

**JSL:** Do you remember flashlights?

15:47:30

**RS:** Seems to me that there was three or four flashlights held to help illuminate the face of this individual, but I'm not 100% sure on that. The lighting at our location at that time was certainly not what it is today, so they would have needed some more, but I don't want to speculate on the flashlights.

15:48:00

**JSL:** So as far as you saw, the gentleman in the back of the car -- let's call him the suspect -- stayed inside the car.

15:48:09

**RS:** That is correct. To my knowledge he never got out of the

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car. He was sitting in there with no shirt. I believe the police had his shirt, but I don't believe it was in the vicinity of the suspect at that point.

15:48:30

**JSI:** And the customer, was he standing by himself or were there other people around him?

15:48:34

**RS:** I believe for the most part he stood by himself.

**JSI:** And looked through the windows.

15:48:40

**RS:** And looked through the windows. I say that, but there had to be somebody around him because he was not a willing . . . He was terrified to go identify this person. I don't know where this came from, but he feels like he was lucky that he wasn't killed just for being there. I don't know where that comes from, but that was either stated somewhere along the lines or the police relayed that, but I know he was very uncomfortable about making an identification.

15:49:16

**JSI:** How did you hear that the individual that they had in the car, the suspect, had been found nearby? How did you hear that?

15:49:30

**RS:** That was going around the parking lot. The people that were

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milling around the parking lot. And that was other police officers, some of the other investigators. I know Pete tried to stay close to one police officer or another virtually all the time. He would come back and bring a little more information each time. We do know the suspect was found under a car. We don't know if a chase was involved. I believe they had his bloody shirt. I believe that he had some blood on him, I don't know where.

15:50:18

**JSL:** Just to clarify, the information that they had found him nearby underneath a car shortly before they brought the suspect over to the station, that was information that you learned that evening, there in the parking lot.

15:50:32

**RS:** On site, before the suspect left. Before the investigation . . . The analyst was gone by then. But that was learned before we were allowed back in the store. They were still in the interior of the store, taking photographs and fingerprints.

15:51:13

*(same shot of Robert Stange, seated)*

**JSL:** Robert, would you describe for me what you learned, and when, and how, about the police apprehension of a subject on that evening, February 4<sup>th</sup>.

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15:51:30

**RS:** It started as a rumor, or . . . There was certainly police cars in the parking lot at the time. Doors were open, windows were down, and the radio transmissions were coming back that they had somebody under a car and they were going to bring back to the location for identification. Now, did we hear later on from other police officers or other sources that he was found under a car, they did have his shirt . . . I don't believe if we heard the radio transmissions correctly. I believe they stated they had a suspect and he was under a car, but I don't recall at the time whether it was stated that he was under a car or found under a car. But if nothing else, we did hear that later. Before the police officers all left, and before the suspect left, we had learned that he had been located under a car. They did find a bloody shirt, I couldn't tell you if that was at the scene or not. They did find some blood on him that they couldn't account for.

15:53:00

(camera cuts to new shot, still Stange)

**JSL:** Describe the portions of the parking lot area of the gas station and store that you and Pete Gonzales had access to if you wanted to walk-

15:53:17

**RS:** After the ambulance left . . . Prior to the ambulance

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leaving, we did not have access to an area of the parking lot any closer than the gasoline pumps at the time. For some reason I seem to remember a police officer standing by the two right-hand pumps, which would be the furthest away from the window, and he was keeping us back. The ambulance was on scene, and he did not want us to get any closer. I was parked across the street, in the grass and on the sidewalk, and Pete was parked next to the curb, but there was still room for at least one car between his car and the gas pump. We were held, or we congregated, around his automobile at the time, because we weren't allowed to go any further. After the ambulance had left, we were allowed to get closer to the store. We couldn't go near the door yet, and that's why we congregated near the left wing wall. We were curious, too. We were trying to figure out what had happened, could we see in the store, some curiosity there.

15:54:40

**JSL:** When you say the left wing wall, was that on the left side as you face the store?

15:54:43

**RS:** That is correct. We had wing walls on either side of the store, and the wing wall that we congregated at was the one closest to the side street, or, as you looked at the location, the one on the left-hand side. And it was set in such a way that it

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was . . . The windows were fairly close to the gas pumps, there was a small sidewalk to the gas pumps. There was an access way, a sideway, between the building and the wing wall, approximately four feet. And the wing wall went for somewhere around 20. And that allowed three cars to park in that area, to pull straight up and straight in and park and come into the location. There was a big "S" on the wall. So the area was fairly significant. Now we were allowed around the sidewalk, near the location, by the windows? I don't believe we were allowed that close. I believe we had to stay off of that area. We were . . . So when the police car pulled up, the area from the wing wall to the street, it was mainly gravel. It wasn't asphalt or concrete.

15:56:00

**RS:** And that area, from the wing wall back, was where the transport drivers would drive. So they would routinely tear that area up, but it was open. So when the police car did come back, he pulled around the back and swung in to the wing wall so that he could parallel the side street. So he drove through the mud holes, because there was potholes in that area.

15:56:35

**JSL:** How close did either you or Mr. Gonzales get to the patrol car that had the individual in it?

15:56:45

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**RS:** I can remember standing 4 feet away from the car. And I can remember looking at him from, say, about mid-driver's door. I was about mid-driver's door and I was about 4 feet away from him. So that put me about 2 feet, a foot and a half from the door. I don't know where Pete was at that point, but I know that at different times Pete and I would trade positions because we wanted to see the individual.

15:57:20

**JSL:** What did he look like? What was his expression? What was he doing, the suspect?

15:57:30

**RS:** He wasn't trying to hide his face. There wasn't really much of a facial expression. There wasn't anger or anything. I don't even want to say there was a confusion on him. It was like, "Well, I'm here." He didn't try to hide his face. And when you looked at him, he looked back at you, but in the way of a glare, not necessarily a, "What am I doing here?" or "What do you want?" He was glaring at you like, "I'm here, deal with me now."

15:58:16

**JSL:** Would it be useful to get a diagram?

**RP:** Not at this point, no.

**JSL:** I'm understanding, because I looked at the scene a lot.

**RS:** Some of the wing walls aren't there, because the area has

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been changed a lot.

15:58:47

**JSL:** Let's establish some directions, that is, geographic directions, so I can be clear. So you've got the station and it faces out on to the S.P.I.D. frontage road.

**RS:** Frontage road.

**JSL:** So if you were facing the station from S.P.I.D., as you were. I gather that Pete and your cars were along the frontage road.

15:59:14

**RS:** We were parallel along the frontage road. I was parked closer to the street, and he was . . . There was a small curb. You have the frontage road, you had a curb, you had about a 5 or 6 foot grass area, you had a standard sidewalk -- I say standard at the time, it was about 3 and a half, maybe 4 feet -- and there was a section of grass, about 2 or 2 and a half feet before you got to a curb. And it was a very low curb. And then from there it was all parking lot. He was parked in that curbing area . . . I don't want to say centered in front of the pumps, but the usual spot that he pulled in. That was a location that he normally pulled into.

16:00:05

**JSL:** So let's say you're standing right alongside the frontage road and you're facing the gas station, facing the pumps, then the

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store. On the left would be the side street that you're referring to.

**RS:** Correct.

**JSL:** And that, we think, was Dodd Street.

**RS:** (laughs) Somebody stole the signs.

**JSL:** Never mind, it doesn't matter. And opposite side of that was this strip joint.

**RS:** That is correct.

16:00:35

**JSL:** And that direction, if you pointed to the left, you're facing the station but you point to the left, you'd be pointing essentially West.

16:00:46

**RS:** Essentially West. West-Northwest, yes. The store faced South-Southwest. Not a true direction, because the South would have been more down S.P.I.D.

16:01:07

**JSL:** And if you pointed to the right then you'd be pointing sort of in an Easterly direction.

**RS:** Primarily Easterly.

**JSL:** Then behind the station would be primarily North.

**RS:** Yes, primarily, that is correct.

**JSL:** And behind you would be primarily South.

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**RS:** correct.

16:01:30

**JSL:** You described your understanding of what the customer saw, when the individual -- let's call it the perpetrator -- when the perpetrator was leaving the store. Describe what your understanding is of where people were then and where they went.

16:01:55

**RS:** My understanding is, when he-

**JSL:** Don't say "he," just call him the perpetrator, the customer.

16:02:09

**RS:** Ok. The customer had pulled up and he was trying to get gas. He was looking in the store, towards Wanda, trying to get her attention. I believe at the time her back was turned to the window, and it might have been turned to the perpetrator as well. At some point -- it only takes a second or two to realize that the pump's not on and you look up and you see it. And he decided to head towards to the door to try get her to turn on the pump or give her, I believe it was 10 dollars so that he could get some gas or . . . I believe it was an odd amount. Some time between the time that he left the pump . . . the customer, some time between the time that he left the pump area, he walked towards the location, or towards the door. And that's when he observed Wanda and the perpetrator in some kind of embrace or what he took for a

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horsing around or some kind of friendlier gesture than it actually was.

16:03:25

**RS:** And some time before he got to the door, I believe he realized it was more than he had originally seen. And I believe he stopped and he stood there, just outside the door. And I believe that that is where the customer stayed until the perpetrator actually ran out the door, ran due West, and then ultimately, North, on Dodd, behind the location and back into the neighborhood. And if I'm not mistaken, Wanda was following him out or towards the door, and she was seeking help from the customer or she was trying to lock the door so he didn't come back.

16:04:18

**JSL:** As you were standing there, observing, my understanding is police cars came . . . Radio calls had gone out and police were coming in to assist with a search. Do you recall, as that was happening, or from the radio traffic, or from anything, what would be said as officers would arrive or what was being said to direct officers to join the search in an appropriate way?

16:05:55

**RS:** Well, when I got to the location, the ambulance was on site, and there was . . . I keep going back to three police cars on site. It was all a very short period of time. I went to Pete

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Gonzales, the supervisor, and tried to get some information. I believe I was informed that they were looking for him. The ambulance was on site, and they were bringing . . . either the gurney was on the sidewalk or they were bringing it to the store at the time. And Wanda was still inside or halfway in the doorway area. And they were working on her at the time. While all this is going on, there's police traffic reports coming through on the radio that they believe they found a suspect. There might even have been a small chase, and they might have lost him. But they had seen a suspect or the perpetrator under a car, or they had found a suspect and later we learned that he was under a car. And then long about . . .

16:06:10

**RS:** It was a short order. It was only maybe 10 or 15 minutes and Wanda was loaded on the stretcher. And they put her in the ambulance. And the ambulance left, to my knowledge it left right away. And where I'm getting my information from as far as what Wanda's condition was . . . I don't know if it was the police officers rotating in and out of the scene. But I know that the police officers were holding us beyond the gas pumps, so we were closest to the frontage road. But I know information was being shared through Pete and the police officers, because I know he was fishing for information.

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16:05:56

**JSI:** Before you heard about the individual being apprehended or chased, and before they brought the suspect back, did you hear indications of where the search was taking place? Were there indications of "He went that way," or anything like that that indicated to you where the police thought the individual had gone?

16:07:27

**RS:** I seem to remember that somebody had seen an individual running down a certain street. If I'm not mistaken, the police were doing loops around this small neighborhood area, and I believe they were asking people where, or did they see anything suspicious. Somehow, there was a minor chase, or an individual jumped through an alley or jumped through a back yard, and whether it was this person or not I don't know. But I seem to recall a situation that there was a minor chase. I say minor because it was only three or four blocks over that they actually found him, if I'm not mistaken. Somehow, the perpetrator had decided that he wanted to get away by hiding under a vehicle. Later one of the customers actually came back saying, "Yeah, he was hiding under my truck."

16:08:40

**JSI:** Ok. So we've gotten up to the point where the customer is asked to make the identification. Were there other witnesses

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there who were asked to make identifications?

16:09:00

**RS:** I remember two. There was a man and there was a woman. For some reason the woman was not as clear; her view was obstructed. There was another witness, but I just don't recall her being able to help. If I'm not mistaken, the male customer was the only one that could really make the identification. But there was two.

16:09:37

**JSL:** After that point, take us forward. What did you do, what did you see?

**RS:** From the point of?

**JSL:** The identification at the patrol car.

16:09:47

**RS:** I don't remember the police car pulling out, I do remember seeing the police car parked in the parking lot, parallel to the side street, which would put him fairly close to the gas pumps and right around that wing wall area. And the lighting we had at the time, they were just bent pipes. They were 4 fluorescent tubes, and they were about 20 or 25 feet in the air. So the lighting . . . There was two on that side, the side near that side street. One was in the front corner and one was . . . I don't remember if it was located near the street, but the light wasn't sufficient enough to really see him, but the lighting from the

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store did help. Pete and myself were milling around the area near the wing wall. And at some point they wanted the witness, the male witness, to come over and identify the person they had in the back seat of the car. Yeah, I remember flashlights going all over the place, but I don't remember if they used a flashlight to identify him with. I'm just not clear. And I believe the police did take the witness over to the driver's side of the vehicle, to the back of the car, to try to identify him. And if I'm not mistaken, my view was blocked, at that point, of what actually transpired, and I think Pete and I were actually moved away from the police car at that point.

16:11:48

**RS:** But I remember him as being the witness. He was standing at the front of the car, and he didn't want to get any closer. He was terrified, he just did not want to be involved.

16:12:00

**JSL:** How close did . . . So you saw him at the front of the car, on the driver's side?

16:12:10

**RS:** So that would have put him looking over the back seat, or through the seats, and I don't believe if the police at the time had cages in their cars. I don't believe they did. But I'm sure that he was asked to come around the side of the car. And I

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believe they had to coax him to do that because they needed that identification to be able to move him away from the scene.

16:12:55

**JSI:** Robert, when did you and I meet for the first time, face to face?

16:13:00

**RS:** Face to face, we met this evening, virtually an hour, hour and a half ago.

**JSI:** And we talked on the phone yesterday?

**RS:** We talked briefly on the phone. You were in another city at the time, and we just made arrangements to meet, and I gave you directions to get here. But I've not really spoken to you before this evening.

16:13:25

**JSI:** And last night when I got directions from you, we did not exchange any information.

**RS:** We didn't discuss anything. I spoke quite freely with your student, Kate, but you and I didn't discuss that. You just said that you might want to meet.

16:13:43

**JSI:** And you had one phone call with Kate Weisburd and I'm going to get a date here, she told me it was on Sunday, February 20<sup>th</sup>, 2005, that she reached you at home on the telephone.

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**RS:** That's correct.

16:14:00

**JSL:** Did she provide information to you about the case, or did you provide information to her about the case?

16:14:06

**RS:** When she called, she identified herself as a law student from New York. She was with a professor, and at the time she gave me your name. They were looking at an old case, and if I would be willing to talk about, that had happened in Corpus back in '83 with regards to a suspect who had been openly put to death, Carlos DeLuna. And what I could tell her about what I knew, is what she ultimately wanted to know. She just asked questions. She wasn't feeding me information. Because she had . . . Her knowledge of the case, when we got towards the end, she really didn't have much knowledge at all. She didn't have any background information. She told me later it was through court transcripts, I believe it was civil and criminal. She did not even have Pete Gonzales's name in those records, so she hadn't been advised the importance of him at the time.

16:15:38

**JSL:** So all of this information that you're providing to us is information that has been in your memory all this time, but was not provided by myself or Ms. Weisbrod.

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**RS:** Yes, that is absolutely correct.

16:15:50

**JSL:** Let me ask one more question: When the customer were brought over for the eyewitness identification, you watched that part of the process, you watched him come over to the car.

16:16:15

**RS:** It seems to me that I can remember him standing at the front of the car, and I don't remember if he was standing by himself or with somebody. But when they did bring him around the side of the car, that's primarily where I was, and I couldn't tell you where Pete was. We were moved away at that point when the male witness was brought over to around the area where I was standing. I don't recall what actually transpired with him, because Pete and I were turned away or got engaged in a conversation. We were distracted at that point.

16:16:55

**JSL:** Take us from that there.

16:17:00

**RS:** After that . . . . The only one I can remember making identification was the male. I don't remember if they let the female witness go before they brought him back to the store, or she wasn't going to be any help, or she actually saw him. I don't actually know what happened with her, as far as the witness goes.

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It seems to me, after that point, the police car with the perpetrator was moved away, or taken downtown, or taken to the police station. There was still quite a bit of activity with other police cars. The folks that were investigating, that were trying to control the scene, they stayed, because we were not allowed to go in the location or get that close.

16:18:00

**RS:** Pete and I were standing around that wing wall on the West side of the building, because that was our only vantage point to the location, because the other side of the location, if I'm not mistaken was blocked by an ice machine. You couldn't see in. The store is not very deep, and it's longer than it is deep. And you had enough windows so you could see into the whole frontal area of the store. If I'm not mistaken, that whole area was blocked off by signs, and I believe it was an ice machine. That's why Pete and myself congregated over there in that corner. 'Cause we were curious, too. Wanda was already gone at that point.

16:18:48

**JSL:** You say it was a rectangle.

**RS:** Correct.

**JSL:** Which is much longer than the . . . So the rectangle ran East-West as we've been calling it?

16:18:55

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**RS:** Correct.

**JSL:** The long side was East-West.

**RS:** That is correct.

**JSL:** And on the West side of that building, which is where you were, near the wing wall on the West side of that building, could you look into the store?

**RS:** Yes.

**JSL:** Describe the West wall of that store at that time.

16:19:20

**RS:** At the time, the front of the location, and that includes the 5-foot area that you could see in the store, you could see about half of the counter's physical space behind there, because the rest was all white limestone. But it was all glass. When I say glass, there was glass kick panels that were about 4-foot in length and about 2 and a half, 3-foot high. Then there was the aluminum strip that went across the window, then there was a 4-by-8 or a 6-by-8 piece of glass that stacked right on top of that that went all the way up. That was the front portion of the rectangle, it was all across the front of the store. Then there was a panel on both ends, so you could actually look across the location. That was all behind the counter area. The lower panels, they were all filled in with some kind of sticker material, or it was paint. But you couldn't see through that.

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16:20:40

**RS:** The area up to the counter area, that was painted or stickered or something, so you couldn't see through that. So there was about four feet that you couldn't actually look in. So the only thing that we could see was across, behind the counter, about 2 feet down from the counter area. We couldn't get a look at the safe area, which was in front. We could just look across to the beer coolers. So it was partially blocked.

16:21:14

**JSL:** If you were coming out of that strip joint to the West and walking across Dodd street towards the station, but on a line with the side of the station, could you look inside and see behind the counter there?

16:21:29

**RS:** You could. Your vantage point from, say, the bar, would not have been as good, because the bar was set much closer to the street than the store was. The store was set back in relation quite a bit. So as you walked closer, towards Dodd street, your vantage got much better.

16:21:52

**JSL:** So let's say if you were at Dodd Street on the gas station side, and you were on a line with the side of the store, could you look in from there and see into the back behind the counter?

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16:22:10

**RS:** You could see into the back, into the counter area. You could see all across the front of the store. Your view of the counter area would be only partially blocked. And if you were looking, say, at the hands of a clock, you would be missing the area from 8:30 to about 10:30. There was a small area that you couldn't actually see, because it would be blocked by the white limestone brick. But a very small portion.

**JSL:** Was blocked.

**RS:** Was blocked. As you got closer to the gas pump, then you could clear that wall and see. That was an area, somewhere about 50 feet. But if you were standing over at the bar and looking across the street, and Wanda or an employee was at their normal work position, they would be very easily visible from that vantage point, very easily. Only when you got inside the area between the gas pumps and Dodd Street could you actually see 100% of it, if she was above the counter level.

16:23:27

**JSL:** Ok. Take us from that point. The police car drives away. And what happens at that point?

16:23:37

**RS:** At that point, we're still held outside. The police car activity dies down. I don't believe it was long after that most

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of the police actually left, the police cars. I don't recall if the crime scene unit had a van or if they had a car. But we were not allowed in. I know they were taking a number of pictures. I don't recall measurements being taken. They were doing fingerprints. But it wasn't too much longer, 10, 15, 20 minutes maybe at the most that they summoned . . . . They wanted to know what we could identify as being stolen or damaged or what was out of place. Both Pete and myself did enter the location at that point. We were escorted by somebody, somebody investigating, or crime scene . . . . We weren't allowed to touch anything. The door was opened for us. We weren't allowed to touch anything in relation to the counter or anything. But I believe that there was some blood near the door, we were asked to walk around that. We did walk through that door pass-through area to the back counter area. I remember both of us standing there looking, and they were asking us for information as to what was taken or what did we visually see, could anything be out of place. I don't think at that point we could really determine anything.

16:25:40

**RS:** Before they totally finished, they wanted an idea how much money was taken, because there was money on the floor. There was rolls of change, and actually money on the floor. If I'm not mistaken there was still money in the cash drawer. The cash

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drawer still facing the windows . . . it was either open or she had the cash tray sitting on the counter.

16:26:16

**RS:** After that, I believe we were allowed inside, but we were allowed only on the other side of the door area, 'cause they were still taking fingerprints and photographs. We were held over there. And then, slowly, they began to leave. They wanted to know the value of what was taken. Could we determine, that night, what was taken? And I don't believe we could determine what was taken, not while the police were there. We had to perform an inventory of the store to determine how much cash, merchandise was actually missing. But from what I remember of the crime scene, there was some money on the counter -- change or bills -- there was money on the floor. I do recall there being bills on the floor, so it didn't appear that . . . if it was started in the course of the robbery, robbery was what was actually intended. If you come in to rob somebody, you're going to take all the money. At some point, that changed, because money was still there. It wasn't about the money.

**JSL:** Tell me that same impression, because that's very important to us.

16:28:14

**RS:** Even when Pete and I evaluated the scene. I remember the

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district manager coming over, Jim Manning, I remember him coming over. He stopped by, and he said, "What happened? Was it a robbery?" Pete and I are looking around, we're seeing money on the floor, very easily accessible. I believe there was money in the cash drawer. We couldn't understand that it was a robbery, because it wasn't, because the money was still there. There was still money there.

16:29:04

**JSL:** What was your impression of what had happened?

16:29:08

**RS:** I remember being confused, because everybody -- I say everybody, the police -- before they left, said that it was a robbery. We were discussing it outside as a robbery and something going wrong. But when we actually got into the location, I remember there being change on the floor. And I don't remember the denominations, but there were certainly bills that had obviously come out of the cash drawer that were available and were not taken. So the strange thing is, if it was only a robbery, why was the money left? At some point it became a violent act.

16:29:55

**RP:** May I ask a related question?

**RS:** Sure.

**RP:** Did you ever get around to inventorying the money, and what

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did you discover?

16:30:12

**RS:** We did inventory that location. The police have gone, the police have left. They left us in charge of the location at that point. They've released the location back to us. I remember Jim Manning showing up at that time. He was the district manager, and he's trying to ascertain what had happened. We know Wanda's not there, and we have to ascertain how much money was taken. There was blood on the counter, the floor, the rug, the windows, it was everywhere. But the overriding thought was Wanda, so Pete and Jim left for the hospital. They each had a car but they took one vehicle. I was asked to ascertain how much money was taken. It was difficult to tell, because at the time we didn't use cash registers, we just used a cash drawer. We used a calculator and a tax chart to figure up what people bought. We knew what the pumps were. And we had just done an inventory a day or two before, because they were done on a weekly basis. After they came back from the hospital and said that she didn't make it, and that they needed to go back to the office and do paperwork and make contacts, they needed to know the amount of loss. There was a merchandise loss, but the merchandise was all accounted for. Pump readings were taken ending the inventory, and there was beginning to the previous inventory.

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16:32:14

**RS:** Everything was done by a physical count. It was a time when there wasn't a thousand items in the store. It was 14 pages. And everything was done line by line: Miller Light, Coors, 6-packs. You tallied it up, you took in what you received, and then you got a quantity of each item. That included candy bars, spark plugs, oil filters, bags of ice, everything. And you got-

16:33:00

(same shot of Stange, seated)

**JSL:** So, after you completed the inventory of items in the store, what did you conclude?

16:33:10

**RS:** If I recall correctly, we determined somewhere between 70 and 134 dollars. I don't know why those two numbers stick in my head. Maybe it was even 34 dollars. That is not an unusual amount of money for just a couple of days. We couldn't determine a significant loss of cash at that point. So when it was all said done, we couldn't determine that a substantial amount for a robbery -- that is, a true robbery, when somebody takes all the money and runs. We couldn't determine that there was an actual, physical robbery. There was some loss, but whether that was just accumulations of mistakes through clerks or whether merchandise didn't actually come into the store from vendors. There's a

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certain percentage of that. We just could not come up with a true loss figure.

16:34:20

**JSL:** I'm going to read you some of Kate's notes, and just ask you if this is an accurate rendition of what you said. Quote, "Robert is confident that there was no robbery. It was his job to count the money to see if anything was missing, and he found that no money was taken. He was really surprised that no money was taken. Combined with the messy state of the store, he's convinced that the crime was a crime of anger."

16:24:50

**RS:** That is correct. There was something else involved. It wasn't only my opinion at the time. Pete and I had discussed this but very little. And I remember conversations he had with other people. It just didn't appear to be a robbery. There was something else that had taken place. It was investigated as a robbery, and it was a death, so that put it in as a capital offense. We were awestruck in that it just didn't appear to be a robbery in what we're used to seeing. When we're used to seeing a robbery, they take the money. And in this case, the money was not all taken. It was scattered around the store, and that's not a robbery.

16:35:49

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**JSI:** And what was your impression that had taken place? I read you this passage, but I guess what I'd like you to do is put it in your own words, what your impression was?

**RS:** My impression was . . . There were also rumors, do you want me to talk about that.

**JSI:** We'll come back to that. Just tell me what your impression was before you heard that. Your initial view as the store manager.

16:36:15

**RS:** I didn't understand the aspect of being a robbery, because there was still cash. That part just did not make any sense. It just looked . . . The scene, it was in disarray. Behind the counter area, if I remember it correctly, there was certainly a struggle, and that's why I had said earlier that it looked like it was anger. Because it just appeared to be more violent than just a robbery. You just ask for the money and get it. In this particular case, if you look back at the witness, from what he saw, or what I remember him saying, there was a close encounter with the perpetrator. It looked like they were together at some point. To me, it just did not sound like a robbery. It sounded more along the lines of just an act of anger or violence. I didn't know, and I still don't know, what it was really all about.

16:37:50

**RP:** Did the store have a policy, or training, when it came to

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robberies and the clerks? Had they been advised on what to do in case of robberies.

16:38:06

**RS:** That's a question now, I'm trying to remember back. I held so many positions and I was involved in training so many individuals, I can't say. It seems to me that the area manager before Pete . . . I was told by my manager that you give them the money. There had certainly been other robberies, maybe not in our stores but other locations. I remember that manager telling me, "Just give them the money and get them out of the store." Was there actual training on that? Not in the sense that there is today. And it might have been part of the interview process, when I was actually interviewed, "What would you do in case of a robbery?" I may not have even responded correctly. We were told, just "Give them the money." Later on, we got in-depth training. This is what you do: just give them the money. Don't leave with them, but give them the money.

16:39:28

**JSL:** So, when you see a struggle, there's no explanation for that, because if a weapon is pulled, the instruction was: give them the money.

**RS:** Absolutely.

**JSL:** Would you take me through your own words rather than mine,

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how that played into your own thinking.

16:39:50

**RS:** When you enter the crime scene and the cash drawer is open and there's money laying around and the area behind the counter . . . the individual has come over the counter and the area behind the counter is in disarray. It's not just disorganized; there's been a good struggle behind the counter. It doesn't have an appearance of just a robbery.

16:40:30

**JSL:** Describe how a robbery would happen, let's go at it from that direction.

16:40:34

**RS:** A robbery typically happens: somebody comes in, a knife, a gun. Generally they stand on the other side of the counter. They ask for the money. The employee opens the cash drawer and gives it to them. And they leave. They're gone. They want to be . . . When someone comes in to rob you, they don't want witnesses. They don't want people seeing them. They want to be able to come in, get the money, get out. They don't want the individual to really identify them. They never want you to look at them. So the idea is to get in, get out before anybody knows what happened, and go, and disappear.

16:41:28

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**JSL:** How much money would you be instructed to hand over?

16:

**RS:** You would be instructed to give them anything that was easily accessible, which is, give them the cash in the cash drawer. Give them what you have, and get them out. If you've got more money than you should have in there, doesn't matter, get them out. Even today, there are other safes. At that particular time, there was a key safe where you could get at the roll change, they came in rolls. But typically a robber doesn't want the roll change. They don't want the physical weight, and they don't want the wait of having to wait to get the money. They just want to get what's quick, easy, on hand, so they can leave.

16:42:22

**JSL:** Were you ever a victim of a robbery?

16:42:28

**RS:** I was not. I was not a victim of a robbery. I did review, certainly later on, multiple robberies that were videotaped. Some were handled exactly as they should have been.

16:42:55

**RP:** Was there a policy about how much money a cashier should have at any one time in the register?

**RS:** Yes.

**RP:** Can you compare that to how much money was found on the

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floor, or-

16:43:05

**JSL:** Let me read something here, and we'll go from there. This is the next paragraph. "Robert knew no money was taken, because he compared the money in the drawer to the receipts from the shift. He thinks that at most, 20 dollars was missing. Moreover, because of credit cards receipts, checks, etc., it is very common that there would be about 20 dollars discrepancy between the money in the drawer and the receipts."

16:43:38

**RS:** Discrepancies are not uncommon. People drive off with gas. The pumps, they register, and you know how much is missing. 10 dollars, 20 dollars, it's not unusual. One drive off, or drive-away, they fill up. They don't come in for five dollars. They fill up. And so a 20 dollar missing, it doesn't constitute a robbery. As far as how much money is available . . . There are safe drops. You're supposed to keep some money in reserve should somebody bring in a fifty and even twenties. An amount under one hundred dollars was acceptable, and during the day even 200 dollars would have been acceptable. But at night, if you couldn't make change, there were times when you couldn't make change because you just didn't have anything. You weren't allowed to keep twenties in your drawer. You weren't supposed to do that.

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There was a key safe down below that you were allowed to keep change should somebody need to make it. That was available, but that certainly wasn't taken.

16:45:00

**JSL:** This occurred at night. Wanda was there by herself at night.

**RS:** That is correct.

**JSL:** So, as of that particular evening, according to company policy, how much money, approximately, should she have been keeping in her drawer? Was there a drop slot that you put the rest in?

16:45:19

**RS:** That is correct. Large bills always were to go in the drop safe. You weren't to have 20-dollar bills in the drawer. And you wanted your amount to be . . . you didn't want to be a target, 'cause if you gave away a lot of money they were going to come back. So the idea . . . I'm not clear what the actual policy was. I would, thinking about it, 60, 80 dollars would have been allowable, but anything over 100 dollars would have been seen as careless.

16:45:58

**JSL:** Did Wanda typically follow company policy? What kind of employee was she?

16:46:03

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**RS:** She did. And we all had the same problem. We all knew that at 9:45 at night, somebody was going to come in, pump two dollars worth of gas, and hand you a twenty or a fifty, and you had to make change. And I believe our total cash on hand at the start of the day was 200 dollars, which included roll change, nickels, dimes, and quarters in the drawer, and bills. If this was a Friday, we would have had the most amount of roll change on hand. At the time, telephones were all done by quarters. So we would have had maximum number of coins on hand and very little cash. But it also being a Friday night, she would have had twenties in reserve in the coin area or under the cash drawer, which wasn't policy. I don't recall if Wanda did that. But if she . . . I don't recall too many employees putting twenties under the drawer to break fifties. It was mainly in the key safe. If mistakes were made, it was usually they let too much cash build up in the drawer. Drops were supposed to be regularly made.

16:47:29

**JSL:** So let me go back. As of that particular evening, if Wanda was proceeding according to the usual practice, approximately how much paper money, paper cash, would be in that drawer?

16:47:50

**RS:** Would be available in that drawer? I believe it was around 8:30 at night. As the night goes on, you keep less and less cash.

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And if it was 8:30, she should have had around 60 dollars in the drawer.

16:48:00

**JSL:** Where would the rest of it be?

16:48:04

**RS:** The major portion of it would have been in the drop safe. What she needed to make change or to have extra ones, fives, tens on hand, would have been in the key safe below the actual safe.

16:48:20

**JSL:** Neither the key safe nor the drop safe were tampered with during this robbery, is that correct?

16:48:24

**RS:** The drop safe I know wasn't. If I can recall correctly, the key safe was not opened. The key safe was not opened. All the money was still in there. It was in a bank bag.

16:48:40

**JSL:** Let me show you a picture here, which I'm going to mark R.S., Robert Stange, number one, 2/24/05. This is a police photo from the event that we've been discussing. Look at that, and maybe hold it up to the camera, and tell us what that is.

16:49:03

**RS:** This is the key safe, that is located below . . . Well, it's all part of the safe system. And this is below the drop safe

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area. This is an area that all employees have access to. On this key ring is probably a key to the back store, this other key, and probably the other key is the front door key. All employees have access to the key, it's something that they have to have. It was not specifically for Wanda, it was not her personal key. It was hung up under the counter area over in here. It was near or around the telephone. Something that was not to be done was you weren't supposed to leave the key in the key safe. You were supposed to leave that non-visual, because that told people you have access to this and there's money. Get the keys out, people are unaware of what it is.

16:50:10

**JSI:** When you look at that picture, does it look like that was tampered with in any way?

16:50:15

**RS:** No. To me, it looks like Wanda left the key in. In a normal position, it's just a rotation arm. When the key is up, it follows the arm. So the door was locked. On these doors, when you unlocked it, they fell open. The key's all bent, because when you unlocked them they fell. The idea was when you put the key in and turned it, the door fell, so that meant you had to lock the door, and you would take the key out. It didn't always happen. If you look real closely at this key, you can see that it is

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actually turned a little bit, because it's bent.

16:51:05

**JSI:** So, given from the fact that ...

**RS:** In the course of a robbery, that would be open, the employee would open it, leave it open, grab the bank bag that's in there that holds the spare bills, and hand them the bank bag.

16:51:28

**JSI:** Given that it was closed, the keys in there, it was in the locked position, your estimate is that approximately 60 dollars in paper cash would have in that cash drawer at that time?

16:51:39

**RS:** Would have, should have. Maybe 40 dollars, 40 to 80 dollars. I was thinking between 40 to 60, that's why I stuck with 60, should have been in and around the cash drawer.. At night, you don't want to be a target; you don't want people seeing that you have a lot of money, so you don't keep much cash on hand. That's why you have . . .

16:52:05

**JSI:** So I'll read this again. "Robert knew no money was taken because he compared the money in the drawer to receipts from that shift. He thinks that at most 20 dollars was missing, if that." Is that an accurate statement?

16:52:20

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**RS:** That's an accurate statement based on what I remember. I remember seeing money in the cash drawer for some reason. There was some bills or change on the counter, like she tried to give this to him on the counter, and it was just totally passed over. There was bills on the floor like she'd taken it and . . . If I'm not mistaken, the male witness had stated . . . I don't know, for some reason I'm getting the impression that she tried to throw the money at him. I don't know if I'm getting that from the male witness's statement or because the bills were on the floor. There was money everywhere like it wasn't a robbery, like she tried to force the money on the perpetrator. But it wasn't about money; it was about something else, because he didn't take it.

16:53:24

**JSL:** Tell me about the condition of the place. You said that behind the counter was disarray. Describe it to me.

16:53:33

**RS:** I don't remember what we had behind the counter. Typically we had displays of high-theft items like batteries and sparkplugs. It seems to me that the area behind the counter was like a struggle had taken place. I can't remember the area . . . there were shelves under the counter, and I can't remember that area. We always had boxes of candy or something on the counter. I believe there was stuff scattered behind the counter, like it had

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been thrown or rampaged through. It was just items in disarray, if I remember correctly.

16:54:30

**JSL:** Blood?

**RS:** There was blood. Seems to me that there was a considerably larger pool by the doorway. There was blood behind the counter, on the counter, by the windows, by the flap counter. There was droplets on the door frame, on the glass. I believe there were handprints on the glass above the cash area, like she was trying to get somebody's attention, I believe. Not only drops. I don't remember if we had mats or not. There was a considerable amount of blood, because I do recall having to clean it up and wipe everything that had blood on it.

16:55:40

**JSL:** Tell me about the condition of the inside of that store as you saw, in terms of what was out of place, and what substances did you see around.

16:56:10

**RS:** When we were allowed in, there was a considerable amount of blood pooled by the door area. If I'm not mistaken, there was blood around the door frame. There was blood behind the counter. The area behind the counter, in particular, was in disarray as if a struggle had taken place. There were objects, there was

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something on the floor that was out of place, like it had been tossed there. I seem to recall . . . I know there was blood on the counter, behind the counter, on the cash drawer. I seem to remember a hand print or multiple hand prints on the glass that would have been right in front of her, right below the cash register where she would have looked out towards the pumps. There was a handprint or there was two handprints. I go back to all this stuff as I recall everything I remember from the scene, being behind the counter. After she'd been stabbed, there was handprints or there was blood handprints on the cash drawer, just as if, after she'd been stabbed -- and that's why I say it didn't look like a robbery -- because after she'd been stabbed it's like she tried to give him the cash. It wasn't about the cash because of that. As I recall now, she had handprints . . . the cash drawer was open, or she had opened it later, after she had been stabbed. That's why I still contend that it wasn't about a robbery. I don't know if it was investigated, I don't know how the investigation went. To repeat to you, it did not look like a robbery. Because when we described it to Jim Manning, the division manager, he had just come in to it and he was in overload. But we were telling him it just didn't look right. It was scattered around, the money on the floor, and it just didn't look like a robbery.

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16:58:45

**JSI:** Who cleaned up?

**RS:** I did. Myself and another manager, Joyce Winkler, the store manager where I came from, number 126. Somehow she had been told. Other store employees . . . [it was a] high-visibility store right along the interstate, so anybody going by on a Friday night saw it. Somehow she was notified. She not only helped clean up, but [Winkler] she also helped do the physical inventory of the location later on.

**JSI:** The clean and inventory took place?

16:59:27

**RS:** That night. From the time the robbery happened and the police arrived, were on the scene, the store was closed. We remained closed all night. Inventory was done that evening. It was finished somewhere around . . . We got in to evaluate the cash 9, 9:30, and the two of us were able to do a physical inventory and do the numbers by 2:30 or 2:45, 'cause I remember it was a very short night. It was only about an hour's worth of rest I got. So the inventory and the numbers were all accumulated. Pete came in the following morning. I don't recall if his job was actually to verify the actual counts. In that situation, it wouldn't have been. He wouldn't have gone out and counted cases of beer on the floor. But he would have verified the calculation

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of the dollar amount of the item by the quantity would have been correct. The final totals were correct. He wouldn't have verified the pump readings but he would have verified that the calculations from old to new were right. He would have verified that the numbers were right. Whatever the discrepancy would have been, we probably would have logged it on the line that said "robbery." But in the final end, when Pete and I were looking at it, "You've got to be kidding." For 20 dollars, for the minimal amount of money that it was, it wasn't a robbery. The cash was available. It was there. And you could see that she tried to give it to him, and it just wasn't a robbery. And that's why I told Kate earlier that it's not about a robbery.

17:01:30

**JSL:** Who did the actual count of the money?

**RS:** I did.

**JSL:** And that was because you were . . .

17:01:40

**RS:** Because you not only have to count the money that's on the floor, because the police didn't take that as . . . or did they? They might have taken the bloody money, I don't recall. At some point they would have given it back to us or the bank would have given it to us through other funds. They might have taken the bloody money, I just do not recall that. But we had to not only

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count the coins . . . if the police did take the money we would have known the quantity that they did take and added that to our value. Because the drawer should be 200 dollars. Anything over and above that would have been money that would have gone to the bank for deposit.

17:02:29

**JSL:** And when you say "we," you mean you, really.

17:02:32

**RS:** Right. I say "we" because it was probably verified by Joyce, the other manager. That might have been one of those duties that we might have split. I probably would have counted the cash on hand. I had access, as a manager, and Wanda would have had access to the day safe, and the day safe also had more money available to her. And then there was the main safe, and the main safe held the actual deposit money.

17:03:05

**JSL:** So the actual count of the money was done by you.

**RS:** That's correct.

**JSL:** And that's because you were the store manager.

17:03:10

**RS:** That is correct. And that money . . . At that time, before that money was to go to the bank, the supervisor -- which would have been Pete at the time -- he would come in, and he would go in

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the back room, close and lock the door, and he would count the money, and he would verify it before he took it to the bank. I would fill out the bank slip and wrap it around the money and rubber-band it. He would go in the back, out of sight, out of view, and re-count the money, establish that the quantity was correct. He would go to the bank with not only my deposit but other stores. He would have the teller count it in front of him, or he'd go through the drive-through. She'd count it, she'd stamp it, and Pete would bring that receipt back to the store either that day or at a later time, so there was a verification of the money.

17:04:02

**JSL:** And when you were doing that count of the money, who was present at that time?

17:04:10

**RS:** At that time, only Joyce and myself were present at the time. When we were assigned the task to do this, to perform the task of an inventory. We had to know, but more importantly, the police had to know to file their report. When we -- and when I say "we," myself and the other manager -- when we were informed that we needed to do this, they had already -- they being Pete Gonzales and Jim Manning -- when they came back from the hospital, they brought the news that she had died. And they had paperwork and

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people to notify, so they had to go to the division office and do that. That left two of us to do the inventory. I believe Pete called me at 1:30, 2 o'clock in the morning to see how we were moving along in the count of the store.

17:05:20

**JSL:** Was there any discrepancy . . . You said that, normally, the supervisor would check and then take it over to the bank. Was there any issue at that point about any discrepancy between what you had come up with and what?

17:05:30

**RS:** No, no. There was no discrepancy. Should Pete have verified it that time? That's a good question, I don't know. They put a lot of trust in the managers that they had. At the time, we were under the Sigmor Corporation. Should variations come up, you were subject to polygraph at any time. So there was a level of trust, but there was also a known trust. There was confidence that you weren't going to take any money, so there wasn't an established . . . There just wasn't a quantity of money that was taken. I don't have the police report, I don't know what was stated. I don't even know if Pete came back and changed the amount as far as the robbery number. I don't even know what was written on that line. I came up with a dollar amount that was a discrepancy, and that probably would have been put back into . . .

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but I just don't know.

17:06:35

**JSI:** Can you just tell me, as a ballpark figure, what is the largest discrepancy that could have consistent with what you remember?

17:06:48

**RS:** You know, I believe that the numbers through the inventory, even though I say there was no cash taken, for some reason, 134 dollars stands out in my mind. Was that an acceptable loss? Very easily. But I say there was no money taken. I don't know why 134 dollars sticks. I did thousands of inventories during my ten years. I just don't believe that the cash value that was taken at that time was over 40 or 44 dollars. That's the best of my recollection, that's what I believe.

17:07:40

**JSI:** Say that again, just to get that clearly. I'll ask the question, but say it in a full sentence. From your impression of what you saw that night, counting the money, observing the scene, and everything else, what is your impression of how much money was actually taken out of the scene by the perpetrator?

17:08:04

**RS:** By the perpetrator? I fully believe it was less than 20 dollars. Because there was just too much money around the

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location. I don't remember the dollar amount that we actually collected from the store from various parts -- floor, counter, cash drawer. It wasn't a quantity large enough . . . It was a large enough quantity that . . . why would this be left? It was a substantial amount -- and I say substantial, could have been 68 dollars or 40 dollars. I don't believe he left with more than a 20-dollar bill or two tens. I just don't believe he ever actually took any cash. Was that ever asked of me by anybody in law enforcement? No.

17:09:10

**JSL:** Tell me who came to after the events occurred as part of an investigation of this, from police, prosecutors, defense lawyers, investigators. Who came and talked to you?

17:09:23

**RS:** Absolutely no one. My only involvement with lawyers from the time of the robbery on . . . I don't ever recall giving a statement to the police. I remember them taking my fingerprints, so they could identify me or scratch me off the list. The only thing I can remember being a party to was the civil portion of this. I did not testify at a trial. And no statement was taken from me. I believe they interviewed Pete for the criminal, but I don't believe . . . I'm sure I spoke to no one with regards to that.

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17:10:25

**JSL:** Did a defense lawyer come and talk to you?

**RS:** Not in the criminal case.

**JSL:** Did a prosecutor come and talk to you?

**RS:** Not in the criminal case.

**JSL:** Did a police officer talk to you to get a statement from you?

17:10:36

**RS:** To my knowledge, I had no statement ever taken. Other than fingerprints taken by the police, I had nothing else required of me. I never spoke to an attorney, to a police investigator, to a prosecutor, not even a defense attorney, and I couldn't even tell you who that was. I never spoke to anybody in regard to the criminal case. It was only civil.

17:11:08

**JSL:** Now, I'm going to ask you-

**RP:** We've only got about three minutes on this tape.

**JSL:** Ok, then we'd better change.

17:11:12

(same shot of Robert Stange, seated)

**RS:** -but when I was living in New Jersey, hop on the train. Take the ferry, whole different culture.

**BW:** Ok, I'm rolling.

17:11:25

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**JSI:** What was your impression about the investigation that the police conducted when they turned the store back over to you at approximately 9:30.

17:11:37

**RS:** It was approximately around nine, I would guess maybe 9:15, when we were given the, "Ok, it's all yours." My impression was that it didn't look like a robbery. Because there was cash, and just the way the store looked at the time, it just didn't appear to be a robbery. The police had rounded up somebody who, through witnesses, through people who thought they saw somebody. They got somebody under an automobile. They were sure that this was the man. They had an identifier out in the parking lot, an eyewitness who said that this was the individual or who he believed to be. Pretty much from the time the police left, it was like, "Ok, we got the guy. It's done. It's over. We got a robbery, and now we got a death, so we got a capital case. We got the guy, and it's done."

17:12:43

**RS:** It just never seemed like it was investigated from there what actually happened in the store. That was just a dead issue. No real cash was taken. You call it a capital offense. Ok, there's money scattered around, but you can't determine that anything was really taken, so how can that portion be a capital offense when

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you're not sure it's anything other than just a killing?

17:13:19

**JSI:** You talked about the civil suit. . . . When the incident took place, when the incident at the Shamrock took place, Wanda Lopez was on the phone. Do you recall that, or maybe you didn't know?

17:13:59

**RS:** No, she was on the phone. Odd that you would say that. And I don't remember if it was her mother, he brother. She was on the phone with somebody. I just don't fully recall.

**JSI:** I don't want to put any words in your mouth, so if you don't remember, you just don't remember.

**RS:** She was on the phone and she told the person she had to go. But I don't remember the details.

17:14:50

**JSI:** You said that the initial call to you came from a dispatcher. Was that a company dispatcher or a police dispatcher?

17:15:00

**RS:** It was a woman's voice and she was from the Corpus Christi police department. She was dispatch. She told me they needed me to come down and secure the location. There had been an incident or something had happened at the store and they needed me to come down and secure it. In regards to how they found me, I don't believe we had an alarm company at the time. We didn't have a

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panic button, or maybe we did. But the police . . . I don't even know how the police were notified. But the police dispatcher called me and she said, "We need you to come down and secure the store. There's been an incident or there's been something happened. We want to know what direction you're going to be coming coming from in case you get stopped, we want to make sure that you have a free pass to the store." And I knew at that point that this wasn't good. I didn't know what it was but I knew it wasn't good.

17:16:12

**JSL:** Was there police tape around, that plastic tape that gets put around a crime scene?

17:16:18

**RS:** Not that I recall. I do not remember . . . And they might have, but it seems to me it was before we did that. I don't recall crime scene tape at all.

17:16:35

**JSL:** You said that you were escorted inside the store?

17:16:40

**RS:** The initial trip we were escorted in. Pete and myself, we were both escorted in. The ambulance has left with Wanda. The perpetrator has left in the police car. I guess they've reached a point where they've taken all the photos in the area that they

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want us to enter. We were escorted in by a police officer, investigating officer, detective, crime scene investigator, somebody. It was either one or two individuals. (*minor sound distortion on following sentence*) We were asked not to touch anything. We didn't touch the door handle, they did that for us. I don't know if the door was propped open, I couldn't tell you. We were asked to go around the blood and go behind the counter area. They wanted us to visually look and see if anything was missing or out of place. There was a lot out of place, but we couldn't tell if anything was missing. That was a long time before videotape.

17:17:40

**JSI:** Gender, sex of the people? You said there were two people who escorted you?

**RS:** No. I couldn't tell you if they were tall, short, fat, skinny.

**JSI:** And how much time elapsed between the departure of the patrol car with the suspect in the back and your entry into the store?

17:18:10

**RS:** Approximately 15 minutes.

**JSI:** Do you remember the police . . . You mention that they may have taken some bloody money. Do you remember them taking any items from in or around the store?

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17:18:38

**RS:** Can or a bottle of beer. But I'm not clear on that. I don't want to . . .

**JSL:** Did you know a police officer by the name of Officer Mayorga? Robert Mayorga?

17:18:55

**RS:** Mayorga. He was the investigating . . . I believe he was the detective or the investigating officer.

**JSL:** Did you know-

**RS:** I did not know him and I do not remember meeting him. I remember hearing the name.

**JSL:** Do you know if Wanda had friendships with any police officers?

17:19:20

**RS:** I think she did. I believe she did, I believe she did. But I don't know that for a fact. That sounds awful familiar. Somebody fairly young in the Corpus Christi police. He was a patrol officer. There's something back there, but I can't pull that out right now, I just don't recall.

17:19:49

**JSL:** You said Wanda would go out Friday or Saturday nights. Tell me about that. Where would she go, what kinds of things would she do?

17:20:00

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**RS:** If I'm not mistaken, it would be dancing or a movie. Dancing would typically be at a club.

**JSL:** Do you know what club she went to?

**RS:** I couldn't remember.

**JSL:** The name Casino Club ever come up?

**RS:** Doesn't even sound familiar. This wasn't something that we discussed very often. She was relatively new to me, but we got along very well and I liked her. She was good. She was good with the customers, she cared about what she did. Very conscientious.

17:20:42

**JSL:** Do you have any doubt that if somebody came in and asked for money that she would [not] have resisted.

**RS:** No doubt. She would have given . . . yeah, absolutely, she would have given them . . .

**JSL:** Put that in your own words.

17:21:05

**RS:** If someone was to come in and want to ask or tell her that "This is a robbery, I want your money," she wouldn't take that as a joke. She would just hand them the money, or she would just hand them the whole cash drawer on top of the counter and say, "Take it, just take it, leave." She wouldn't try to struggle with anybody or put up a fight. She's trying to raise her daughter. She wanted to do her job and go home. She would just

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give them the money. I'm sure of it, without a doubt. I'm sure we discussed it. In a joking manner, she said, "I'll just give them the whole thing." I hate to say it like this, but I know we joked about it. Just give it to them, whatever it is.

17:22:08

**JSL:** What was Wanda's relationship with her daughter, as far as you could tell?

17:22:12

**RS:** It was very good. It was the thing that drove her, that made her want to . . . . She wanted a better life for her daughter than she'd gotten at that point. It was all about her daughter.

17:22:35

**JSL:** What time would she have gotten off that night?

17:22:39

**RS:** I believe the store closed at ten. That would have put her out at 10:20 or 10:30, depending on how quickly she could get everything arranged and closed out. 15, 20 minutes on a slow night. I don't recall . . . in '83 I believe we were closing at ten o'clock. At some point we went to midnight, but I don't believe that was '83, I think that was later.

17:23:10

**JSL:** Shot in the dark: do you have any idea where she might have been planning to go that particular evening?

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17:23:20

**RS:** You know, I can remember her and I having a . . . I was heading to the door to leave, and I can remember her and I having a conversation, 'cause we joked about Valentine's Day coming up. And she might have, but I do not recall at all. It wouldn't be . . . No, I can't recall anything like that.

17:24:00

**BW:** Just to clarify, how soon after the crime were you allowed back in the store, and did that time strike you as unusual, to be allowed access to this crime scene?

17:24:20

**RS:** You know, it didn't. It's awful to say, we were curious to get into the store, to get back and be part of that again, just to get into the store and see it. It didn't strike me as odd, except . . . When the police car left with him, most of the other cars left. I think there was only one or two police cars in the parking lot, and that was the people that kind of escorted us in. And we were asked to go behind the counter and look around and calculate, and we were asked to go back on the other side of the door. It was a very short period of time after that that we were by ourselves. So it was relatively quick, the time that the suspect left. Our first entry into the store -- I say our first entry, that was when we were escorted in to take a look behind the

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counter, and we were asked to step back again -- that whole time period, from the time that the perpetrator left, or the suspect, that we actually got the keys, it had to be less than 30 minutes. It had to be. Somewhere, maybe around 20. It's like, "we got the pictures, we got the guy, let's just get out of here. We're done." Everybody's gone, you stand around like, "Well, now what am I supposed to do?" I remember standing around saying, "Well, what do you want me to do now?"

17:26:10

**JSL:** Did you attend Wanda's funeral?

**RS:** I did.

**JSL:** Did you ever have occasion to meet the gentleman that she was dating?

17:26:24

**RS:** You know, I believe I met him. I remember the funeral. If I'm not . . . her mother was sitting down, and after the funeral was over we had filed past. I say we, the other manager, Joyce Winkler, and myself, and Pete, we were all very close, within two or three people of each other. And I think her brother? There was a male figure seated next to her mother, it might have been her brother. Somebody was standing, a male figure, and that might have been her boyfriend, but I don't know. But I do remember her mother putting out her hand and just telling myself to "be very

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careful. Just be careful." I remember her telling me that. You know, after what she'd been through . . . I can't imagine. That was the thing from the funeral that I remember. And I remember a male sitting next to her mother, a younger male. It could have been her brother. And there was another male standing up. I don't even remember her dad. I'm sorry.

17:27:44

**JSL:** Now, have you ever heard the name Carlos Hernandez in connection with this?

17:27:55

**RS:** Carlos Hernandez was -- and I have to go back to news because I wasn't part of the trial. DeLuna, the suspect, claimed all along, or supposedly claimed all along, that he wasn't the man and that they needed to be looking for this Carlos fellow. I don't remember if he told them the name. There was news accounts or something to the effect that there was another man, I know his first name, I don't know his last name, "you need to find this guy, he's the one that did the crime." I don't recall it being Hernandez, I remember a first name.

17:28:42

**RS:** It was a news reporter, somebody saying, and it wasn't somebody from our company, and I don't remember a police officer. Somebody said that he'd always claimed that it was somebody else.

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Supposedly the police had looked into it and they couldn't find him, or the person by that name didn't exist, and it was dead. They couldn't go any further because there was no information or DeLuna couldn't give them any further information on how to find the individual, so they just stopped. I remember that, but I don't remember if it was a news report or if that was in conversations, with who. I just don't know. Because some people from the store area actually did attend the criminal trial, so there was information coming back in relation to that. It's not information that I would solicit. They would bring that, or a family member or a friend would bring that. He was always claimed, or always stated all along that it was this other guy. It was Carlos, but I don't ever recall him stating a last name. It seems like the last name was always in question as far as the police were concerned. They could never find him. There was no record of that particular person. They could never figure out who he was. I don't remember the circumstances.

17:30:17

**JSL:** You said that Wanda had been moved from the other store to your store, and there was an incident with the store manager at the other store. Could you tell us about that?

17:30:30

**RS:** Sure. Wanda came to my location, number 47. And I don't

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remember my actual need at the time, whether I was shorthanded or whether we swapped assistant managers. I don't actually recall But I do remember that Wanda had been given to me or transferred in because she had a run-in with Art Lopez, the manager of station number 143 over at Everhart and Holly. She was the assistant manager at that station at that time. Art was ok, kind of known as a ladies' man. He liked to play. His wife knew it, and wanted to keep track of him. Wanda had always told Art -- this is through her, through Wanda herself telling me this -- that she wasn't going to lie for him. And there was an incident where Art had left the location with -- it was some time in the afternoon -- with a woman in her car. I don't know if it was to go to the bank or whatever. But his wife, Abigail, either called or came by the location, and Wanda told her that he wasn't here. I don't know if she told her that he left with somebody. Art, the store manager, had asked that she lie or not tell the truth as to his whereabouts. And she didn't do that for him.

17:32:15

**RS:** At that point, well, naturally Art got in trouble by his wife. And at that point he talked to his supervisor and said, "I don't want this person in my store." And that's how she came to my location, was she wouldn't lie for that particular manager as to his whereabouts or what he was doing. She wouldn't do that for

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him. It kind of goes towards her character.

17:32:50

**JSL:** Ok. You mentioned a while ago about some speculation about what might have happened. I asked you not to tell us about that at that point because I wanted the facts. Now, if you wouldn't mind, go back to that and tell us what that was about.

17:33:05

**RS:** There was always speculation: through the neighborhood, rumor. Nothing really concrete. Was it even investigated? I don't believe it was. Her husband, or ex-husband, the same man who fathered the child, had spent either time in jail, county jail, prison, something. He or one of his family members had been in a cell with this DeLuna, the perpetrator, or the one they ultimately convicted, had been his cellmate. And he had supposedly made statements that he was going to get Wanda, that he would never let her go. And supposedly there was a connection with the Mexican mafia, in relation to the perpetrator and to her husband through a jail contact. And that the killing was revenge for her husband, or ex-husband, or soon-to-be-ex-husband.

17:34:32

**RS:** That's what speculation was. And it was always in question whether the police ever even looked into that fact. One, because it wasn't a robbery, and two, because of all this. All this as

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being all the rumors as far as how did he pick out this person. What hasn't been said, and I don't know how it came to be. The bar across the street I don't believe was actually operating or functioning as a bar at that point [sic]. I don't know if the news accounts, I don't know if detectives said it, I don't know if it came out in the court trial. But supposedly, the perpetrator was across the street, drinking beer, watching Wanda. And he waited for an opportunity to come across the street and do this. I believe alcohol was involved. I just don't know where those come from, I don't know. But he spent some time across the street watching her and waiting for an opportunity to come in. All that, plus the fact that we couldn't determine that anything cash-wise had been taken. Because the money there on the floor, it was on the register, it was on the counter, it was everywhere. But he should have taken it. He hopped over the counter, a struggle, and he killed her, ultimately. And what part of that was a robbery. It was like he'd been sent there to do this as a favor, or whatever his connection is. I don't know.

17:36:23

**RS:** And we're probably never going know what that connection was, or if there was one. Was it all rumor or speculation? It's one of those things we'll never know.

17:36:35

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**JSI:** One last question: looking back on it, what is your impression, as the manager of that store, somebody who cleaned it up, counted the money, knew Wanda, knew her habits, knew the whole scene there, what is your impression, looking back on it, of the quality of the investigation that the police conducted?

17:37:05

**RS:** You know, I look back on it now. It was just . . . "Ok, we got this guy, we got one eyewitness that will identify him, that's good enough. We got some fingerprints," . . . I don't even know if it matched up. They found some guy hiding underneath a car. This is him. We got him, case is closed. As a detective, I am sure this is the guy. I'm not looking any further, I'm not looking into this. I can't find this guy because I don't really . . . I've know I've got him. I know I've got my man, I don't need to go anywhere else." That's what it looks like. It looks like we just, we zeroed in on one path and everything that went this way, we never looked at it. And defense . . . I don't know how it all worked out.

17:38:00

**RS:** Ultimately, did he get a fair trial in that sense? I couldn't say. But I wouldn't want that, not the way that one was done. Not with all that other. Was it a capital? Yeah, he killed somebody who was working, and it kind of looked like a

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robbery, only because the drawer was open, which she would have opened and tried to give him or something. It may have looked like a robbery, but I just don't believe it was. That's just what I feel, and I'll never know the truth. Not in this lifetime.

17:38:00

JSL: Robert, we have taken advantage of your evening.

**RS:** Well, you know, there's lots of things I'm remembering, and I'm sitting here talking and thinking "Where did this come from?"