

1 ladies and gentlemen. Please call your next, Mr.  
2 Akers.

3 MR. AKERS: State calls Officer  
4 Oscar Pardo.

5 THE COURT: Thank you.

6 THE BAILIFF: This witness has been  
7 sworn in.

8 THE COURT: Officer, will you  
9 please come around the court reporter to the witness  
10 box. Make yourself comfortable. Adjust that  
11 microphone where it's in line with your mouth. Keep  
12 your voice up. Thank you. You may proceed when  
13 you're ready.

14 MR. AKERS: Thank you, Judge.

15 OSCAR PARDO,

16 After having been duly sworn, testified as follows:

17 DIRECT EXAMINATION

18 Q. (By Ms. Akers) Officer Pardo, would you  
19 go ahead and state and spell your name for the  
20 record?

21 A. Oscar Pardo, O-S-C-A-R, P-A-R-D-O.

22 Q. And, Officer Pardo, are you an HPD  
23 officer?

24 A. Yes, sir.

25 Q. How long have you been with HPD?

1           A.   Six years.

2           Q.   And you can go ahead and pull that so  
3 you don't have to scoot up every time.  In those six  
4 years have you investigated a lot of scenes?

5           A.   Yes, sir.

6           Q.   Did you go through the police academy  
7 and all that stuff that I won't go over again?

8           A.   Yes, sir, I did.

9           Q.   Do you remember the night of January  
10 11th of 2012?

11          A.   Yes, sir.

12          Q.   Were you working that night?

13          A.   Yes, sir, I was.

14          Q.   Are you, additionally, a part of the  
15 Gang Task Force?

16          A.   Yes, sir.  I'm assigned to the Southeast  
17 Gang Task Force.

18          Q.   And did you eventually get a call from  
19 two officers named Officer Tewes and Officer Moss?

20          A.   Yes, sir.

21          Q.   What did their call say?

22          A.   We work off of back channels.

23          Q.   Okay.  I don't mean to interrupt you.  
24 Let me ask a different question.

25          A.   Uh-huh.

1           Q.    They called you over to I.D. the  
2 defendant, right?

3           A.    Right.

4           Q.    And was it your understanding that he  
5 agreed to be identified at that point or refused?

6           A.    He was refusing to identify himself.

7           Q.    And, so, did y'all -- did y'all  
8 transport him from someone else's car?

9           A.    Yes, sir.

10          Q.    What'd y'all do?

11          A.    When we arrived on the scene, the  
12 defendant was in Officer Moss' and Tewes' backseat.

13          Q.    What was his demeanor?

14          A.    He was upset. He was angry. He was  
15 kicking the metal door and bars, window bars.

16          Q.    Now, did he make any statements while he  
17 was in the backseat?

18          A.    Yes, sir.

19          Q.    Let me ask you a few more questions  
20 before we get into it.

21          A.    Sure.

22          Q.    Were those statements in response to any  
23 questions?

24          A.    No, sir, not at all.

25          Q.    Did anybody just -- did anybody ask him

1 anything?

2 A. No, sir.

3 Q. Did he ever say anything while in the  
4 backseat of the police car about the weapon that was  
5 found?

6 A. Yes, he did.

7 Q. What did he say?

8 A. He stated that that was -- that wasn't  
9 the only weapon he had.

10 Q. What was the exact quote?

11 A. "That's not my only gun" or I believe it  
12 was something like that. "That's not the only gun I  
13 have" or "That's not the only gun I have" or that's  
14 not the --

15 Q. Who did he say it to?

16 A. We were all standing around the vehicle,  
17 but he was looking at Officer Tewes when he made  
18 those statements.

19 Q. Is Officer Tewes the gentleman -- the  
20 officer that arrested him?

21 A. Yes, sir.

22 Q. Was it made in a calm manner or a  
23 threatening manner?

24 A. Threatening manner. He was upset, and  
25 he was directing it to Officer Tewes.

1 MR. AKERS: Thank you, Officer.

2 Pass the witness.

3 CROSS-EXAMINATION

4 Q. (By Ms. Bell) Officer, did you write a  
5 report?

6 A. No, ma'am.

7 Q. So, you're just reflecting back on this?

8 A. Ma'am?

9 Q. So, you're just reflecting back on this  
10 conversation?

11 A. From the original offense report that  
12 Officer Tewes completed.

13 Q. Okay. So, you're relying on what Tewes  
14 said?

15 A. Yes, ma'am, and from my recollection.

16 Q. Officer, did you ever see Mr. Davis with  
17 a gun?

18 A. No, ma'am. By the time we got on the  
19 scene, he was already in the backseat.

20 Q. So, you can't attest to him being a  
21 felon in possession? You didn't see it, did you?

22 A. I didn't see him with a weapon, no,  
23 ma'am.

24 MS. BELL: Pass the witness.

25 MR. AKERS: Nothing further, Judge.

1 THE COURT: May this witness step  
2 down and be excused?

3 MR. AKERS: He may, Judge.

4 THE COURT: Not subject to recall?

5 MS. BELL: Not subject to recall.

6 MR. AKERS: That's fine with the  
7 State.

8 THE COURT: Thank you for your time  
9 and testimony. You are excused, sir. Call your  
10 next.

11 MR. AKERS: With that, Judge, the  
12 State rests.

13 MS. BELL: Judge, may we approach  
14 briefly?

15 THE COURT: Let's remove the jury  
16 for just a moment.

17 THE BAILIFF: All rise.

18 (Jury out)

19 THE COURT: You may be seated.

20 MS. BELL: I called our witness and  
21 asked him to be here by 45. He said he was trying  
22 to get back up here. He's not here yet. So, I was  
23 just making the Court aware, see if you want to  
24 break for the day or wait for him to get here.  
25 He'll be in the building tomorrow also.