

1 THE COURT: Please be seated.

2 You may proceed, Ms. Harvey.

3 MS. HARVEY: Thank you, Your Honor.

4 **MARK REYNOLDS,**

5 having been first duly sworn, testified as follows:

6 **DIRECT EXAMINATION**

7 **BY MS. HARVEY:**

8 Q. Would you tell the jury what your name is?

9 A. My name is Mark Reynolds.

10 Q. And how are you currently employed?

11 A. I'm employed as a sergeant with the Harris  
12 County Sheriff's Office.

13 Q. How long have you been a sergeant with the  
14 Harris County Sheriff's Office?

15 A. I've been employed coming up just shy of 30  
16 years. I've been -- actually, the rank of sergeant is  
17 misleading. So, I don't know how -- I've been an  
18 investigator for over 20 years.

19 Q. Okay. And what are the duties of an  
20 investigator?

21 A. I'm assigned to the Homicide Division where  
22 we're responsible for equivocal deaths, homicides,  
23 gunshots, suicides, child deaths, kidnappings,  
24 officer-involved shootings.

25 Q. Do you have particularized training in the area

1 of investigating homicides?

2 A. Yes, ma'am, we do.

3 Q. And what kind of training is it that you  
4 undergo?

5 A. We go to a number of trainings. They invest a  
6 lot of money in us, I guess, in all of our trainings.  
7 Blood spatter evidence, evidence collection, trace  
8 evidence, interviews, interrogations, those kinds of  
9 classes.

10 Q. Did you have occasion to become involved in the  
11 case where this defendant -- where -- in the case where  
12 Ms. Dinanno is the defendant?

13 A. That is correct.

14 Q. And at what time did you become involved in  
15 this case?

16 A. Back on March 20th, 2011. It was about five  
17 minutes to 4:00 in the afternoon. We were off on  
18 Sunday. It was our call-out weekend. And I was called  
19 and notified of the case.

20 Q. And after receiving your notification of the  
21 case, where did you respond to?

22 A. Memorial City Hospital there near Gessner and  
23 I-10.

24 Q. And when you arrived at Memorial City Hospital,  
25 where was your attention directed?

1           A.    To one of the treatment rooms.  It was Room No.  
2  28 in the emergency room where Ms. Dinanno was.

3           Q.    Do you see Ms. Dinanno that you saw on that day  
4  in the courtroom here today?

5           A.    At the table here to my left.

6                    MS. HARVEY:  Can the record reflect that  
7  the witness has identified the defendant?

8                    THE COURT:  The record will so reflect.

9           Q.    (By Ms. Harvey) When you met with her, what was  
10 her general emotional state?

11           A.    She was waiting for a sexual assault nurse to  
12 arrive to be examined and had reported a violent crime  
13 in her home.  So, she -- you know, she was distraught.  
14 She asked questions about her husband's condition,  
15 whether he was okay.

16           Q.    And at that point, was her husband okay?

17           A.    No.  I knew he was deceased, but I did not tell  
18 her that at that time.

19           Q.    And why didn't you share that information with  
20 her at that time?

21           A.    Because I didn't -- what was reported to me was  
22 that he was dead at the scene and she had been  
23 transported to the hospital, that it was an unknown  
24 assailant in a murder case.  And so, I felt that by  
25 going in and saying he's dead, it would just kind of

1 deteriorate her emotional status and ability to  
2 cooperate with my investigation. So, I just delayed  
3 telling her that, trying to gather more accurate,  
4 understandable information for the homicide  
5 investigation.

6 Q. And at the time that your investigation was  
7 proceeding, were you genuinely looking for an assailant  
8 who may have broken into her house?

9 A. Yes, ma'am.

10 Q. Did you observe any injuries on the defendant?

11 A. Yes.

12 Q. And what injuries did you observe?

13 A. She had pointed them out, actually, to an  
14 officer prior to me getting there and I was told about  
15 them. So, while I was in the room, I was able to view  
16 them. She had some horizontal superficial lacerations  
17 on her forearms, both forearms.

18 Q. I want to show you what have previously been  
19 entered into evidence as State's Exhibits 7 and 8  
20 (indicating).

21 A. Yes, ma'am.

22 Q. Do you recognize those?

23 A. Yes, ma'am.

24 Q. And do they fairly and accurately depict the  
25 injuries that you saw on the defendant back on March

1 20th of 2011?

2 A. Yes, ma'am, that's correct.

3 Q. Now, when you were just showing us, you sort of  
4 motioned to the outside or it seemed to me that you were  
5 motioning to the outside of your arm. Did you see any  
6 injuries on the outside, I guess the -- not the palm  
7 side, but the other side of her arm?

8 A. No. The only injuries were literally to the  
9 forearms of both arms.

10 Q. And did those injuries appear to be severe to  
11 you?

12 A. No, ma'am.

13 Q. And did you discuss with her the manner in  
14 which she got those injuries?

15 A. Really, our discussion didn't go all that deep  
16 about her injuries. That was not really the focus. And  
17 I -- I was really not questioning her story that much  
18 during our interactions.

19 Q. Okay. What information, if any, did you have  
20 with regard to the investigation when you first began  
21 your conversation with the defendant?

22 A. I knew that the decedent was at home, had  
23 been -- that there was a firearm and a knife present and  
24 that there had been an attempted sexual assault on  
25 Ms. Dinanno and she had been taken to the hospital.

1 Q. Was she under arrest for anything at that time?

2 A. No, ma'am.

3 Q. Was she free to go from you at that time?

4 A. Yes.

5 Q. Did you then conduct a recorded interview with  
6 her?

7 A. Yes. Virtually upon entering the room, I  
8 started an audio recording.

9 Q. At the time you had seen her, you said she was  
10 waiting to see a SANE nurse. Had she seen anyone in the  
11 medical field before that?

12 A. The actual -- the nurse at the hospital was --  
13 they were attending to her, but I think that's just part  
14 of their protocol on sexual assault victims, is to have  
15 a -- kind of like a forensic nurse that does the sexual  
16 assault evidence collection and examination.

17 Q. And she had not yet seen the nurse at that  
18 time?

19 A. Not the SANE nurse, no.

20 Q. The recording that you made of her, is it audio  
21 or video or both?

22 A. It's audio.

23 Q. And do you know approximately how long your  
24 interview with her lasted?

25 A. No. I mean, an hour, maybe.

1 Q. Have you listened to a copy of the recording  
2 that you took of her?

3 A. Not in the last -- not real recently, but, yes,  
4 I've listened to it.

5 Q. And in listening to it, can you identify all of  
6 the voices on the tape?

7 A. Yes.

8 Q. And whose voices are present on that tape?

9 A. That will be myself and the defendant.

10 Q. And is there anyone else present in the room  
11 when your interview takes place?

12 A. I think at one point a -- a medical  
13 professional comes in and leaves some equipment or  
14 something like that, maybe. That will be it.

15 Q. But no one else who was directly involved with  
16 the interview?

17 A. Nobody else participated in the interview, no.

18 MS. HARVEY: Your Honor, at this time, the  
19 State would offer into evidence State's Exhibit 124,  
20 tender to opposing counsel.

21 **(State's Exhibit No. 124 Offered)**

22 MR. VARELA: No objection to 124, Your  
23 Honor. I'm assuming it's the same as the copy I've been  
24 already provided with. So, with that understanding,  
25 there's no objection to 124.

1 THE COURT: Okay.

2 MS. HARVEY: And it is. It is an exact  
3 copy of the one that Mr. Varela was provided previously.

4 THE COURT: With that understanding,  
5 State's Exhibit 124 is admitted.

6 Do you have any other questions of this  
7 witness before you publish the statement to the jury?

8 **(State's Exhibit No. 124 Admitted)**

9 MS. HARVEY: No, ma'am.

10 THE COURT: Well, given that it's my  
11 understanding that this is going to take some amount of  
12 time to play this for you, I'm going to release you to  
13 go to lunch at this time. The bailiff has made  
14 arrangements again to take you to lunch.

15 Please remember my earlier instructions  
16 about not discussing the case either among yourselves or  
17 with anyone else. I hope you enjoy your lunch.

18 (Lunch recess)

19 (Open court, defendant and jury present)

20 THE COURT: Thank you. Please be seated.

21 Ms. Harvey, you may proceed.

22 MS. HARVEY: Your Honor, at this time, we'd  
23 like to publish State's Exhibit 124 to the jury.

24 THE COURT: You may.

25 (State's Exhibit No. 124 published)



1 Q. (By Ms. Harvey) Deputy, I'm not going to ask  
2 you too many questions during this video, but after --  
3 or during the time when she said, "When I held my arms  
4 up, he cut me there," did she do any sort of a  
5 demonstration for you at that point or did she show you  
6 how that was done?

7 A. No, she didn't exhibit it. She just raised  
8 her -- I think her sleeves were already up, but she  
9 indicated the marks on her forearms and she had talked  
10 about he cut me there and she kind of pointed to her  
11 genital area and she had a cut on one of her fingers.

12 (State's Exhibit No. 124 published)

13 Q. (By Ms. Harvey) And that's the next question I  
14 wanted to ask you. When she says: He wiped his gun  
15 across the front of her shirt, did she indicate in any  
16 physical manner how that was done?

17 A. What she demonstrated is -- as we're talking,  
18 I'm mainly listening -- is she kind of held her hand out  
19 and she made an up-and-down motion on the front of the  
20 outfit that she was wearing.

21 (State's Exhibit No. 124 published)

22 Q. (By Ms. Harvey) Let me ask you, the diagram  
23 that she drew you, do you still have that?

24 A. No, ma'am.

25 Q. Do you -- off the top of your head, do you know

1 what happened to it?

2 A. No, I really don't recall.

3 Q. Were you ever in the house at a later date?

4 A. Yes, I believe I went inside. I know I went to  
5 the scene the next day and talked to some neighbors, and  
6 I believe I went inside the house.

7 Q. And based on your recollection between what she  
8 drew and the house, was it fairly consistent with the  
9 way the house actually looked?

10 A. I don't know that I even thought about  
11 comparing it. It just -- I had never been there and I  
12 was trying to -- and she volunteered it up, but just to  
13 give some visual aid to what she was kind of describing  
14 on the different rooms, is all that was about.

15 (State's Exhibit No. 124 published)

16 Q. (By Ms. Harvey) Let me ask you this: At the  
17 time that she says, "No, we didn't have any arguments,"  
18 were you at that point considering her a suspect?

19 A. No.

20 (State's Exhibit No. 124 published)

21 Q. (By Ms. Harvey) Did that detail seem peculiar  
22 to you at all, that the intruder would have socks and no  
23 shoes?

24 A. It was worth noting. I mean, again, I hadn't  
25 been to the scene, so I didn't know, you know, how that

1 might pertain to it, but I thought it was important that  
2 she recalled it that way.

3 (State's Exhibit No. 124 published)

4 Q. (By Ms. Harvey) Let me ask you this. Because  
5 it appears that she did two -- or it sounds like she did  
6 two different demonstrations there. At one point, she  
7 says, "He was slicing at me like this." Did she make  
8 some sort of physical motion or movement to show you  
9 "slicing at me like this"?

10 A. I don't recall how she described it, whether it  
11 was overhand or underhand slicing.

12 Q. How about when she says, "He was holding the  
13 knife like this"?

14 A. Again, I don't recall whether she was talking  
15 about underhand or overhand. I don't recall that.

16 (State's Exhibit No. 124 published)

17 Q. (By Ms. Harvey) Let me ask you: If at this  
18 point she's not a suspect, what causes you to ask these  
19 questions regarding whether there's problems in the  
20 relationship on either side or whether she suspects  
21 anything of her husband?

22 A. Just experience from working, you know, murder  
23 scenes, that there's usually a motive. So, I mean,  
24 they're not directed to her as a suspect. It's more  
25 just as a motive. You know, is he a gambler? Does he

1 have a girlfriend? You know, is he a drug dealer? What  
2 would bring somebody into the home to commit a homicide.

3 Q. So, not necessarily did she kill him, but what  
4 would someone else from the outside have been interested  
5 in in order to kill him?

6 A. Exactly.

7 (State's Exhibit No. 124 published)

8 Q. (By Ms. Harvey) Do you know Joe's condition at  
9 that time?

10 A. Yes, I knew he was deceased already.

11 Q. Why did you not just tell her: Look, we know  
12 he's dead?

13 A. Again, experience dealing with witnesses from  
14 violent crimes that once that -- and, again, this was an  
15 unknown, a who-done-it kind of murder. And she was a  
16 tool for me. She was a witness and I needed her -- the  
17 information she had, I needed to, you know, catch  
18 whoever committed this offense. So, I -- or I felt that  
19 from experience that once I told her: Joe's dead, that  
20 she would just have a meltdown emotionally, you know, if  
21 that was truly the case, and that would just postpone me  
22 getting the information from her, so...

23 Q. Did the fact that she sometimes asks about his  
24 condition and sometimes seems sure about his condition,  
25 at any point did that seem inconsistent to you during

1 the interview?

2 A. It's just that was something that I kept in the  
3 back of my head along with the cuts to her forearms that  
4 just by themselves would probably be -- somebody would  
5 describe those as self-inflicted and not defensive, but  
6 it doesn't mean it's so. So, it's just something I file  
7 away and add on. And not to pass the buck, but I was  
8 not the lead on this case, so I was not ultimately  
9 responsible. I was helping my other partners who were  
10 at the scene and just gathering information at that  
11 point.

12 Q. So, is it fair to say, then, that you're just  
13 picking up tiny little bits that might add up to  
14 something then in the future?

15 A. Correct.

16 (State's Exhibit No. 124 published)

17 Q. (By Ms. Harvey) At the termination of the  
18 interview, did you then leave the hospital?

19 A. No, ma'am.

20 Q. What did you do?

21 A. I left the room. Shortly thereafter, the SANE  
22 nurse arrived from another hospital. I met with her,  
23 exchanged contact information, and she went in to do her  
24 sexual assault examination and collection. And I waited  
25 outside. In the meantime, one of my partners showed up.

1 Q. Did the SANE nurse then give you any  
2 information regarding how the examination proceeded?

3 A. Later she came out -- she was in there, you  
4 know, for awhile. She had collected some evidence and  
5 talked with the defendant. And then later she told me  
6 that she wouldn't cooperate any further.

7 Q. Did the defendant's lack of cooperation with  
8 the nurse examination raise any red flags in your mind?

9 A. Yes. I mean, along with everything else, you  
10 know, just the totality of everything that was coming  
11 together, that was not consistent with what I would  
12 expect, you know, a witness from a homicide to be doing.

13 MS. HARVEY: Pass the witness.

14 MR. VARELA: May we approach?

15 THE COURT: Yes.

16 (At the Bench, on the record)

17 MR. VARELA: Judge, I'm going to need about  
18 a three-minute break in a minute. Can I finish my cross  
19 first and then we take a break?

20 THE COURT: Do you need a break now?

21 MR. VARELA: Well, now would be better than  
22 later.

23 THE COURT: Do you need to use the  
24 restroom?

25 MR. VARELA: Yes.

1 THE COURT: Okay.

2 (Open court, defendant and jury present)

3 THE COURT: All right. Ladies and  
4 gentlemen, we are going to take a brief five-minute  
5 break. We'll return for cross-examination.

6 (Recess)

7 THE COURT: Thank you. Please be seated.

8 Mr. Varela, you may proceed.

9 MR. VARELA: Thank you, Your Honor.

10 **CROSS-EXAMINATION**

11 **BY MR. VARELA:**

12 Q. Detective Reynolds, you indicated you've been  
13 with the sheriff's department a long time, sir. Close  
14 to 30 years?

15 A. Twenty-nine years, ten months.

16 Q. How long have you been a detective or a  
17 homicide detective?

18 A. I was promoted to the rank of detective in  
19 1991.

20 Q. So, that's 22 years you've been a detective?

21 A. Twenty-two, twenty-three, yes, sir.

22 Q. It's a fair statement to say, Detective  
23 Reynolds, that you have as much experience as anyone in  
24 Harris County law enforcement investigating homicides  
25 and other serious crimes, correct?

1 A. I believe I am the most senior today.

2 Q. I think you have that reputation and you  
3 believe that, don't you?

4 A. I don't know about that reputation. I'm just  
5 saying years in service.

6 Q. Right. You're, in some ways, the dean of  
7 Harris County homicide detectives?

8 A. No, I don't think so.

9 Q. Okay. But you know a lot about it, don't you?

10 A. A lot of on-the-job training, yes, sir.

11 Q. And you've had some like in-house law  
12 enforcement type training?

13 A. Some formal training, yes, sir.

14 Q. Okay. But mostly through your considerable  
15 experience?

16 A. Mostly, yes, sir.

17 Q. You've investigated hundreds of homicides --

18 A. Yes.

19 Q. -- in the last 20-something years?

20 A. Yes. Yes, sir.

21 Q. At least a hundred, right?

22 A. Probably closer to the thousand number,  
23 probably, the last I've tried to count.

24 Q. So, you've probably taken a thousand  
25 statements, just guessing?



1 A. Yes, sir.

2 Q. All right. And one of the things you look for  
3 when you're taking statements is whether or not they're  
4 consistent with other statements made by the same  
5 person, correct?

6 A. Yes.

7 Q. And you do that when you're sort of analyzing  
8 the veracity or the truth of a given statement or set of  
9 statements, right?

10 A. Yes, sir.

11 Q. You made yourself aware that Ms. Dinanno spoke  
12 with a sexual assault examination nurse, correct?

13 A. Yes, sir.

14 Q. Did that encounter with the nurse happen before  
15 you took the statement that we've just heard or  
16 afterwards, or do you know?

17 A. It would have been after.

18 Q. Okay. So, first she gave her statement to you?

19 A. Yes.

20 Q. Then any statements she might have given to the  
21 nurse would have happened after your statement, correct?

22 A. Yes.

23 Q. And then any statements she may have given  
24 later on to law enforcement would have occurred after  
25 your statement as well, correct?

1 A. That is correct.

2 Q. As far as you know, you're the first person  
3 that actually took a detailed question-and-answer format  
4 statement from Ms. Dinanno, right?

5 A. To the best of my knowledge, yes.

6 Q. Okay. Ms. Dinanno, during the time you were  
7 talking to her, never demanded an attorney, correct?

8 A. No, sir.

9 Q. She never refused to answer any questions?

10 A. Correct.

11 Q. She never told you that you were not free to  
12 search her home, correct?

13 A. I didn't ask, but she didn't tell me that.

14 Q. Right. She never said: Hey, by the way, don't  
15 start searching around, don't start collecting evidence,  
16 I don't want you to do any of those things?

17 A. Correct.

18 Q. She never said that, right?

19 A. That's correct.

20 Q. She appeared, in fact, to be cooperating with  
21 your investigation when she answered your questions?

22 A. Yes, sir.

23 Q. In fact, we heard the statement just now  
24 published to the jury where she actually did volunteer  
25 some information that you didn't ask for, correct?

1 A. Yes, sir.

2 Q. At times she fleshed out the answers to your  
3 questions, right, without being prompted?

4 A. Yes. I mean, I was not nitpicking for details,  
5 but, yeah, it's -- she did.

6 Q. Okay. And, in fact, she volunteered to draw  
7 you a little diagram of the house so, I guess, to make  
8 your investigation easier?

9 A. I think just to get her point across, to -- for  
10 me to understand what she was saying, but, yes.

11 Q. Okay. You found the diagram, at least at the  
12 time, potentially useful?

13 A. Correct.

14 Q. Okay. So, by all appearances, while you were  
15 taking this statement, she's a cooperating witness,  
16 right?

17 A. Yes, sir.

18 Q. She appeared to be upset when you talked to  
19 her?

20 A. Yes, sir.

21 Q. In fact, we can hear on the statement that she  
22 sort of demonstrates some emotion, right?

23 A. Correct.

24 Q. Now, this statement, obviously, was audiotaped  
25 only and not videoed, right?

1           A.    That's correct.

2           Q.    But she appeared to be sort of, I guess,  
3 disheveled or -- I don't know what the word would be.

4           A.    Distraught.  I mean, she did.  She gave the  
5 appearance of being distraught.  I thought she was.

6           Q.    And she was obviously not at her best when she  
7 gave this statement to you?

8           A.    I wouldn't know her at her best, so I --

9           Q.    Did you ever see her before she gave the  
10 statement?

11          A.    No, sir.

12          Q.    Did you ever see her again after she gave the  
13 statement?

14          A.    We were at our office together later.  I mean,  
15 we were in the same building, but that would have been  
16 the last time I saw her until today.

17          Q.    So, your principal contact, basically, or only  
18 contact with Ms. Dinanno was while you were taking this  
19 statement at the hospital, right?

20          A.    That's correct.

21          Q.    You've seen a wide range of reactions on the  
22 part of people that are either crime victims or claiming  
23 to be crime victims, correct?

24          A.    Correct.

25          Q.    Some of them are sort of hysterical, right?

1           A.    Yeah.  It is -- it's a wide range.  There is no  
2 normal.

3           Q.    Some of them are quite calm?

4           A.    Some are calmer than others.

5           Q.    Right.

6           A.    I mean, I don't know if they're as calm as you  
7 or I are in this room, but they're what -- what I would  
8 consider calm if they had been either a witness or a  
9 victim of a violent situation.

10          Q.    And you just can't predict how a person is  
11 going to react in a given situation of like extreme  
12 stress or trauma, can you?

13          A.    I think -- I think I have expectations, I think  
14 we all have expectations of how someone should react or  
15 what we expect them to do, but they don't always meet  
16 those expectations.

17                   MR. VARELA:  We'll pass the witness.

18                   THE COURT:  Anything further?

19                   MS. HARVEY:  Just briefly, Judge.

20                                   **REDIRECT EXAMINATION**

21 **BY MS. HARVEY:**

22          Q.    You stated that you think that she drew out  
23 that diagram so that you could understand what it was  
24 that she was saying.  Even after she gave her statement  
25 to you at the hospital, were you able to formulate a

1 real clear timeline in your mind of exactly what  
2 happened and where people were?

3 A. I can't say it was real clear to me at that  
4 time. I think I had a basic knowledge of it, something  
5 that I could relay to my partners that were at the scene  
6 that were actually looking at the physical evidence  
7 there and doing an investigation there, that I could  
8 give them some understanding.

9 Q. And was that the purpose of your interview at  
10 the hospital?

11 A. Yes, ma'am.

12 MS. HARVEY: Pass the witness.

13 MR. VARELA: No questions.

14 THE COURT: May this witness be excused?

15 MS. HARVEY: Yes, Your Honor.

16 THE COURT: Thank you, sir. You may step  
17 down. You're excused.

18 THE WITNESS: Thank you.

19 THE COURT: Call your next witness.

20 MS. HARVEY: State calls Detective Mario  
21 Quintanilla.

22 THE BAILIFF: This witness has not been  
23 sworn, Judge.

24 THE COURT: Thank you. If you step  
25 forward, the clerk will administer the oath.