

1 analyst who's going to tell you the amount of that
2 cocaine and that the substance in that bag the
3 defendant discarded was cocaine.

4 At the end of all the State's
5 witnesses, at the end of the three witnesses you
6 hear from today, the State's going to urge you to
7 find the defendant guilty of possession of a
8 controlled substance. Thank you.

9 THE COURT: Mr. Ramirez.

10 MR. RAMIREZ: Good afternoon. I
11 hope y'all had a good lunch. I expect, as always,
12 there's always two sides to every story. I
13 anticipate that the prosecution will, as always,
14 present the things they think will secure a
15 conviction in this case. There will be many factors
16 in this case that may suggest otherwise and that the
17 State would just fail to mention. I -- most
18 important, at the end of this case there will be --
19 it's our belief, the evidence -- there will be at
20 least one piece of evidence that shows -- that shows
21 a lack of -- beyond a reasonable doubt.

22 And, so, we hope that at that point
23 you'll get all the evidence and make a judgment
24 based on what you learn from the stand. Thank you.

25 THE COURT: Ms. Oswald, you may

1 call your first witness.

2 MS. OSWALD: State calls Officer
3 Valle to the stand.

4 THE BAILIFF: This witness has been
5 sworn, Your Honor.

6 THE COURT: All right. You may
7 proceed.

8 LUIS VALLE,

9 After having been duly sworn, testified as follows:

10 DIRECT EXAMINATION

11 Q. (By Ms. Oswald) Officer, will you please
12 introduce yourself using your first and last name.

13 A. Yes, ma'am. My name's Officer Luis
14 Valle, II. I've been with the Houston Police
15 Department for five years.

16 Q. Prior to being with the Houston Police
17 Department, what did you do?

18 A. Prior to it? I was a college student,
19 graduated from college from the University of
20 Houston Downtown.

21 Q. After you graduated from the University
22 of Houston, did you go straight into the police
23 academy?

24 A. I graduated in May, and I entered in
25 October of that year.

1 Q. Now, how long were you at the police
2 academy?

3 A. Six months.

4 Q. And what kind of activities or subjects
5 do you learn while at the police academy?

6 A. They teach us Penal Code and they teach
7 us traffic laws and then from book work you go into
8 practical stuff. They teach you how to do traffic
9 stops, how to arrest someone. If someone gets
10 physical with you, they teach you how to defend
11 yourself.

12 Q. Now, after you finished with the academy
13 what do you do from that point on?

14 A. After that you're assigned to a certain
15 area of town. So, I was assigned the west side of
16 town. Then I transferred to the station that I'm
17 currently at right now.

18 Q. How long have you been with the station
19 that you're currently at?

20 A. Since November of '08 till now.

21 Q. And what division or what unit are you
22 with?

23 A. I'm currently with -- it's called the
24 divisional tactical unit at the east side station.

25 Q. What is a divisional tactical unit?

1 What do they do that's different than a patrol
2 officer?

3 A. We're not assigned to calls for service.
4 So, what we do is what we call proactive, and we're
5 basically, like, targeting the hot spot areas where
6 high-crime areas happen, whether it be burglaries or
7 drug-related stuff. We are in that area.

8 Q. In what area are you assigned to patrol,
9 what hot spot area?

10 A. It's known as 11th District where we're
11 at.

12 Q. And does 11th District also include the
13 9300 [sic] block of Winkler?

14 A. Yes, ma'am.

15 Q. Now, just go back. What do you mean by
16 calls for service? Is that when someone calls 911?

17 A. Yes. If you were to call a
18 non-emergency or emergency number, they would send a
19 dispatch officer to you. The unit I'm in, we're not
20 dispatched to any calls.

21 Q. Now, high-crime areas. What kind of
22 area is the 9300 [sic] block of Winkler, that
23 surrounding area?

24 A. There are some bars there. There's some
25 pool halls there. There's some apartment complexes

1 there, all known for either having drugs, having
2 drugs in there or they do a lot of burglaries,
3 whether it be in the apartments and specifically of
4 your vehicles.

5 Q. Were you working on November 2nd of
6 2011?

7 A. Yes, ma'am.

8 Q. Were you riding with another officer
9 that evening?

10 A. Yes, ma'am.

11 Q. What other officer were you riding with?

12 A. Officer Eduardo Martinez.

13 Q. Are you guys considered partners?

14 A. Yes, ma'am.

15 Q. How long have you been his partner?

16 A. Since, I would say, 2009, 2010,
17 somewhere around there.

18 Q. Now, do all H.P.D. officers ride with a
19 partner, or is there some patrol cars that only have
20 one officer in them?

21 A. The majority of people ride one to
22 themselves.

23 Q. What's different about your unit that
24 you ride two officers to a patrol car?

25 A. Because we're considered proactive.

1 It's, I guess you'd say a little bit more dangerous,
2 you'd want to say. We're targeting criminals.
3 We're targeting offenders, things of that nature.
4 So, it's a safety issue to have a partner with you
5 at all times.

6 Q. Now, on November 2nd of 2011 what shift
7 are you working?

8 A. We're working evening shifts. So, it's
9 from 2:00 to 10:00, but this particular night was
10 overtime night.

11 Q. What do you mean by overtime night?

12 A. Our sergeant told us we're going to be
13 working overtime for a couple of hours, targeting
14 the area that we work from the 9500 block of
15 Winkler, that area.

16 Q. Now, on November 2nd did you have a
17 chance to come into contact with a Ford Victoria
18 that was black?

19 A. Yes, ma'am.

20 Q. How did you first come to notice this
21 car?

22 A. We noticed it circling the parking lot
23 of a pool hall, and it was kind of driving around
24 slowly as if it was casing out the place, like
25 possibly looking at vehicles they might want to

1 break into because it didn't go to a parking space.
2 It kept circling around and circling around.

3 Q. Now, did you end up stopping that car in
4 the pool hall parking lot?

5 A. No, ma'am.

6 Q. What did you do after you noticed it
7 circling around the parking lot?

8 A. After it did that we kind of watched it
9 for a little bit and it exited the parking lot and
10 it began to drive down Winkler and from that point
11 it turned into a subdivision.

12 Q. How do you know it was a subdivision?

13 A. It's -- in that area there are no
14 houses. So, it stands out that they're fairly new
15 houses and it's got a wooden fence. It has a sign
16 of the subdivision name. I don't recall the name,
17 but it has a name.

18 Q. And at that point, did you follow the
19 Victoria into the subdivision?

20 A. No, ma'am.

21 Q. What did you do at that point in time?

22 A. Once it entered the subdivision, we
23 turned off where we pulled into a nearby bar just to
24 watch traffic and see if any other activity might
25 occur.

1 Q. Did you see that black Victoria again
2 after it turned into the subdivision?

3 A. Once it turned in, I'm not sure where it
4 went or what it did.

5 Q. Did you have a chance to see it again
6 any other time that evening?

7 A. Yes. It came out shortly afterwards.
8 So, it went into the subdivision. Again, I didn't
9 see what it did, but it came out of the subdivision.

10 Q. About how long after it went into the
11 subdivision did it come out?

12 A. Maybe like five, ten minutes.

13 Q. And what did the car do at that point in
14 time?

15 A. At that point, it came to a stop which
16 it's supposed to, and at that stop sign you're
17 supposed to make a right turn. It's a one-way
18 street. The black car went the wrong way down the
19 street and then kind of crossed over the median to
20 the right side of traffic. So, the car went the
21 wrong way down the street to get over to the right
22 side of the street.

23 Q. Is it safe to say it should have turned
24 right and made a u-turn going on the right side of
25 Winkler?

1 A. Yes, ma'am.

2 Q. Could you see how many people were in
3 the car at this time?

4 A. No, I could not.

5 Q. Was it because the windows were too
6 dark?

7 A. Yes.

8 MR. RAMIREZ: Objection, Judge, to
9 leading.

10 THE COURT: Sustained.

11 Q. (By Ms. Oswald) Could you see how many
12 people were in the car?

13 A. No.

14 Q. What did you do when you saw the car
15 trying to attempt to go down the wrong side of the
16 road?

17 A. Once we saw it go down the wrong side of
18 the road, we then proceeded to follow it, and we
19 were going to initiate a traffic stop.

20 Q. And what do you mean? What do you do
21 when you initiate a traffic stop?

22 A. You turn on your lights, your overheads,
23 and turn on your siren so they know to pull over.

24 Q. Were you the driver of the car?

25 A. Yes, ma'am.

1 Q. Now, when you initiated the traffic
2 stop, what did the black Victoria do?

3 A. When we got behind it, turned our lights
4 and sirens on. It did what we call a slow roll,
5 which is basically when you're behind someone you
6 put the lights on. They're supposed to pull over
7 and stop. This guy didn't do that. He slowly
8 rolled around, rolled around. There was a gas
9 station and there were, I believe, two entrances
10 that he could have used to get into. And instead of
11 going in, he went all the way around the gas
12 station, turned on a street, entered through the
13 rear entrance of the gas station, then finally came
14 to a stop.

15 Q. Now --

16 MS. OSWALD: Your Honor, may I
17 approach?

18 THE COURT: You may.

19 Q. Officer, I'm handing you what's been
20 marked as State's Exhibit 1 and State's Exhibit 2.
21 Do you recognize these?

22 A. Yes, ma'am.

23 Q. And how do you recognize them?

24 A. Well, it's a map showing the area where
25 this incident occurred.

1 Q. Is it a fair representation of the area
2 which you were patrolling, that area where the stop
3 occurred?

4 A. Yes, ma'am.

5 MS. OSWALD: Offering State's
6 Exhibit 1 and 2 to defense counsel.

7 MR. RAMIREZ: No objection.

8 THE COURT: They're admitted.

9 MS. OSWALD: At this time I'd ask
10 to publish them, Your Honor.

11 THE COURT: Granted.

12 (Exhibits published to jury on
13 overhead)

14 Q. (By Ms. Oswald) Showing you State's
15 Exhibit 1 at this time. Officer, what block is this
16 showing?

17 A. That's showing --

18 Q. And, Officer, you can use the pad to
19 your left. You can actually touch on the screen and
20 kind of point to the area in which you were
21 patrolling that evening. Can you show the bar in
22 which you first saw the Crown Victoria? What area
23 was that in?

24 A. It was right here, along the feeder
25 and -- of this road, Monroe.

1 Q. It should show up or use an arrow.

2 Okay. Now, is that area in Harris County, Texas in
3 which you were patrolling?

4 A. Yes, ma'am.

5 Q. Now, what area did you pull the black
6 Victoria over?

7 A. I believe it's Winkler and State. There
8 should be a gas station right there.

9 Q. Is that marked with an A in the area or
10 is that closer to where Winkler is? Can you draw a
11 circle in that area?

12 A. I want to say it's right here. It's off
13 a little bit, but --

14 Q. So, that was the area. Is that area
15 also in Harris County, Texas?

16 A. Yes. But it's off from that circle.
17 Just a little bit where State Street is. I don't
18 know if they can see that, where it intersects with
19 Winkler.

20 Q. So, it should be --

21 A. Right there.

22 Q. Right about here?

23 A. Yes, ma'am. Right there.

24 Q. And that is in Harris County, Texas; is
25 that right?

1 A. Yes, ma'am.

2 Q. Now, you stated that the car had an
3 opportunity to pull into a gas station, a number of
4 areas. And if you would just touch the left-hand
5 side, it should erase the circle. Tap it. Where is
6 this gas station? You could point it out on the
7 map.

8 A. Sure. It's right here where this number
9 three is on your map. It's right below it, that
10 white kind of awning. That would be where you pump
11 your gas.

12 Q. Which direction was this car traveling
13 in which you were following? Was it traveling -- if
14 you were to look at this map from left to right on
15 Winkler?

16 A. Uh-huh. Okay. It's traveling to the
17 right.

18 Q. Now, how many entrances to that gas
19 station are there along Winkler?

20 A. From this map, I see two.

21 Q. Now, where did this Crown Victoria pull
22 into the gas station from?

23 A. Well, it's traveling right on Winkler.
24 The first street past it right here, I don't know if
25 they can see that street. It went down that street,

1 then turned another right into this street and then
2 entered in this back entrance. And then it still
3 continued to drive until it parked right to almost
4 kind of the front of the gas station.

5 Q. When it stopped, what did you see at
6 that point in time?

7 A. The front passenger door immediately
8 flung open, and the defendant just began to take off
9 running.

10 Q. Did you see the front passenger? Were
11 you able to identify him at that time?

12 A. I saw briefly what he looked like, and
13 he took off running.

14 Q. Now, at that point in time did you get
15 out of your car and start chasing after him, or did
16 your partner?

17 A. My partner.

18 MR. RAMIREZ: Objection to leading,
19 Judge.

20 THE COURT: Sustained.

21 Q. (By Ms. Oswald) Who chased after the
22 defendant?

23 A. My partner, Officer Martinez.

24 Q. What did you do at that time?

25 A. At that point I held the scene, I guess,

1 with the car, with the driver because we didn't know
2 how many people were in it at that time. So, I was
3 concerned with the driver.

4 Q. And how many other people besides the
5 defendant were in that car?

6 A. There were a total of three. So, the
7 defendant ran away. So, there were only two left in
8 the vehicle, the front, the driver and a rear seat
9 passenger.

10 Q. Now, at that point in time, Officer
11 Martinez started to chase after the defendant, did
12 you ever see the person they were chasing after
13 that point in time? Did you ever see who he was
14 chasing, the front passenger?

15 A. I saw him when he got out. Then I
16 didn't see him anymore.

17 Q. Okay. Did Officer Martinez bring the
18 defendant back to your patrol car?

19 A. Yes.

20 Q. Did you see the defendant at that time?

21 A. Yes.

22 Q. Would you be able to identify who ended
23 up fleeing from the passenger side of the car?

24 A. Yes, ma'am.

25 Q. Do you recognize him in the courtroom

1 today?

2 A. Yes, ma'am.

3 Q. Can you point him out and identify him
4 using an article of clothing?

5 A. Yes, ma'am. He's at my left. He's
6 wearing a long, blue-sleeved shirt.

7 MS. OSWALD: May the record reflect
8 that the officer has positively identified the
9 defendant?

10 THE COURT: The record will so
11 reflect.

12 Q. And at that point did you transport the
13 defendant in your patrol car, or what happened at
14 that point in time?

15 A. Yes. We transported him to the jail.

16 Q. Did you see -- after the defendant ran
17 from the passenger side of the car, was it you or
18 Officer Martinez that saw anything happen from that
19 point in time? Did you see anything the defendant
20 did besides running from the car?

21 A. I didn't see anything.

22 MS. OSWALD: Pass the witness, Your
23 Honor.

24 THE COURT: Mr. Ramirez.

25

CROSS-EXAMINATION

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Q. (By Mr. Ramirez) Officer Valle; is that correct?

A. Yes, sir, Valle.

Q. Yes. Officer Valle, my name is Enrique Ramirez. I'm the lawyer that represents Mr. Garza. I'm going to ask you a few questions, and if there's something I don't make clear or you don't understand my question, you could just stop me. I'll rephrase it. I'll ask it again. Okay. So, where had you been immediately before you got to before any of these events happened? Where had you been?

A. Just patrolling the area, sir.

Q. Okay. What time did you start your shift that day?

A. At 2:00 p.m.

Q. What time did you say that you first saw the vehicle? What time would you tell this jury you first saw the vehicle, the black Crown Victoria?

A. I would have to refer to my offense report.

Q. Go ahead.

A. Probably around 11:00 -- I'm going to say about 11:30, sir.

Q. So, you don't remember, but you're

1 looking at your report and making some sort of
2 calculation as to what time you think you first saw
3 the vehicle?

4 A. When you say first, you mean the time I
5 saw it in the pool hall?

6 Q. Whenever the first time you saw the
7 vehicle.

8 A. Yes, sir.

9 Q. And where was that pool hall?

10 A. It's on Monroe, before Monroe turns to
11 Winkler. I believe it's called Barney's pool hall.
12 It's at 45 and Monroe.

13 Q. Is that written in your report?

14 A. No, sir.

15 Q. So, there's no reference to there being
16 a bar or a pool hall or anything like that in your
17 report, is there?

18 A. No, sir.

19 Q. Just something you omitted or cautiously
20 decided not to put it in there?

21 A. That didn't pertain to this offense.

22 Q. Well, it pertained enough for you to
23 testify about today, did it not?

24 A. Yes, sir.

25 Q. But you chose not to put it in your

1 report?

2 A. I didn't put it in the report.

3 Q. Let me ask you, did you prepare the
4 report or did some other officer prepare the report?
5 Let me ask you that. Perhaps that's the reason why.
6 Do you remember, or do you need to refresh your
7 memory on that?

8 A. It states on the report who generated
9 it, sir.

10 Q. Do you remember from memory, or do you
11 need to look at the report to remember who wrote the
12 report?

13 A. I believe it was Officer Martinez wrote
14 the report, sir.

15 Q. So, Officer Martinez failed to put that
16 information in the report, fair?

17 A. I don't know why he didn't put it in
18 there, sir.

19 Q. So, this is not a report that you
20 prepared then? Is that fair to tell the jury; you
21 didn't make this report?

22 A. Yes, sir.

23 Q. Okay. Fair enough. But we do know
24 that's not in there. Now, what was -- so, you said
25 11:30 is when you first saw the vehicle. And then

1 it was traveling through the parking lot, I trust;
2 is that right?

3 A. Yes, sir.

4 Q. Had you seen the vehicle pull out of a
5 parking slot?

6 A. No, sir.

7 Q. Did you -- when you pulled into the
8 parking area, was it already moving, driving around?

9 A. Yes, sir. It was circling the parking
10 lot when we saw it.

11 Q. Okay. You didn't see it pull in though,
12 do you?

13 A. No.

14 Q. And you don't -- you're not telling this
15 jury that you saw it coming out of a parking slot,
16 right, like it had been parked and was leaving,
17 right?

18 A. It was circling the parking lot, sir.

19 Q. In fact, you don't know whether or not
20 it had been at the park -- at this location for some
21 time and was pulling away and circling when it did
22 so, or you can't tell this jury whether or not it
23 had just arrived and was circling, can you?

24 A. Right. No, sir.

25 Q. Yeah, because when you got there, all

1 you saw was it was just driving around?

2 A. Yes, sir.

3 Q. And then it left. What time would you
4 say that it left the parking lot?

5 A. It was maybe in there for no more than
6 five minutes.

7 Q. So, 11:35 based on your sequence of
8 11:30?

9 A. Yes, sir.

10 Q. Then does this map show you the entrance
11 to the neighborhood that you testified to that they
12 entered?

13 A. The one on the screen doesn't, sir.

14 Q. All right. How about this one?

15 A. Yes, sir.

16 Q. Can you -- let me move this a little bit
17 because there are some other marks. Okay. Can you
18 point on your screen there where you say the street
19 leads into the neighborhood that you say they pulled
20 into?

21 A. It would be right around here. All this
22 is a subdivision here, sir.

23 Q. What time did they pull in there?

24 A. Once they exited the parking lot, they
25 went immediately into there. So, maybe a minute or

1 two after they left the parking lot.

2 Q. So, 11:37 or so, based on your 11:35
3 leaving the parking lot?

4 A. Approximately.

5 Q. Approximately. How long were they in
6 the subdivision?

7 A. Not too long, five, ten minutes, not
8 even ten, five minutes-ish.

9 Q. So, 11:42? Would it be fair to say then
10 that they were exiting -- they were in there five
11 minutes. That would put them at 11:42 if they
12 entered at 11:37?

13 A. If they entered at that time, which I
14 don't remember which time it was.

15 Q. Could it have been more time they were
16 in the neighborhood?

17 A. They were in the neighborhood shortly.
18 As far as the duration of the time, I couldn't tell
19 you, sir.

20 Q. Right. Did you ever come to find out
21 whether any of the individuals of the vehicle lived
22 in that neighborhood?

23 A. I don't remember if anyone lived there
24 or not.

25 Q. So, you don't know?

1 A. No, sir.

2 Q. So, it's possible they may have gone to
3 somebody's home and then --

4 MS. OSWALD: Objection,
5 speculation.

6 THE COURT: Sustained.

7 Q. (By Mr. Ramirez) So, then they pulled
8 out of there and traveled down Winkler; is that
9 correct?

10 A. They went the wrong way down the street,
11 down Winkler.

12 Q. And they -- you activated your emergency
13 equipment and then they eventually pulled into the
14 parking lot of that gas station having gone around
15 the back side; is that correct?

16 A. Yes, sir.

17 Q. Did you call any other units, any other
18 officers to come out there at that time?

19 A. At that time we didn't call anybody.

20 Q. At what time did you call the other
21 officers?

22 A. Once I saw the passenger door fling open
23 and the defendant run out, I let other units know
24 someone was running away from us.

25 Q. You were stopping that vehicle because

1 of the traffic violation; is that right?

2 A. Yes, sir.

3 Q. And did you issue a traffic citation?

4 A. The driver didn't have a driver's
5 license. So, he was arrested for that, sir.

6 Q. Did you ever issue a traffic citation
7 for any type of traffic violation that you had
8 observed that evening?

9 A. A ticket was written, but he was booked
10 under that ticket.

11 Q. What was that citation for?

12 A. For -- the driver was driving without a
13 license.

14 Q. So, you pulled him over, and you gave
15 him a ticket for driving without a driver's license,
16 right?

17 A. Yes, sir.

18 Q. Did you know he did not have a driver's
19 license when you first pulled him over?

20 A. No, sir.

21 Q. In fact, you wouldn't have known that
22 until afterwards, right?

23 A. He was stopped for driving the wrong way
24 on the street, sir.

25 Q. But you didn't give him a ticket for

1 that, did you?

2 MS. OSWALD: Objection, asked and
3 answered.

4 THE COURT: Sustained.

5 Q. (By Mr. Ramirez) At what point did you
6 come to realize that there was -- that he didn't
7 have a driver's license?

8 MS. OSWALD: Objection, asked and
9 answered.

10 THE COURT: Overruled. You can
11 answer the question.

12 A. Okay. Once the scene was settled, so to
13 speak, the defendant was brought back by Officer
14 Martinez, all the other occupants of the vehicle
15 were detained. We then go to ask -- once we search,
16 make sure they don't have any weapons on them, do
17 they have any identification? At that point we
18 learned he didn't have identification.

19 Q. (By Mr. Ramirez) Do you remember the
20 name of the driver to whom you gave the citation
21 for?

22 A. No. I can look at the report.

23 Q. Yeah. Go ahead.

24 A. It would be Patrick Fernandez, sir, was
25 the driver of the vehicle.

1 Q. So, when you -- let me ask you. You
2 had -- in your experience as a police officer, when
3 somebody's driving without a driver's license, is it
4 your common practice to arrest that individual, or
5 do you generally issue a citation?

6 MS. OSWALD: Objection, relevance.

7 THE COURT: Overruled.

8 A. If they don't have a driver's license or
9 any form of identification, we don't know who that
10 person is. So, they're arrested at that time, so
11 they can be identified.

12 Q. So, are you telling this jury he had no
13 other form of identification?

14 A. Not that I remember.

15 Q. You don't remember or he didn't?

16 A. I don't remember what he had in his
17 wallet, but he didn't possess a Texas Driver's
18 License.

19 Q. Let's assume for argument's sake that he
20 had some other, an I.D., a college I.D. or something
21 like that. Would you still arrest him?

22 MS. OSWALD: Objection,
23 speculation.

24 THE COURT: Overruled.

25 A. A college I.D. is not a driver's

1 license, sir.

2 Q. (By Mr. Ramirez) Yes, sir. I understand
3 that. But you had an option not to arrest him, did
4 you not?

5 A. No, sir.

6 Q. No option. So, it was your opinion --
7 it was your opinion you didn't have any option but
8 to arrest him?

9 MS. OSWALD: Objection, asked and
10 answered.

11 THE COURT: Sustained.

12 Q. (By Mr. Ramirez) So, at the moment you
13 decided to pull that vehicle over, the only person
14 that you were targeting was the driver; isn't that
15 true?

16 A. We were stopping whoever was driving the
17 vehicle for the traffic violation he had made.

18 Q. You're not telling this jury here that
19 Mr. Garza was the driver, right?

20 A. No, sir. He was the front passenger.

21 Q. Okay. And at that moment, what had
22 Mr. Garza done?

23 A. Which moment, sir?

24 Q. When you decided to pull that vehicle
25 over.

1 A. When he finally came to a stop?

2 Q. No. Before you decided to pull the
3 vehicle over, what had Mr. Garza done?

4 A. I'm not sure I understand. Can you
5 explain a little bit more?

6 Q. Sure. No problem. You're pulling over
7 the vehicle because there was a traffic -- you
8 observed a traffic violation, right? That was the
9 basis of your stop, correct?

10 A. Yes, sir.

11 Q. That would have been attributed to the
12 driver; is that fair to say?

13 A. Yes, sir.

14 Q. So, at that point, there were -- you
15 testified there were two other people in the car,
16 right?

17 A. Yes, sir.

18 Q. What had the backseat passenger done or
19 Mr. Garza done at that point? Had they done
20 anything against the law, as far as you know?

21 MS. OSWALD: Objection,
22 speculation.

23 THE COURT: Overruled.

24 A. No, sir.

25 Q. (By Mr. Ramirez) So, they weren't the

1 target of any kind of investigation, right, just the
2 driver?

3 A. The vehicle was the reason.

4 MR. RAMIREZ: Pass the witness,
5 Judge.

6 MS. OSWALD: No further questions,
7 Your Honor.

8 THE COURT: May this witness be
9 excused?

10 MS. OSWALD: Yes, Judge.

11 MR. RAMIREZ: Yes.

12 THE COURT: You may step down.
13 Call your next witness.

14 MS. OSWALD: State calls Officer
15 Martinez to the stand.

16 THE BAILIFF: This witness has been
17 sworn, Your Honor.

18 THE COURT: Thank you. You may
19 proceed.

20 EDUARDO MARTINEZ,
21 After having been duly sworn, testified as follows:

22 DIRECT EXAMINATION

23 Q. (By Ms. Oswald) Officer, will you
24 please introduce yourself to the jury, using your
25 first and last name?