

Video Interview of Chisum Lopez

Q Let's start from the beginning.

A I'm doing work for the guy that owns the Appaloosa.

Q What kind of work are you doing?

A Mason work... I work for _____? And the guy that owns the Appaloosa owns the extreme book store on Peterson Road... I guess he bought it out... he told me to come down and he would hook me up with a deal because my boss is doing this for free to hook up his employees.

Q Now, you're talking about who is going to hook you up with a deal?

A The guy that owns the Appaloosa.

Q So he's going to hook you up with a deal and you say come down, come down where?

A To the Appaloosa.

Q So he's inviting you down to the Appaloosa for what?

A For tonight... or any other night.

Q Is that how he is paying you?

A Yea... well we head down there... me, Chase, and Anthony.

Q And Anthony's last name?

A Madril.

Q So is it you and Anthony Madril and Chase, and Chase is your cousin?

A We leave Chase's house and we get down there.

Q What time did you leave Chas' house?

A 8:30 or 9:00.

Q And where does Chase live?

A Falcon area off of Falcon Highway

Q And you guys all met at his house?

Q How did Anthony get to Chas' house?

A He drove.

Q So he has a vehicle?

A Yes.

Q And he left it at Chas' house?

A Yes.

Q So about 8:30 to 9:00 you guys drove to the Appaloosa?

A Yes.

Q Who drove?

A Chas did.

Q Is that Chas' vehicle, the pickup truck?

A Yes... We get there and everything is fine and dandy and we ended up closing the place... and as we were walking out.

__ Do you know what time that was?

__ It was 2 o'clock when we ended up walking out... and we were walking out and a group of guys were walking next to us and they started talking some snag... like you aren't ever going to get a girl to go out of this place and all this and that... I said that's fine and dandy... well the bouncer that's there... I'm like hold them back, let me get the guys out... and we get out and one of them comes up and stands directly in my face... doesn't say nothing at all.

__ Now when you say out, you mean out in the parking lot?

__ Yea.

__ Now both groups are out in the parking lot?

__ Yes.

__ How many people in the other group?

__ There's probably six guys in the other group... and there was us three, him and his cousin I guess.

__ And so it's the three of you, the gentleman next door and his cousin?

__ Yes.

__ So they were out side as well... so they were with you... so it's 6 to 5?

__ Yes.

__ So one gets up in your face?

__ Yea, this kid gets up in my face.

__ Can you describe him to me?

__ He's about 6 foot, long hair, a little bit longer than your hair, I don't remember if he was wearing a ball cap or anything, but he was real slender.

__ What was he wearing?

__ Baggy clothes... he gets up in my face... he don't say nothing at all... I mean I'm like, "What's the matter? What's the matter? Come on, What's the matter? Say something." And he don't say nothing at all... and about that time the bouncer says, "Chisum, don't ruin your work for a man"... I kind of thought about it for a minute and I'm like "come on, let's get in the pickup, let's go"... so after about two minutes of tussling back and forth we all get in the pickup... we drive down the road and Chas stops...

__ Do you know which direction?

__ Yes, towards Frankie's.

__ Towards Frankie's?

__ Yes, Frankie's One... and we stopped near Frankie's One and Hardy Nursery.

__ Why did you stop?

__ I have no clue why we stopped... we were talking in the cab and we thought it was just going to be a fist fight... you know regular tussle and everything... so we stop and I get out and Anthony...

__ So where were these other guys?

__ They were right behind us.

__ So they followed you?

__ Yes... so we get out of the vehicle and we start talking and tussling...

__ Now when you say tussle, explain the word "tussle".

__ Everybody talking and moving around... no fist fights... just talking

__ Chas stays in the pickup... he says, "come on Chisum, let's go, let's get out of here, there's something wrong, let's get out of here".

__ So the only ones that got out of the vehicle was you and Anthony, Chas stayed in the driver's seat?

__ Chas stayed in the driver's seat... so I says, "Come on Anthony, let's go, Chas says there is something wrong, let's go"... don't get me wrong I like to fight, but when Chas tells me to get back in the pickup I respect that... so I get back in the pickup and he's rolling forward and he's yelling at Anthony, "Come on. Get in! Get in!"

__ Where were you at that time?

__ I was in the pickup.

__ So you already got in?

__ Yes.

__ And the vehicle was slowly starting to roll away?

__ Yes

__ Door open?

__ Door open letting Anthony get in.

__ Was Anthony trying to get in?

__ No.

__ OK

__ So we were yelling at him and then Anthony jumps across me... so that's why the blood is all over me... and goes, "I'm stabbed, I'm stabbed"... and I'm like, "Where are you stabbed? Where are you stabbed? Chas, Chas, get to the hospital, get to the hospital, Anthony is stabbed"... so Chas is going for dear life because this is the first deal like this we have ever been in like this... and he pulls over... I says, "Chas, I think they got your tire"... He says, "I think you're right"... he pulls over right at that intersection... he gets out of the pickup. I get out... we pull Anthony on the ground and I got cloth on his chest, holding it and that's when an officer came up and gave me a napkin and told me to press it against him and then a paramedic showed up shortly after that.

__ You say they got you tire, did you see them stab your tire?

__ I did not see them stab my tire... but as we were leaving I heard the pssssss.

__ You heard that and did you see anybody when you heard that?

__ Let's go back to the altercation. What was the altercation about?

__ It was about taking a girl out of the place.

__ Were you guys trying to pick a girl up?

__ We were leaving the place and me... I was wearing my cowboy hat kind of cocky and every thing... I was wearing it cocked to left... that's my family trademark... and as we were walking out, a big ole guy, probably 250 started talking crap to me and I'm not going to stand down for that, that's just the way I was raised... just talking to me like what the hell, you aren't supposed to be in a place like this, you hick... I'm like, I'm sorry but that's one thing you don't call me. I've been a cowboy my whole life and I'm not some damned nick... that's basically what started it all.

__ 250 pound guy? How tall?

__ About 5'6" or 5'7", short big guy, fat, black hair.

__ So he is sort of picking on you because he thinks you are a hick... did you guys do anything, did you fight, exchange words?

__ We just exchanged words out the door as we were leaving... that's when I told the bouncer, "Hold them back, let me get out of here"... I don't remember what the bouncer's name was, an Asian guy, one of the head guys there at Appaloosa.

__ Did he hold them back?

__ He held them back for a little bit and then let them out the door and that was when all the shit hit the fan...

__ Initially you said it was about picking up a girl, where did that come into play?

__ As we were outside.

__ You go outside, but you don't get in the vehicle right away?

__ We don't get in the vehicle right away.

__ So, you were waiting for them?

__ No, we were saying bye to these guys (the two Asians).

__ And they (the other group) start to leave the Appaloosa and a verbal altercation starts again... who started it?

__ They did.

__ And what did they do?

__ That's when that guy got in my face... before we got in the pickup... as we were going to the pickup that guy got in my face.

__ Now when you say he got in your face... close?

__ I mean close... didn't say a word but just stood there in my face... and Anthony stepped in between, and said, "Let's go. Let's go." And our stupidity we pulled over as we were leaving the place.

__ So, he stands in your face... some words are exchanged... and that's when Chas tell you to get in the vehicle?

__ Yes.

__ Now you mentioned that Chas said something's wrong let's go. What was he referring to?

__ I have no clue... I mean it happened so fast... usually when Chas says let's go there's something wrong, every time Chase says let's go there's something wrong...????... I've always lived to what he said... he's real close family... he's twenty-three years old so you know how close family he is... we've lived out east together our whole lives so if I was to say there's something is wrong let's go he would have gotten in the vehicle.

__ When you were driving down the road are you feeling like you got punked and you want to stand up to these guys?

__ I was all cool and everything... Anthony wanted to stop... he said, "Chase let's stop and deal with this"... and we stopped... Anthony was mad... at all of them I guess... it's hard to explain... I've known Anthony my whole life and he has been on drugs and all kinds of shit and we shouldn't have stopped but it was just something... Anthony wanted to stop and being friends we all wanted to stop.

__ So did you all get out of the vehicle?

__ Just me and Anthony.

__ And when they got out... how many people were there?

__ There were five people that got out of the vehicle at Frankie's.

__ From the five, 250 pound 5'6" fat guy with black hair?

__ Yea, he was not there... the only guy that was the six foot guy.

__ Was he also in the Appaloosa?

__ Yes he was.

__ Was there an exchange there?
__ There was not... there was only an exchange in the parking lot.

__ Was he part of that?
__ Yes, he was the one that got in my face at the parking lot.

__ Not the 250 pound fat guy?
__ No, he was the one in the Appaloosa that got in my face and then that six foot guy is also the guy that got in my face outside Frankie's

__ So you get out of the vehicle with Anthony and this six foot guy walks up to you and gets in your face?
__ Yea, I mean like there, he was the first guy in my face.

__ What happened to Anthony at this time?
__ Anthony went around the other side of the pickup and for what reason I don't know why and he come back around and that guy is still standing there not saying a word to me.

__ Still standing in your face?
__ Yea.

__ And are you saying anything to him?
__ "What's the matter? What's up?... that's what I was saying, "Come on say something or something"... and Anthony comes back around the pickup and Chas goes, "something's not right"... so I get back in the pickup and I'm, "Anthony, let's go"... pickup is rolling, Anthony hops over my lap and he is bleeding..."I'm stabbed, I'm stabbed".

__ You say he goes around the vehicle but you don't know for what?

__ I don't know for what, but he comes back around to my side.

(Detective Losasso had Chisum draw a diagram but we do not have that in discovery)

__ You guys got out this side (pointing to diagram) and he stays in the vehicle... where's their vehicle at this time?

__ It is directly behind us.

__ Six foot comes right up and he is in your face immediately?

__ He got out of the passenger side and comes right up to my face... Anthony goes around the pickup... I don't know how many guys come over here (referring to the diagram) there was 5 total...

__ So they exited this way (referring to the diagram)... so he decided to go around and meet them?

__ Yea, cause my whole eye was on that big guy and what the hell he was doing... then Anthony comes back around here... I get in the pickup... Chas says, "something's wrong" so I get in the pickup... as we were rolling, I'm, "Anthony get in the pickup, get in the pickup"

__ What was he doing?

__ He was right here, I don't know what the hell he was doing... but he finally gets in the pickup.

__ Was the six foot guy still standing there?

__ Yes.

__ He finally gets in the pickup... as he is getting in he dives over my lap is when he is bleeding (physically dives) and we haul ass out of there.

__ Is that the first time you saw blood?

__ That's not the first time I saw blood but that is the first time I saw blood there.

__ When he walked around the vehicle was he bleeding?

__No.

__When he came back did you see blood?

__No.

__But when he jumped over your lap he was bleeding?

__Yes

__This six foot guy was still there.

__Yes

__Was there anyone else there with him at the time?

__I can't remember if there was?

__But to your recollection, how many people were over here (referring to the diagram)?

__There had to be at least a couple of guys.

__So you are saying that by that time some of these guys had come back around that way?

__As we left I don't know where that vehicle went or anything because my whole mind was on keeping Anthony alive.

__You said you heard the sound of the tire ?

__As we were leaving.

__And you did not see a weapon at any time?

__I didn't see a weapon at any time.

__Did you pull a knife?

__No

__How about Anthony...do you think he carries a knife?

__I don't think he does...I'm not sure if he carried a knife that night or not.

__Does he normally carry one?

__I carry a knife, but when I come into town I leave it at home.

__How about you friend, Chas?

__He don't have a knife.

__How about in his vehicle?

__From what I know, it is a work vehicle, he might have a utility knife, but I don't know if there was one in the cab...there might have been in the tool box.

__Here's the deal Chisum, at this point you are in no trouble...you said you have known Anthony for the last 18 years...in the 18 years did Anthony carry a knife?

__Maybe once or twice since I've known him.

__In the whole time you have seen him, in his whole life he has only carried a knife two times?

__ Yes

__ But just now you told me you're not sure if he had a knife.

__ I'm not sure if he had a knife tonight... I did not see a knife.

__ And you have never seen him pull out a knife?

__ I've seen him pull out a knife once and that was at his house like four years ago.

__ What kind if a knife was it?

__ It was a regular rope knife

__ Rope knife... sort of flip open?

__ Yea.

__ So it wasn't like a Buck knife?

__ No

__ Do you think it could be possible that he could have pulled a knife out?

__ It could be... Anthony is real unpredictable... he has a temper... that's why he wanted to stop... he wanted to fight... don't get me wrong but that is probably one of the reasons that we stopped because I have a temper too... I won't back down.

__ But Chas was uncomfortable... we don't know why Chas was uncomfortable?

__ I have no clue why Chas was uncomfortable... I've broke my nose many times in bar room brawls.

__ Did you think it would come to this?

__ I did not think it would come to this... I planned on boxing him, but I didn't plan on stabbing and stuff being pulled... I don't ever plan on that... I planned on going fist to fist... but this will be the last time I will ever do that shit... probably will be the last time I will go to a bar in town... I didn't plan on nothing like this... just planned on a good night with my cousin and one of my buddies and that was it... supposed to haul another one of our friends in... but he decided to stay home and play some poker tonight....

__ You guys have a lot to drink tonight?

__ I didn't.

__ How about Anthony?

__ Anthony, I think he had three or four.

__ How old is Anthony?

__ twenty-two.

__ And you are how old?

__ Twenty-two.

__ And Chas is twenty-three?

__ Yea

__ So when he leaves your side to go around to the other side of the vehicle to meet these other guys you're still face to face with this one guy?

__ Yes

__ Anybody else standing there?

__ Not that I can see... I'm pretty much focused on that one guy.

__ If somebody wanted to cold cock me they could have probably could have at that instant cause I was face to face with that guy and that guy was the one that I wanted to beat the shit out of.

__ Your saying that your whole vision... that you would not have known if somebody was standing around because you were just focused on him?

__ I was focusing on him.

__ At one point Anthony comes back around to you... you are still talking smack with this guy face to face?

__ As soon as Anthony gets there Chas says, "let's go"... so I hopped back in the pickup... and the that's when we start rolling and Chas and me are yelling at Anthony, "Let's go" and that's when he throws himself over me.

__ But you never seen anybody do anything to him?

__ I never seen anybody.

__ And the first blood you saw was after he dove on you and said, "I'm stabbed. I'm stabbed"?

__ No

__ If you had to guess who stabbed who would you guess?

__ I really couldn't say... I know there were five guys there and the only one I paid any attention to was that tall guy... I mean somebody could have come around and stabbed him and I wouldn't have noticed... it happened so quick.

__ I told you to be honest with me, ok, According to your cousin Anthony had a knife... did he or didn't he?

__ I don't know. He didn't say nothing to me about a knife.

__ Did you see a knife on him?

__ I did not.

__ Did you see a knife in the seat of the car?

__ I did not... He did not mention to about a knife and I did not know he had a knife.

__ The other thing is that after Chase says, "Something is wrong, let's go" and you jump in the vehicle and Anthony is still standing there... you and Chas are saying get in the vehicle and he jumps over you... from what side?

__ From the passenger side.

__ And the door was open, right?

__ Yes

__ That's not what we are getting from your cousin... your cousin says you're getting in the vehicle just like you said... he pulls the car up to a spot where Anthony was tussling with some guy and Anthony jumps over him... over the driver... climbs through over his lap, over your lap to the passenger side... and that would be consistent with the blood that is on your pants.

__ From what I understand... it happened so fast..

__ So you're not sure.

__ Yes, I'm not sure.

__ And you had quite a few beers.

__ Yes.

__ So he could have jumped through over Chas' lap and over your lap into the passenger's side,

__ Yes

__ But you never seen him with a knife?

__ I never seen him with a knife.

__ Now tell me about the short bald headed guy?

__ He was the one that started the whole deal in the club.

__ That's not the guy you told me was 5'6" and 250 pounds?

__ Yes

__ You said he wasn't there when you got to Frankie's.

__ He wasn't there from what I saw at Frankie's.

__ So what you are saying is you did not see him because when you exited the vehicle that tall guy confronted you so you wouldn't even know that he was there?

__ I wouldn't even have known that he was there.

__ That would make sense... the guy that got in your face was he wearing a leather jacket?

__ He could have been I don't know.

__ You said about six foot, blond hair?

__ Yes.

__ Was he taller than you?

__ Yes

__ And how tall are you?

__ 5' 10" or 5' 11"

__ So it would make sense that he would have to be at least six foot or more?

__ Yes

__ Have you ever seen that guy before?

__ I have never seen him before.

__ Rehash... as you are leaving the club there is a discussion about you being a hick, what are you doing here because of the way you are wearing your hat and possibly something about a girl, right, about taking a girl home with you?

__ Yes

__ The bouncer intervenes... you guys leave.

__ You say goodbye to Chas' two friends and you go to the truck as you are entering the truck these guys come out and you start talking smack. You guys get in each others face, you get in the vehicle, you drive down the street and Anthony wants to fight... you don't have a problem with it... Chas pulls the vehicle over and you two guys exit the

vehicle together, both out of the passenger side... as you exit the vehicle this guy is in your face... the two of you are talking smack... at one point Anthony goes around to the driver's side of the vehicle, you don't see him, you don't know where he is at or what is going on... At one point Chas says something wrong let's go... you get in the vehicle and as the car is rolling you hear pssss... Anthony jumps in the vehicle over your laps and you see blood

__ I told Chas let's go to the hospital so we were heading to the hospital... all Anthony was doing was breathing but it was very faint... and that was all he was doing... he wasn't saying anything... after the fact he said, "I'm stabbed, I'm stabbed" and that was it and we pulled over....

.....

__ I was pretty intoxicated at the time.