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**IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION**

STATE OF FLORIDA,

PLAINTIFF,

vs.

JOHN DOBBS,

DEFENDANT./

CASE NUMBER: 48-2006-cf-15201

DIVISION NUMBER: 16

VOLUME II OF VI



TRIAL PROCEEDINGS

BEFORE

THE HONORABLE LISA T. MUNYON

In the Orange County Courthouse
Courtroom 10D
Orlando, Florida 32801
February 26, 2007
Rebecca Ruiz

A P P E A R A N C E S:

KIM LASKOFF AND DEBORAH BARRA
Assistant State Attorney
415 North Orange Avenue
Building B
Orlando, Florida 32801
On behalf of the State

MELISSA VICKERS AND CATHERINE CHIEN
Assistant Public Defender
435 N. Orange Avenue
Suite 400
Orlando, Florida 32801
On behalf of the Defendant

1 side of us and they were having a, you know, argument with
2 Will, still on the way out.

3 Q Were they in their car already?

4 A They were in their car.

5 Q All right. And what was this argument, who was
6 the argument between at this point?

7 A At this point it was between all three, William
8 and the, the defendant, and the girlfriend.

9 Q And what happened, did they just continue to
10 argue?

11 A Yeah. And then the defendant pulled his car next
12 to ours.

13 Q All right. It looks like we are having technical
14 issues at the moment. Can you just turn around for a
15 moment, and --

16 A Umm, basically -- here you go.

17 Q Describe to the jury what it was you were
18 referring to?

19 A That canopy. That is where they wash cars, but
20 that's not -- that's on the side.

21 Q Right.

22 A The entrance comes like this under a different
23 canopy, and it comes across. I was already walking this
24 way. Anthony and William were right here, and the defendant
25 was driving by at the time.

1 **Q** Okay. And I'm just going to show you C4 of
2 State's 3. Can you just -- does that assist you in
3 describing it to the jury?

4 **A** Umm, Andre was here by the car. I was walking
5 toward the car, and Anthony and William was walking toward
6 the car.

7 **Q** Wait a minute. Where were Anthony and Will coming
8 from?

9 **A** They were behind me.

10 **Q** You got to push the button.

11 **A** They were behind me. Andre was already at the
12 car. I was walking through here, and William and Anthony
13 was walking behind.

14 **Q** So, what direction was it that this guy and this
15 girl's vehicle was headed? Was it heading into the parking
16 lot of Thee Dollhouse, out of the parking lot of Thee
17 Dollhouse?

18 **A** Well, the -- wait. The last picture you had up,
19 the canopy, they came up that way and turned this way,
20 turned their car this way and then parked their car around
21 here.

22 **Q** Okay. Now, when they parked their car, the guy
23 and the girl?

24 **A** Uh-huh.

25 **Q** What happened?

1 **A** The guy and the girl jumped out of the car,
2 started walking toward us.

3 **Q** How far away were they from your -- I can't speak,
4 I am sorry. Your all's (sic) car?

5 **A** Oh, umm, say about 10, 20 feet, something like
6 that.

7 **Q** Okay.

8 **A** And then as soon as he walked over, Anthony --

9 **Q** How did they walk out of their car? Did they walk
10 in front of it, around it, next to it?

11 **A** I believe they walked around it, around the back,
12 around the rear. Well, she jumped out of the passenger, of
13 course, and I think he walked around the rear of the car.

14 **Q** So he was driving?

15 **A** Yes.

16 **Q** All right. And he had gotten out of the car.
17 What were all four of you-all doing?

18 **A** When he got out of the car, we was already walking
19 toward our car and --

20 **Q** Towards your car?

21 **A** Our car.

22 **Q** Were you walking in his direction, the defendant's
23 direction?

24 **A** No. No. Not at the time. As soon as he started
25 walking toward us, that's when Andre walked towards him and

1 the fight --

2 Q What happened? Can you tell the jury?

3 A Umm, basically Andre, Andre walked over to him.
4 They started fighting. He hit Andre with a good punch.

5 Q Do you know what started the fight?

6 A I really don't. I know that there was arguing.

7 Q They just started walking and fighting?

8 A No. Well, they started walking towards each other
9 and I guess the bad blood was already there because they
10 were already arguing with Will and everything, so when they
11 met up, basically they started fighting. Umm --

12 Q Had Andre and the defendant had a conversation?

13 A No.

14 Q Then what was the ill will between him and Andre?

15 **MS. VICKERS:** Objection, calls for speculation.

16 **THE COURT:** Sustained.

17 **THE WITNESS:** Basically --

18 **MS. LASKOFF:** You can't answer that.

19 **THE WITNESS:** I am sorry.

20 **MS. LASKOFF:** That's okay.

21 **BY MS. LASKOFF:**

22 Q Did you see something happen between the two of
23 them to start them fighting?

24 A No.

25 Q And then when the fight started, can you tell the

1 jury what happened? Who did what?

2 **A** Umm, Andre -- well, him and Andre started
3 fighting. As soon as I seen Andre hit the floor, because he
4 spun around, I ran over there and when I ran over there, the
5 guy's girlfriend was jumping around.

6 **Q** Now, let me back you up.

7 **A** Okay.

8 **Q** The two of them start fighting. Did you see who
9 started it, who hit who first?

10 **A** No.

11 **Q** You didn't see who hit who first?

12 **A** I believe it was the defendant, but I can't be
13 sure. It was kind of dark out there.

14 **Q** And then what happened?

15 **A** The fight ensued and basically when Andre fell
16 down to the floor, I ran over there and the girl --

17 **Q** Why?

18 **A** Because I wanted to help my friend. My friend
19 just hit the floor. I don't know why he hit the floor, so I
20 ran over there and as soon as I ran over there, the
21 girlfriend was jumping around. And I can't really say what
22 she was saying, but she was talking nonsense. And as soon
23 as I ran over there, I kind of took my eyes off of the
24 defendant, and looked at her. And I swang, but I didn't get
25 anything, and I got punched and he stabbed me in the face.

- 1 **Q** What were you swinging at?
- 2 **A** Mr. Dobbs.
- 3 **Q** Were you swinging at the girl?
- 4 **A** No.
- 5 **Q** And when you swang at the defendant, why did you
6 swing at him?
- 7 **A** Because I just seen my friend get hammered to the
8 floor.
- 9 **Q** Were you concerned about him at all?
- 10 **A** Of course.
- 11 **Q** And what happened then between you and the
12 defendant?
- 13 **A** I swang. I didn't connect with anything, and I
14 took my eyes off him and I don't know how he was holding the
15 blade, but I got stabbed in the face and in the chest twice.
- 16 **Q** By what?
- 17 **A** By a knife.
- 18 **Q** Did you see a knife?
- 19 **A** Never seen a knife.
- 20 **Q** Who had a knife?
- 21 **A** The defendant.
- 22 **Q** Did anybody else swing at you?
- 23 **A** No.
- 24 **Q** Did anyone else strike you?
- 25 **A** No.

1 **Q** Now, the person that swung at you and stabbed you
2 in the face and chest, could you identify him today?

3 **A** Yes.

4 **Q** Can you point him out, if you see him in the
5 courtroom, and describe what he's wearing to the jury?

6 **A** He has a blue suit on with a blue tie.

7 **Q** Okay. And can you point in the direction that
8 he's located in?

9 **A** (witness complying).

10 **MS. LASKOFF:** Your Honor, if the record could
11 reflect that this individual has identified the
12 defendant as the individual who --

13 **THE COURT:** Any objection?

14 **MS. VICKERS:** No, Your Honor.

15 **THE COURT:** The record will so reflect.

16 **BY MS. LASKOFF:**

17 **Q** And now, once you got stabbed in the face and the
18 chest, what happened?

19 **A** I kind of blacked out after that.

20 **Q** Were you standing -- did you fall down?

21 **A** No, I fell down.

22 **Q** Where was Will?

23 **A** Umm, when I kind of came to, I seen Will laying on
24 the floor.

25 **Q** Did you know at this point he was on the ground?

1 **A** Umm, I seen the stab wound in his chest and then
2 we all figured out that we were all stabbed.

3 **Q** Did at any time this night you see anybody with a
4 knife?

5 **A** No.

6 **Q** Did you see Anthony or Andre or Will or the
7 defendant with a knife?

8 **A** No.

9 **Q** How about did you see anybody with a gun?

10 **A** No.

11 **Q** You didn't see any of your friends with a gun?
12 You didn't see the defendant with a gun?

13 **A** No.

14 **Q** Was the defendant showing you the knife to make
15 you get away from him?

16 **MS. VICKERS:** Objection.

17 **THE WITNESS:** No.

18 **MS. VICKERS:** Your Honor, objection. Asked and
19 answered. Also, if we can approach?

20 **THE COURT:** You may approach.

21 (Conference at the Bench held on the record.)

22 **THE COURT:** Mr. Gotay already testified that he
23 never saw a knife, and the State is asking him now, did
24 he show you the knife to try to get you off him. He
25 already said he never saw it.

1 **MS. LASKOFF:** I'm just trying to clarify.

2 **THE COURT:** I can't hear you.

3 **MS. LASKOFF:** I was just going to clarify that.

4 **THE COURT:** I will sustain the objection and ask
5 you to rephrase it.

6 (Whereupon, the following was in open court.)

7 **THE COURT:** The objection is sustained.

8 **BY MS. LASKOFF:**

9 **Q** And so you see Will on the floor?

10 **A** Uh-huh.

11 **Q** And then what happens with Anthony, did you see
12 what happened with Anthony?

13 **A** No.

14 **Q** Okay. And was it a situation where -- did the
15 four of you at one time go over to the defendant when the
16 fight happened?

17 **A** No. It was pretty much a one-on-one until, of
18 course, I seen Andre fall on the floor and then I ran over.
19 Umm, we didn't jump him or anything like that.

20 **Q** Okay. And did you go over to Will when he was
21 bleeding?

22 **A** Yes.

23 **Q** And was he talking to you?

24 **A** No.

25 **Q** Was he conscious?

1 **A** He was looking up at the sky.

2 **Q** Okay. And were there other people that weren't
3 either part of the fight that were in the parking lot that
4 you were aware of?

5 **A** Yes.

6 **Q** And who was out there?

7 **A** The valet guys and the valet told someone,
8 somebody to chase the defendant.

9 **Q** But did you see other people in the parking lot?

10 **A** No.

11 **Q** No, okay. And why didn't you just, when they were
12 in the fight, why didn't you just get in the car and you
13 guys leave?

14 **A** When who was in the fight?

15 **Q** When you saw, I guess, Andre first in the fight,
16 why didn't you just let them take care of it?

17 **MS. VICKERS:** Objection, relevance.

18 **THE COURT:** Overruled.

19 **THE WITNESS:** Umm, I see a friend laying on the
20 floor. I am not gonna leave him.

21 **BY MS. LASKOFF:**

22 **Q** Now, what happened after everyone was involved in
23 the stabbing with -- let me ask you specifically, where did
24 the defendant go?

25 **A** He jumped in his car and left.

1 **Q** And where did the girl go?

2 **A** She went with him.

3 **Q** All right. And did you see their car drive away?

4 **A** Yes.

5 **Q** Do you remember what kind of car it was?

6 **A** Acura.

7 **Q** And was it in -- how long after that did the
8 police come?

9 **A** It felt like forever but I think about 15 minutes.

10 **Q** Okay. And did you talk to the police?

11 **A** Yes. One of the officers came to see me while I
12 was getting stapled up.

13 **Q** And let me ask you, in regard to -- you said you
14 had to get stapled up. Do you have scars from where you got
15 stabbed?

16 **A** Well, I can't smile correctly. If you see --

17 **Q** Can you show the jury?

18 **A** One lip hangs over the other.

19 **Q** And where was it specifically?

20 **A** It went through my nose, through my cheek and
21 actually I asked the plastic surgeon to stitch it up so it
22 wouldn't look so bad.

23 **Q** How much stitches did you have to get in your
24 face, do you know?

25 **A** I think about 15, 20, something like that. And

1 then I got seven staples on my chest.

2 Q Okay. Has it left a scar?

3 A Uh-huh.

4 Q On your chest?

5 A Uh-huh.

6 Q Okay. Have you ever been convicted of a felony?

7 A Yes, I have.

8 Q How many times?

9 A Twice.

10 Q And on the night of the stabbing, was there
11 another time -- well, not necessarily the night of the
12 stabbing, but was there a time that you identified the
13 defendant in a lineup?

14 A Yes.

15 Q Okay.

16 A At the hospital.

17 Q Okay. And was that the next day?

18 A Umm, no. It was about ten hours later, something
19 like that.

20 Q Okay.

21 A Officer brang (sic) me the lineup while I was in
22 bed.

23 Q And can you tell the jury about what that was
24 comprised of?

25 A Umm, it was six different photos, basically

1 different people, and I picked out the defendant.

2 Q Okay.

3 MS. LASKOFF: I have nothing further.

4 THE COURT: Cross-examination?

5 MS. VICKERS: Yes, Your Honor. Thank you.

6 CROSS-EXAMINATION

7 BY MS. VICKERS:

8 Q So you were a little tipsy that night you said?

9 A A little bit.

10 Q And the first place you had gone that night was
11 the Magic game, is that correct?

12 A Yes.

13 Q And you had one drink there?

14 A Yes.

15 Q And your friends had one drink there as well?

16 A Yes.

17 Q And then you went to, you said other clubs. Was
18 Cleo's the place you went to?

19 A Yes.

20 Q And what kind of club is that?

21 A A strip club.

22 Q And did you have drinks there?

23 A I think we had a bottle of champagne there but we
24 would just split it up with us and girls that are around.

25 Q And I am sorry, the drinks at the Magic game, was

1 that beer or like a liquor, mixed drink?

2 **A** Mixed drink.

3 **Q** With liquor?

4 **A** Uh-huh.

5 **Q** Yes or no? I am sorry, the court reporter is
6 typing this down and if you say uh-huh, we can't get it, so
7 if you say yes or no --

8 **A** Yes.

9 **Q** And then, so after Cleo's, how long were you there
10 for?

11 **A** Maybe half an hour to an hour, something like
12 that.

13 **Q** And then you said you went to Diamonds?

14 **A** Uh-huh.

15 **Q** Yes or no?

16 **A** Yes, I am sorry.

17 **Q** And what kind of club is that?

18 **A** A strip club.

19 **Q** And did you have drinks there?

20 **A** No. Actually we only had one drink there, and I
21 didn't even finish my drink. We left before I could finish
22 my drink.

23 **Q** Did everybody else have a drink there?

24 **A** Yes.

25 **Q** I am sorry?

- 1 **A** Yes.
- 2 **Q** Okay. And was that, again, liquor or beer?
- 3 **A** Liquor.
- 4 **Q** Liquor?
- 5 **A** Uh-huh.
- 6 **Q** Yes or no?
- 7 **A** Yes.
- 8 **Q** Then, after Diamonds is when you went to Thee
9 Dollhouse?
- 10 **A** Uh-huh, yes.
- 11 **Q** And you had champagne at Thee Dollhouse?
- 12 **A** Yes.
- 13 **Q** It was two bottles you had between the two of you?
- 14 **A** I believe so, yes.
- 15 **Q** And you-all had a shot, a shot of --
- 16 **A** I believe so, yeah.
- 17 **Q** Do you remember what the shot was?
- 18 **A** No.
- 19 **Q** So you are a little tipsy from drinking?
- 20 **A** Uh-huh, yes.
- 21 **Q** Okay. And you had mentioned that there wasn't
22 ever a problem inside the club, correct?
- 23 **A** The problem didn't occur until we were leaving the
24 club.
- 25 **Q** Okay. And inside the club, Mr. Dobbs and Mr. Troy

1 were just having a conversation?

2 **A** It was more like a little dispute.

3 **Q** Okay. But you didn't have any reason to suspect
4 any kind of problem coming out of that?

5 **A** Umm, when I suspected that there was a problem was
6 when they drove near us and they were both yelling,
7 profanity.

8 **Q** But at the time inside the club --

9 **A** No.

10 **Q** Okay. And how tall are you?

11 **A** 5'10".

12 **Q** And how much do you weigh?

13 **A** About 200 pounds.

14 **Q** And back on October 25th of 2006, were you about
15 the same weight or has that changed?

16 **A** About the same weight.

17 **Q** Okay. So you would have been about 200 pounds
18 back in October?

19 **A** Uh-huh. Yes.

20 **Q** Thank you. And you had said, umm, that you
21 weren't really paying attention to what Andre Blanco was
22 doing, is that right? You were just kind of walking out of
23 the club?

24 **A** Yes.

25 **Q** All right. And you also had mentioned that this

1 was one after another were coming up and fighting with
2 Mr. Dobbs, is that right?

3 **A** That is correct.

4 **MS. VICKERS:** If I could just have a moment?

5 **THE COURT:** You may.

6 **MS. VICKERS:** I have nothing further.

7 **THE COURT:** Any redirect?

8 **MS. LASKOFF:** Just briefly, Your Honor.

9 **REDIRECT EXAMINATION**

10 **BY MS. LASKOFF:**

11 **Q** Now, defense counsel has asked you about how much
12 you had to drink that night at the different places. Were
13 you so -- were you drunk?

14 **A** No.

15 **Q** Were you able to stand properly?

16 **A** Yes.

17 **Q** Do you remember clearly that night or was your
18 memory impaired in some way because of your drinking?

19 **A** No, I was not impaired.

20 **Q** No what -- that's a double question. That wasn't
21 fair on my part. Did you have a clear memory?

22 **A** Yes, I did.

23 **Q** Okay. And you said it was more one after another
24 fighting the defendant, why was that?

25 **MS. VICKERS:** I am going to object to speculation.

1 **THE COURT:** Overruled.

2 **THE WITNESS:** It wasn't something that was
3 planned. Umm, that's why, umm, the only reason I went
4 over there was because Andre was spun around. If Andre
5 didn't fall to the floor, I really wouldn't have ran
6 over there.

7 **MS. LASKOFF:** Okay. Nothing further, Your Honor.

8 **THE COURT:** Any recross?

9 **RECCROSS EXAMINATION**

10 **BY MS. VICKERS:**

11 **Q** Umm, I am sorry. Just to clarify, you had not
12 seen a knife?

13 **A** No.

14 **Q** And you didn't know that you were cut until later
15 on?

16 **A** That is correct.

17 **MS. VICKERS:** Okay. Thank you.

18 **THE COURT:** Any redirect?

19 **MS. LASKOFF:** No.

20 **THE COURT:** May this witness be excused?

21 **MS. LASKOFF:** Yes, Your Honor.

22 **THE COURT:** Defense, may this witness be excused?

23 **MS. VICKERS:** Yes, Your Honor.

24 **THE COURT:** You are free to go, sir, thank you.
25 Counsel, could you approach, please.

1 (Conference at the Bench held on the record.)

2 **THE COURT:** Ms. Laskoff, approximately how long is
3 your next witness?

4 **MS. LASKOFF:** It is one of the other gentlemen
5 that were in the parking lot.

6 **THE COURT:** About like this last one?

7 **MS. LASKOFF:** Yes.

8 **THE COURT:** A half hour, okay. I will give the
9 jury a brief break, and I will let them know that we
10 are going to conclude after the next witness, which
11 will be at 5:00 or shortly thereafter.

12 (Whereupon, the following was in open court.)

13 **THE COURT:** I'm going to give you a brief recess
14 to stretch your legs and use the facilities, if you
15 need to. I believe we will have time for one more
16 witness and I do intend to stop this evening at about
17 5:00 or as shortly thereafter as we can. We will be
18 finish with the next witness. I hope to keep this
19 recess at five minutes or so. So as soon as you're
20 ready to come back in, the court deputy will escort you
21 back in.

22 (Whereupon a short recess was taken.)

23 **THE COURT:** State, you may call your next witness.

24 **MS. BARRA:** At this time the State calls Anthony
25 Riollano.

1 Thereupon,

2

ANTHONY RIOLLANO

3 was called as a witness and, having first been duly sworn,
4 testified as follows:

5

THE COURT: You may inquire.

6

DIRECT EXAMINATION

7

BY MS. BARRA:

8

Q Good afternoon, sir.

9

A Hello.

10

Q Could you please state your name and spell your

11

last name for the court reporter.

12

A Anthony Riollano. R-I-O-L-L-A-N-O.

13

Q Sir, I'm going to take you to October 25th of

14

2006. Do you remember that day?

15

A Yeah.

16

Q Did you happen to go to a Magic game on that day?

17

A Yes, we did.

18

Q Who were you at the Magic game with?

19

A William Troy, Andre Blanco and Francisco Gotay.

20

Q And are these all friends of yours?

21

A Yes.

22

Q And how long have you-all been friends?

23

A Umm, each one different. With William Troy I have

24

known about two to three years. Francisco, the longest, for

25

about 15, and Andre about five.

1 **Q** And how did you meet William Troy?

2 **A** William Troy I met through Francisco.

3 **Q** Now, on that day, after you went to the Magic
4 game, where did you go to after that?

5 **A** We went to Cleo's.

6 **Q** Okay. And then following there, where to?

7 **A** Umm, it was another night club, dance club. I
8 don't recall the name though.

9 **Q** Okay. And did you eventually get to Thee
10 Dollhouse?

11 **A** Yes, we did.

12 **Q** When you were at Thee Dollhouse, did any
13 altercation or anything stand out in your mind while you
14 were inside the club?

15 **A** No.

16 **Q** Was there any arguing or fighting?

17 **A** No.

18 **Q** When you were there, throughout the course of the
19 evening, were you-all consuming alcohol?

20 **A** Yes.

21 **Q** All right. At this point, at the point that you
22 are at Thee Dollhouse, as far as the level or the amount of
23 alcohol that you felt that you had, would you consider
24 yourself intoxicated at this time?

25 **A** Umm, well, do you mean as in incoherent?

1 **Q** Yeah, incoherent.

2 **A** No, I was coherent.

3 **Q** So you remember everything that happened on that
4 night?

5 **A** Yeah.

6 **Q** All right. As were you walking out of Thee
7 Dollhouse, did anything catch your attention or stand out in
8 your mind that something was going on?

9 **A** Umm, yeah. As we were walking out of Thee
10 Dollhouse, there was a vehicle that was driving next to us.
11 And --

12 **Q** Let me stop you right there. When you say as we
13 were walking out, who was with you?

14 **A** William, William Troy.

15 **Q** And had the other people already gone out? Where
16 is everybody?

17 **A** Yeah. They already had left.

18 **Q** So you and William are the last people in your
19 group to leave Thee Dollhouse?

20 **A** Yep.

21 **Q** What made you guys the last people? What were you
22 doing?

23 **A** I was paying for the tab.

24 **Q** And William was with you the whole time?

25 **A** No, actually I was over by the bar section and

1 William was over by the door.

2 Q Was he waiting on you there?

3 A Yeah. Yeah. He was waiting.

4 Q When he was by the door, was he saying anything or
5 was he just kind of standing there?

6 A I really wasn't paying attention to what he was
7 doing. I know I was standing there, but I was taking care
8 of the tab, so I was talking to the waitress.

9 Q When you say he was standing by the door, was the
10 door open, like at closing time do they open up all the
11 doors, or was it shut, if you remember?

12 A I don't remember if it was open or shut, but I do
13 remember the lights were all on for the club, so it was
14 definitely closed.

15 Q Now, at any point did you see or hear William say
16 something to somebody else, somebody not in your group?

17 A Not inside the club, no.

18 Q All right. When you exited the club, did you see
19 or hear it then?

20 A Yeah. When we were exiting the club, when the car
21 was going beside us.

22 Q Now, what type of car is this?

23 A It is an Acura.

24 Q And who was inside that car?

25 A There was a male and a female inside the vehicle.

1 **Q** When you said that it pulled up beside you, did it
2 pull up in a manner in which the driver's side was closest
3 to you or was the passenger side closest to you?

4 **A** Passenger.

5 **Q** Could you tell if the windows were up or down?

6 **A** The passenger side you could tell it was down.

7 **Q** When it pulled up next to you, how close did it
8 get, feet-wise, if you can estimate?

9 **A** Well, William, he was on the left side of me and
10 the vehicle was on the left-hand side of me so the vehicle
11 was closest to William, but it was a couple of feet from
12 William.

13 **Q** A couple of feet?

14 **A** From William, yes.

15 **Q** So from me to you, tell me when to stop.

16 **A** Umm -- The vehicle was closer to me or to William?
17 To William, it was probably about three feet or so.

18 **Q** So you want to keep going?

19 **A** Yeah. Probably around right there.

20 **Q** Okay. Were there any other vehicles where this
21 car was? Was there a lane of traffic that the car was
22 traveling in?

23 **A** Inside the parking lot, yeah. There is a lane of
24 traffic that you would exit or enter the parking lot.

25 **Q** The direction that that vehicle was traveling, was

1 it traveling inside the parking lot or was it heading
2 outside of the parking lot?

3 **A** It was heading outside of the parking lot.

4 **Q** And how far away was it from the main street in
5 which I guess it would turn on to get out of there? I think
6 it's OBT, if I am not mistaken?

7 **A** The direction -- well, the direction the vehicle
8 was going was the exit that doesn't go directly to OBT. It
9 goes to a side street which then eventually meets up with
10 OBT.

11 **Q** And did it get to that side street?

12 **A** No.

13 **Q** What happened to prevent it from getting to that
14 side street?

15 **A** Well, there was words exchanged between William
16 and the vehicle.

17 **Q** Could you hear what was being said?

18 **A** Yeah, I was next to them. I heard a lot of
19 cursing.

20 **Q** By who?

21 **A** Both parties.

22 **Q** And was it with -- because I know that there are
23 two individuals in the car. Were both the individuals
24 cursing as well, or was it mainly one person in that
25 vehicle?

1 **A** The main one that I heard was the female.

2 **Q** And Willie was cursing back?

3 **A** Yeah.

4 **Q** Okay. Then what happened?

5 **A** Umm, the vehicle then stopped. It pulled over and
6 actually parked inside the parking lot.

7 **Q** Did it have to turn around?

8 **A** No. It could have continued on through the exit.

9 **Q** Okay. So it just kind of stopped where it was?

10 **A** No. Actually in the lane of, I guess traffic, as
11 you're -- like would be exiting the club, they were in that
12 lane and then turned and parked inside of the parking lot
13 spot.

14 **Q** Okay. So it doesn't turn completely around, but
15 it turned off to the side?

16 **A** To park, yeah, into a parking spot.

17 **Q** Now, this parking spot where they parked it, was
18 it close to the vehicle that you had arrived in?

19 **A** Fairly close.

20 **Q** When they turned off and parked it, where were you
21 and where was Billie? Were you going out towards the car?

22 **A** We were walking toward our vehicle and we noticed
23 that the car had parked --

24 **Q** Would you have to go past that car in order to get
25 to your vehicle?

1 **A** No.

2 **Q** So before anybody got out of the car, were you
3 still on the same path that you would have taken if you were
4 just going home and nothing was happening?

5 **A** Yeah.

6 **Q** Once the car parked, what happened?

7 **A** Umm, both of the people inside of the car, the
8 male and the female exited the vehicle. The male went
9 around the back of the vehicle and went towards the vehicle
10 that we were in at which --

11 **Q** Is he saying anything when he gets out of the
12 vehicle?

13 **A** Not that I recall. Not that I recall.

14 **Q** So he goes to the back of the vehicle?

15 **A** Yeah.

16 **Q** What happened? And are you -- how far away from
17 that vehicle are you at this point?

18 **A** I would say probably around 15 feet or so.

19 **Q** Now, does he get out of the vehicle, go to the
20 back of the car and stand there? What happens?

21 **A** He proceeds to go toward the vehicle that we were
22 in.

23 **Q** And then what happened there?

24 **A** And the altercation started.

25 **Q** And who was the altercation with?

1 **A** The altercation started between the male that was
2 in the vehicle and one of the people that were with us.

3 **Q** Okay. Do you recall who that was?

4 **A** Umm, not really, no.

5 **Q** Okay. But it was one of your friends?

6 **A** Yeah.

7 **Q** You say that that's where the altercation --
8 describe the altercation. What exactly happened?

9 **A** A fight broke out.

10 **Q** Could you tell who hit who first?

11 **A** No.

12 **Q** How far away from the fight are you?

13 **A** Well, we were standing there, and, I mean, it kind
14 of met where we were at, but there was still the same kind
15 of distance as in, you know, from where we were at to where
16 the altercation started.

17 **Q** Okay. So it is still about 10, 15 feet?

18 **A** Yeah.

19 **Q** And it was the gentleman from the car, and how
20 many of your friends?

21 **A** Umm, I remember there was two people that met up
22 first, which was one from the car and one from us, they met
23 up at first, and that started.

24 **Q** Okay. How long until somebody else, a third
25 person joined in? Are we talking minutes, seconds?

1 **A** No. This all happened, I mean, to my
2 recollection, the whole thing maybe was about 45 seconds or
3 something like that, maybe a minute or so. It wasn't very
4 long at all.

5 **Q** When you say the whole thing, are you talking
6 everybody getting involved?

7 **A** Yeah, the whole altercation, as far as your
8 specific question, umm, I would say a couple of seconds
9 maybe, ten seconds, five seconds, something like that.

10 **Q** Could you see what happened to the first two
11 people? Now, you stated that it was a one-on-one for a
12 little bit, a couple of seconds. What happened to the
13 people fighting, did one of those people stop fighting?

14 **A** Yeah, I remember the person from our party kind of
15 stopped, and then I don't recall who came in next, into the
16 fight, but somebody else came in from our party, into the
17 fight.

18 **Q** Could you tell why he stopped fighting?

19 **A** No.

20 **Q** Could you see if he walked away from the fight or
21 if he just was not --

22 **A** No, it all happened very quick, so, you know, no.

23 **Q** Okay. And do you recall who from your party was
24 second?

25 **A** No.

1 **Q** After the, I guess the second person from your
2 party started engaging with the defendant, was the first
3 person still there, and was the first person from your party
4 still trying to fight him?

5 **A** No, not that I recall.

6 **Q** So it appeared that, again, it became one-on-one?

7 **A** Yeah.

8 **Q** Just with a different person?

9 **A** Uh-huh.

10 **Q** And how long did that last for?

11 **A** Few seconds, and then I noticed the female had
12 jumped into it.

13 **Q** You say the female jumped into it. Did she jump
14 in between these guys?

15 **A** She was behind one of the people. At this time
16 the fight kind of moved from where it was at and came more
17 towards where I was at. And then I noticed the female was
18 behind one of the people that we were with, one of my
19 friends, and I noticed her like swinging and jumping on him.
20 So at that time, that's when I approached.

21 **Q** She was behind the person?

22 **A** Yeah.

23 **Q** So was the male in front of the person and she was
24 behind, are we talking about the same person from your
25 party?

1 **A** The person from my party, umm, I was looking at
2 his back.

3 **Q** Okay.

4 **A** Basically that's -- just to kind of give you an
5 idea and then I noticed her, she was in front of him, like
6 as in behind him. So the first person I see is her, and
7 then the person from my group is in front of her, and both
8 bags are towards me as to where I am looking.

9 **Q** Okay. Is he grabbing ahold of him from behind?

10 **A** No, I noticed more like swinging action.

11 **Q** Swinging?

12 **A** Yeah.

13 **Q** With a fist?

14 **A** Yes.

15 **Q** Is she hitting him?

16 **A** Yeah.

17 **Q** Making contact?

18 **A** Yes.

19 **Q** And where is the male when she is swinging at him?

20 **A** The defendant?

21 **Q** The defendant.

22 **A** Is in front of my friend as if they are in the
23 altercation fighting.

24 **Q** And are they still fighting?

25 **A** Yeah.

1 **Q** So it was two of them against your friend?

2 **A** The female was behind him, hitting him, and then
3 the defendant was in front.

4 **Q** What happened next?

5 **A** I approached and I grabbed the female and I pulled
6 her off of my friend. I pulled her off and then that's when
7 I approached the defendant.

8 **Q** When you pulled her off, did you keep ahold on her
9 or was it kind of a pull off and throw aside type of move?

10 **A** Yeah. Pull off and throw aside.

11 **Q** And then you approached the defendant?

12 **A** Yes.

13 **Q** What approached the defendant -- were you
14 face-to-face with him?

15 **A** No, I was on the side of him.

16 **Q** Which side, if you can recall?

17 **A** On his left side.

18 **Q** When you approached him, was he fighting with
19 another member of your party at the time that you approached
20 him?

21 **A** I believe so.

22 **Q** And who do you think --

23 **A** No, I don't.

24 **Q** You don't know who it was?

25 **A** No.

1 **Q** What did you do when you approached him on his
2 side?

3 **A** Umm, I grabbed him by the side of his shirt and I
4 hit him maybe three or four times and then everything
5 stopped.

6 **Q** When you were hitting him, what were you using?

7 **A** A fist.

8 **Q** Did you have any weapons on you?

9 **A** No.

10 **Q** To your knowledge, did any of your friends have
11 any weapons on them?

12 **A** No.

13 **Q** You said that you hit him three or four times?

14 **A** Yeah.

15 **Q** Whereabouts on his body were you hitting him?

16 **A** Toward the back, like his neck and maybe the back
17 of his head area.

18 **Q** Then you said everything went black?

19 **A** No. It stopped.

20 **Q** It stopped?

21 **A** Basically the altercation stopped at that time.

22 **Q** How did it stop?

23 **A** I don't know how it stopped. I just remember it
24 stopped and we, you know, kind of went toward the vehicle.
25 I think somebody was stopping the fight at that time.

1 **Q** You think somebody interceded?

2 **A** Yeah.

3 **Q** So you stopped swinging as well, as soon as he
4 was, started walking away?

5 **A** No. It was just -- I hit him like three or four
6 times, and then I stopped hitting him. And then he got up,
7 you know, and he went towards his vehicle, and --

8 **Q** Now, you said he got up, were you hitting him, was
9 he on the ground when you were hitting him?

10 **A** Not that I recall, I recall him being standing.
11 You know, he kind of went his own way, as in going toward
12 the vehicle to leave.

13 **Q** Okay. Like got up to go type thing?

14 **A** Yeah.

15 **Q** Do you recall if there was any people who weren't
16 part of your party or the defendant or the female, was there
17 anybody else out in the parking lot?

18 **A** Yes.

19 **Q** And who was that?

20 **A** Umm, there was -- I believe it was two gentlemen
21 that worked for the club that were there.

22 **Q** Do you know what role, if any, did they play? I
23 mean, do you think they are the ones who tried to break it
24 up or did you see what they were doing?

25 **A** No, I believe one of them tried to break it up,

1 and then the other one was in his vehicle.

2 Q He was in his vehicle when the fight was
3 happening?

4 A No, I just -- I noticed him later on, umm, because
5 he went chasing after the defendant.

6 Q Okay. So there was somebody actually in the
7 parking lot and then there was somebody in his vehicle aside
8 from where everything was happening?

9 A Yeah.

10 Q That you remember?

11 A Yeah.

12 Q I think we are at the part where you stated the
13 defendant walked away. Was he having any problems walking?

14 A Not that I noticed, no.

15 Q Was he bleeding profusely?

16 A Not that I noticed.

17 Q Did you notice any type of severe injury to him at
18 all?

19 A No.

20 Q What about the woman that was with him?

21 A No.

22 Q In the same question, any injuries that you could
23 be aware of?

24 A No.

25 Q What type car did they get into?

1 **A** A gray silver Acura.

2 **Q** The whole time that this is going on, did you hear
3 anybody say we are calling the police, or was the police
4 ever mentioned?

5 **A** Not that I recall, no.

6 **Q** When they got to their car, did they simply drive
7 away or was anything said?

8 **A** The female was screaming, you guys are too slow.

9 **MS. CHIEN:** Objection, hearsay.

10 **THE COURT:** Sustained.

11 **MS. CHIEN:** And move to strike.

12 **THE COURT:** Ladies and gentlemen, you will
13 disregard the last statement.

14 **BY MS. BARRA:**

15 **Q** Did you hear the male say anything?

16 **A** No.

17 **Q** And was that the last time you saw their car was
18 when they got in and drove away?

19 **A** No.

20 **Q** When was the next time?

21 **A** The next time the detective actually had me go in
22 his vehicle. They had pulled over the defendant and he had
23 me go and identify the vehicle and the defendant and the
24 female.

25 **Q** And do you see the person you identified here in

1 court today?

2 **A** Yes.

3 **Q** Could you point him out and describe an article of
4 clothing that he's wearing?

5 **A** He's the gentleman sitting there with the blue
6 suit.

7 **MS. BARRA:** Your Honor, may the record reflect
8 that this witness has identified the defendant?

9 **THE COURT:** Any objection?

10 **MS. CHIEN:** No objection.

11 **THE COURT:** Record will so reflect.

12 **MS. BARRA:** Okay. Your Honor, if I could just
13 have a moment?

14 **THE COURT:** You may.

15 **BY MS. BARRA:**

16 **Q** Sir, at any time did you see the defendant or the
17 female with any knives, guns, weapons, anything like that?

18 **A** No.

19 **Q** Was there a lot of blood when this was happening,
20 when this fight was occurring?

21 **A** During the altercation I didn't notice, you know,
22 I didn't notice a lot of blood. It was after when we
23 noticed that William was on the floor.

24 **Q** When you say after, was it -- the first time you
25 noticed the blood and the injuries, was that after they had

1 left?

2 **A** Right before they left. I heard people screaming,
3 I got stabbed. I got stabbed. I am stabbed. I kept
4 hearing that repeatedly, so at that time is when I started
5 to pay attention more towards the vehicle. I tried to look
6 at the license plate. It was a -- looked like a temporary
7 tag. I wasn't able to get a look at the license plate, you
8 know, to see if it was, the numbers on it, it was basically
9 a temporary tag.

10 **Q** Did you go back and -- after they had left, did
11 you go and meet with your friends who were on the scene?

12 **A** Yes.

13 **Q** And did you see the injuries to your friends?

14 **A** Yes.

15 **Q** And would you specifically remember who had what
16 injury, or, I mean, do you have any idea -- I know during
17 the altercation you weren't sure who was doing what, but --

18 **A** The main person that I was tending to was William
19 Troy. He was laying on the floor. I noticed two stab
20 wounds. Both, you know, one right under his right chest. I
21 believe it was on the other -- the left one was more toward
22 a little bit further down. And we were trying to cover, you
23 know, the stab wound and trying to keep him coherent until
24 the ambulance came.

25 **Q** At this point had somebody said that they were

1 calling 911 or --

2 **A** Not that I recall. You know, Andre and Francisco
3 then started to notice that they were stabbed, so they
4 started tending to their injuries and I stayed with William.

5 **Q** Could you see just at a quick glance looking at
6 Andre and Francisco, could you tell that they were injured?

7 **A** Umm, I could tell that they were injured, yes.

8 **Q** And were they bleeding as well?

9 **A** Yes.

10 **MS. BARRA:** One moment, Your Honor. Your Honor,
11 at this time the State has no further questions.

12 **THE COURT:** Cross-examination?

13 **MS. CHIEN:** Yes, Your Honor.

14 **CROSS-EXAMINATION**

15 **BY MS. CHIEN:**

16 **Q** Mr. Riollano, prior to going to Thee Dollhouse,
17 you and your friends went to a Magic game?

18 **A** Yes.

19 **Q** And did you have any drinks there?

20 **A** Yes, I did.

21 **Q** And how many drinks did you have at the Magic
22 game?

23 **A** I would say about two drinks.

24 **Q** Were they alcoholic drinks?

25 **A** Yes, they were.

1 **Q** What kind of alcoholic drinks, if you recall?

2 **A** The rum was tequilla. It was a tequilla type rum.

3 **Q** And you and your friends then later went to
4 Cleo's?

5 **A** Yes.

6 **Q** And did you also have alcoholic drinks there?

7 **A** Just like maybe two glasses of champagne.

8 **Q** And after you left Cleo's, you guys went to
9 another club that you don't remember the name?

10 **A** No.

11 **Q** Did you also have drinks there?

12 **A** Yeah. We only stayed there -- we had only one
13 drink.

14 **Q** And what kind of drink did you have there?

15 **A** It was Gray Goose.

16 **Q** When you were at Thee Dollhouse, you also had
17 drinks at Thee Dollhouse, is that correct?

18 **A** Yes.

19 **Q** They were alcoholic drinks?

20 **A** Yes.

21 **Q** And how many glasses did you have?

22 **A** I'd say maybe three.

23 **Q** Three glasses of what?

24 **A** Glass of champagne and some Gray Goose.

25 **Q** So you -- I mean, would you consider yourself

1 intoxicated to the point that you wouldn't have driven that
2 night?

3 **A** I would not have driven, no.

4 **Q** Okay. When you were inside Thee Dollhouse, would
5 it be fair to say that you didn't see any altercation
6 between Mr. Dobbs and any of your friends?

7 **A** Inside Thee Dollhouse, no, I did not notice any
8 altercation.

9 **Q** And when you were outside, you didn't see any
10 weapons in my client's hands, is that correct?

11 **A** No.

12 **Q** You also -- you never saw a knife in Mr. Dobbs'
13 hand, that is correct?

14 **A** No.

15 **Q** When you walked outside, you walked outside with
16 William Troy, is that right?

17 **A** Yes.

18 **Q** And you hear William Troy say words. Words were
19 exchanged between himself and Mr. Dobbs?

20 **A** The words that were exchanged, the ones I noticed
21 were between William Troy and the female.

22 **Q** Okay. Let's talk about the fight. You did grab
23 Mr. Dobbs' girlfriend, is that correct?

24 **A** Yes.

25 **Q** And you also punched Mr. Dobbs?

1 **A** Yes.

2 **Q** And at one point you even had -- you were to the
3 left of him and you were holding him, is that correct?

4 **A** When I was hitting him I had him by the shirt and
5 I hit him three or four times, yes.

6 **Q** And when you hit him those three or four times, it
7 was to the head, to his head area?

8 **A** To the lower, the neck, and yeah, that region.

9 **Q** So it was to the head?

10 **A** No. It was more of the neck and in the lower
11 region.

12 **Q** Okay. You testified that Mr. Dobbs left the
13 fight?

14 **A** The fight stopped. It was stopped and, yeah, he
15 left. He went toward his vehicle.

16 **Q** So you saw Mr. Dobbs walk to his car?

17 **A** Yes.

18 **Q** Okay. And he got in his car and he left?

19 **A** Yes.

20 **Q** Now, were you paying attention during the fight?
21 I mean, as Mr. Dobbs and his girlfriend were leaving, were
22 you paying attention to their injuries?

23 **A** No, to the vehicle.

24 **Q** Okay. And how tall are you?

25 **A** 5'11".

1 **Q** And how much do you weigh?

2 **A** About 225 pounds.

3 **MS. CHIEN:** May I have a moment?

4 **THE COURT:** You may.

5 **MS. CHIEN:** I have no other questions.

6 **THE COURT:** Any redirect?

7 **MS. BARRA:** Just briefly, Your Honor.

8 **REDIRECT EXAMINATION**

9 **BY MS. BARRA:**

10 **Q** Sir, prior to the defendant hitting one of your
11 friends, did you have any problems with him?

12 **A** No.

13 **Q** Did you have any reason to hit him?

14 **A** Umm, well, there was an altercation happening, and
15 I noticed that, you know, one person would go in to fight
16 him and that person would, you know, be -- they wouldn't be
17 in the fight any longer. Then the only reason why I
18 approached the fight was because of the female was attacking
19 one of the males that I was with, and at that time I pulled
20 her off. And then, I grabbed him and hit him a couple
21 times.

22 **Q** So, on that night you wouldn't have had any
23 contact with the defendant except for the fact that he was
24 hitting your friends?

25 **A** Yes.

1 **Q** Okay.

2 **MS. BARRA:** Thank you. No further questions.

3 **THE COURT:** Any recross?

4 **MS. CHIEN:** No, Your Honor.

5 **THE COURT:** May this witness be excused?

6 **MS. BARRA:** Yes, Your Honor.

7 **THE COURT:** Defense, may this witness be excused?

8 **MS. CHIEN:** Yes, Your Honor.

9 **THE COURT:** You are free to go, sir, thank you.

10 Ladies and gentlemen, this seems to be a logical
 11 stopping place for the night. Let me give you some
 12 instructions before you leave. I don't know if you're
 13 the type of individual to get cold or not, I am told
 14 that that jury box is the coldest place in the
 15 courtroom. Please understand that I don't have a lot
 16 of control over the temperature so you may want to come
 17 with a jacket and have the ability to put on and take
 18 off layers if you're the type of person that gets cold
 19 if air is blowing on you.

20 I have not seen any news media here today,
 21 however, I am going to make this request of you. I am
 22 going to ask that if you are the type of person that
 23 wakes up, gets your coffee and reads the paper like I
 24 am, that you refrain from doing that in the morning.
 25 Pick up a novel or something and give the attorneys and

1 I an opportunity to review the paper to make sure there
2 is nothing in there concerning this case before you
3 read it.

4 When you get home this evening, your family is
5 going to be curious about what you have been doing
6 today, and what you will be doing for the next two
7 days. Please tell them the judge has instructed you
8 not to talk about the case at all, and I'm going to
9 also instruct you not to even tell them the type of the
10 case that you're hearing. The reason that I make that
11 request is this: Just as soon as you give them the
12 type case that you're hearing, they are going to want
13 to give you some opinion about something, and I don't
14 want anything outside of this courtroom affecting your
15 ability to be fair and impartial. So please tell them
16 when you come home at the conclusion of the case, you
17 will be more than happy to tell them more than they
18 want to know, but for right now, the judge has
19 instructed you not to talk about the case at all.

20 I have two matters in the morning starting at
21 8:45. They should be concluded by 9:30, so I am going
22 to ask that you be back at the location designated by
23 the court deputies at 9:30 in the morning. If you
24 leave your pads and pens on the chairs, they'll be
25 there when you return in the morning. They will be put

1 in a safe over the evening so no one will have an
2 opportunity to tamper with them.

3 Are there any other instructions I need to give
4 them? State, are you requesting any instructions?

5 **MS. LASKOFF:** No, Your Honor.

6 **THE COURT:** Defense, are you?

7 **MS. CHIEN:** No, Your Honor.

8 **THE COURT:** Ladies and gentlemen, with those
9 instructions, I am going to ask that you be back at
10 9:30 in the morning and have a nice evening.

11 (Jury exits the courtroom.)

12 **THE COURT:** We will be in recess until 8:45 on
13 other matters and 9:30 on this case.

14 (Whereupon, the foregoing proceedings were
15 concluded.)

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C E R T I F I C A T E

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4

5 STATE OF FLORIDA:

6 COUNTY OF ORANGE:

7

I, Rebecca Ruiz, Official Court

8

Reporter of the Ninth Judicial Circuit of Florida,

9

do hereby certify pursuant to Florida Statute 29,

10

that I was authorized to and did report in

11

stenographic shorthand the foregoing proceedings,

12

and that thereafter my stenographic shorthand notes

13

were transcribed to typewritten form by the process

14

of computer-aided transcription, and that the

15

foregoing pages contain a true and correct

16

transcription of my shorthand notes taken therein.

17

18

WITNESS my hand this _____ day of _____

19

2007, in the City of Orlando, County of Orange,

20

State of Florida.

21

22

23

24

REBECCA RUIZ

25

1
2 **C E R T I F I C A T E**
3
4

5 STATE OF FLORIDA:

6 COUNTY OF ORANGE:

7 I, Rebecca Ruiz, Official Court
8 Reporter of the Ninth Judicial Circuit of Florida,
9 do hereby certify pursuant to Florida Statute 29,
10 that I was authorized to and did report in
11 stenographic shorthand the foregoing proceedings,
12 and that thereafter my stenographic shorthand notes
13 were transcribed to typewritten form by the process
14 of computer-aided transcription, and that the
15 foregoing pages contain a true and correct
16 transcription of my shorthand notes taken therein.

17
18 WITNESS my hand this 17 day of May
19 2007, in the City of Orlando, County of Orange,
20 State of Florida.

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22
23
24 
25
REBECCA RUIZ