

ORIGINAL

1. Copies To: Homicide

Leoka

SHERIFF DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

2. Case No. 06-109584

2a. Citation No.

**CONFIDENTIAL**

Priority: ☒ Yes ☐ No

MICHAEL S. CARONA, SHERIFF-CORONER

INITIAL CRIME REPORT

3. OFFENSE CPC 664-187(a) Attempt Murder		4. DATE-TIME COMMITTED June 12 <sup>th</sup> , 2006 at approx. 0530				
5. WHERE COMMITTED [REDACTED] Dana Pt., CA 92629		6. GRID 971H5	7. DATE-TIME REPORTED			
8. INFORMANT Box #10		9. ADDRESS-PHONE Box #11				
10. VICTIM Deputy Craig Nelson		11. ADDRESS-PHONE 11 Journey, Aliso Viejo, CA 92656				
12. BUSINESS ADDRESS-PHONE 11 Journey, Aliso Viejo, CA 92656 949-425-1800		13. CONTACT TIME-ADDRESS Anytime, Box #12				
14. FIRM NAME OF VICTIM		15. BUSINESS ADDRESS-PHONE				
16. VICTIM'S OCCUPATION Deputy Sheriff		17. TYPE OF PREMISES OR LOCATION WHERE OFFENSE WAS COMMITTED Entrance to single family residence				
COMPLETE ON APPLICABLE FELONIES, MISD., SEX AND THEFTS	18. POINT OF ENTRY		22. WEAPON OR MEANS USED Knife			
	19. INSTRUMENT OR MEANS USED		23. VICTIM'S ACTIVITY AT TIME OF OFFENSE Answering a call for service			
	20. METHOD		24. EXACT WORDS USED BY SUSPECT Unknown			
	21. WHERE WERE OCCUPANTS AT TIME OFFENSE?		25. FORCE OR METHOD USED Suspect slashes at Victim with the knife			
	26. APPARENT MOTIVE - TYPE PROPERTY TAKEN Anger- to deprive victim of his life		27. TOTAL VALUE STOLEN \$ n/a			
	28. UNIQUE OR UNUSUAL ACTIONS BY SUSPECT(S) Suspect was assaulting family prior to Deputies arrival.					
	29. VEHICLE USED BY SUSPECT(S) YEAR, MAKE, BODY TYPE, COLOR, LIC. NO., AND ANY OTHER IDENTIFYING MARKS None					
30. WITNESSES R/B RESIDENCE/BUSINESS ADDRESS-PHONE		R [REDACTED] Dana Point, CA 92629				
(1)	[REDACTED]	B [REDACTED]				
(2) Marisela Elmore		R [REDACTED]				
		B 11 Journey, Aliso Viejo, CA 92656 949-425-1800				
(3)		R [REDACTED]				
		B [REDACTED]				
31. SUSPECT(S) (IF ARRESTED, NAME, ADDRESS, AND BOOKING NUMBER)						
(1) Jimenez, Gerber Amigdael [REDACTED] Dana Pt, CA 92629 Male, Hisp (10-3-85)		BKG. NBR.				
(2)		BKG. NBR.				
(3)		BKG. NBR.				
NAME ADDRESS SEX RACE DOB HT. WT. HAIR EYES						
32. DETAILS OF OFFENSE: EVIDENCE COLLECTED, DESCRIPTION AND VALUE OF PROPERTY TAKEN, LIST ADDITIONAL WITNESSES AND SUSPECTS						
QUAN.	ARTICLE	BRAND	SERIAL NO.	MODEL NO.	MISC. DESCRIPTION	VALUE
33. INVESTIGATING OFFICERS Inv. J. Gaul #2362 SHF 010 (05/99)				REPORTED BY Inv. J. Gaul #2362		34. DATE OF REPORT 1-29-08
				35. APPROVED SGT. Y. S. REP		

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**CONFIDENTIAL****ORIGINAL**

DP No

06-109584

## REPORT CONTINUATION - NARRATIVE

On 6-12-06 at approximately 0600 hrs. I spoke on the phone to Homicide Sgt. Y. Shull. The conversation was in reference to an officer involved shooting that took place in the City of Dana Point involving Deputies Craig Nelson and Marisela Elmore. Sgt. Shull requested I respond to the location to assist in the investigation. At approximately 0645 hrs. I arrived and was assigned to assist Investigator Dina Mauger from the Orange County District Attorney's Office. During the investigation, we learned the suspect, Gerber Amigdael Jimenez (10-3-85) attempted to stab Deputy Nelson with a knife which prompted him and Deputy Marisela Elmore to fire their weapons. Gerber Jimenez died after being struck by rounds fired from their weapons. The officer involved shooting portion of this investigation is being investigated by the Orange County District Attorney's Office.

INVESTIGATING OFFICERS

Inv. J. Gaul

REPORTED BY

Inv. J. Gaul #831

DATE OF REPORT

1-29-08

APPROVED

SGT. Y. Shull  


**CONFIDENTIAL****ORIGINAL****SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA**

2. CASE NO. 06-109584

PRIORITY: ☒ Yes☐ No3. ☐ INITIAL NON-CRIMINAL4. ☒ INITIAL-CRIMINAL5. ☒ FOLLOW-UP CRIMINAL6. ☐ CONTINUATION REPORT NO.**MICHAEL S. CARONA, SHERIFF-CORONER**

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

**FOLLOW-UP REPORT**

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE [REDACTED] Dana Point, CA 92691	
9. VICTIM/INFORMANT Dep. Craig Nelson		10. DATE AND TIME OF OCCURRENCE June 12 <sup>th</sup> , 2006 at approx. 0530 hrs.	11. GRID 971H5

## 12. DETAILS OF OFFENSE:

1 **DEPUTIES**

2

3 Deputy Craig Nelson # 1856- Work- 11 Journey, Aliso Viejo, CA 92656 (949) 425-1800

4

5 Deputy Marisela Elmore #2142- Work- 11 Journey, Aliso Viejo, CA 92656 (949) 425-1800

6

7 **SUSPECT:**

8

9 Jimenez, Gerber Amigdael (10-3-85) Home- [REDACTED] Dana Point, CA 92691

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11

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**SUMMARY**

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14 On 6-12-06 at approximately 0600 hrs. I spoke on the phone to Homicide Sgt. Y. Shull. The  
 15 conversation was in reference to an officer involved shooting that took place in the City of Dana Point  
 16 involving Deputies Craig Nelson and Marisela Elmore. Sgt. Shull requested I respond to the location to  
 17 assist in the investigation. At approximately 0645 hrs. I arrived and was assigned to assist Investigator  
 18 Dina Mauger from the Orange County District Attorney's Office. During the investigation we learned  
 19 the suspect, Gerber Jimenez had a previous encounter with the Sheriff's Dept. regarding his bizarre  
 20 behavior approximately one week prior. It was unknown at that time where he had encountered the  
 21 Deputy or who the Deputy was who had spoken to him.

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24

INVESTIGATING OFFICERS	REPORT BY Inv. J. Gaul #2362	DATE OF REPORT 12-4-06	APPROVED SGT. <i>yshrep</i>
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CONFIDENTIAL

SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

NARRATIVE

On 11-29-06 at approximately 1645 hrs. I spoke on the phone to Dep. John Gomez who works for the Orange County Sheriff's Dept., Dana Point Police Services. Dep. Gomez heard I had been making enquiries into the previous incident so he called me to tell me what happened. Dep. Gomez told me on 6-7-06 at approximately 1440 hrs. he was dispatched to [REDACTED] in the City of Dana Point on a call to "Keep the Peace." Upon arrival he spoke to the informant, [REDACTED] who told him his dog ran away on 6-6-06. Today, a subject later identified as Gerber Jimenez brought the dog back but was acting bizarre and would not give him the dog. Dep. Gomez told me he encountered Jimenez on the front porch of [REDACTED] residence. Jimenez had nothing on but his pants. He had removed all of his other clothing including his shoes. Jimenez could not speak English so Gomez had CSO Ortiz translate for him. Dep. Gomez was able to get Jimenez to release the dog and then asked him where he lived. Jimenez told him he lived somewhere on Blue Lantern in Dana Point. Dep. Gomez drove him to the house he said he lived in but soon found out Jimenez did not live there at all. Dep. Gomez asked him if he was lying about living there and Jimenez told him that God told him he lived there. Dep. Gomez spoke to him further and finally Jimenez told him he lived at [REDACTED] so he took him home. Once there, Dep. Gomez spoke to another male who he could only identify as Jimenez' [REDACTED]. The [REDACTED] confirmed Jimenez lived there and said that Jimenez has been acting very bizarre as of late. Even though Dep. Gomez felt Jimenez may have been acting a little odd, he did not feel Jimenez was a danger to himself or others at that time so he left him in the care of his [REDACTED].

I asked Dep. Gomez if this was something he would normally include in his log and he said it was. Dep. Gomez would later fax me a copy of his log dated 6-7-06, which included an entry regarding this incident.

INVESTIGATING OFFICERS	REPORT BY Inv. J. Gaul #2362	DATE OF REPORT 12-4-06	APPROVED Sgt. yshrep
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SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

PRIORITY: ☐ Yes  
☒ No

CONFIDENTIAL ORIGINAL

3. ☒ INITIAL NON-CRIMINAL  
4. ☐ INITIAL-CRIMINAL  
5. ☐ FOLLOW-UP CRIMINAL  
6. ☐ CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting	8. LOCATION OF OCCURRENCE [REDACTED] Dana Point
9. VICTIM/INFORMANT [REDACTED]	10. DATE AND TIME OF OCCURRENCE Mon., 06-12-06/0535 hrs.
	11. GRID 971H5

12. DETAILS OF OFFENSE:

SUSPECT

JIMINEZ, Gerber Amigdael (10-03-85) LKA: [REDACTED] Dana Point, CA 92629

BACKGROUND

On Mon., 06-12-06 at approximately 0607 hrs. I received a telephone call from Sgt. Y. Shull (O.C.S.D. Homicide) to respond to the above location regarding an officer involved shooting.

I arrived at the location at approximately 0757 hrs. and I was briefed with other investigators from the O.C.S.D. and the O.C. District Attorney's Office. We were told that Dep. C. Nelson (O.C.S.D.) and Dep. M. Elmore (O.C.S.D.) were dispatched to the above location and both Deputies were involved in an officer involved shooting. I was asked to canvass the neighborhood in an effort to find any potential witnesses.

NEIGHBORHOOD CANVASS

[REDACTED] Dana Point

On Mon., 06-12-06 at approximately 0829 hrs. I went to the above listed address, but the resident did not answer the door. I left a business card on the front door for future reference. On Mon., 06-26-06 at approximately 0735 hrs. I talked to [REDACTED] on the telephone. [REDACTED] told me he splits his time between the address in Dana Point and another residence in San Bernardino County. [REDACTED] said he was not at the Dana Point residence on Mon., 06-12-06.

INVESTIGATING OFFICERS J.Gaul & D. Mauger	REPORT BY TODD #267	DATE OF REPORT Mon., 06-26-06	APPROVED SGT. Y. Shull
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ORIGINAL

1. COPIES TO:  
Dana Point

Homicide

SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

2. CASE NO. 06/109584

PRIORITY: ☒ Yes

☐ No

3. ☐ INITIAL NON-CRIMINAL

4. ☒ INITIAL-CRIMINAL

5. ☐ FOLLOW-UP CRIMINAL

6. ☐ CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER

FOLLOW-UP REPORT

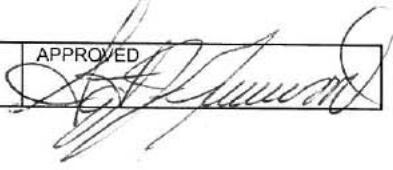
7. OFFENSE Information Report	8. LOCATION OF OCCURRENCE [REDACTED] Dana Point 92629	
9. VICTIM/INFORMANT Deputy J. Pelayo #3716	10. DATE AND TIME OF OCCURRENCE Mon. 6-12-06 / 0531 Hours	11. GRID 971H5

12. DETAILS OF OFFENSE:

On Monday 5-12-06 at approximately 0531 hours, I responded to assist Deputy Nelson and Deputy Elmore with a violent mental person at [REDACTED]. I responded from Alicia and Kite Hill in Laguna Niguel. While enroute, dispatch advised the suspect had a knife. Deputy Nelson and Deputy Elmore arrived and advised shots were fired. I arrived at about 0538 hours and saw Deputy Nelson in the doorway to the apartment and Deputy Elmore pistol pointing a handcuffed male. The male was on the ground and he had not been searched. The male was later identified as Gerber Jimenez 10-3-85. Deputy Auer from San Juan Capistrano was also at the scene. I relieved Deputy Elmore and I searched Jimenez for weapons. Jimenez was lying on his stomach with his hands handcuffed behind his back. As I searched him, I noticed blood on his stomach area. Deputy Auer walked Deputy Nelson and Deputy Elmore outside the scene. I stood by with Jimenez. Jimenez was awake with his eyes open and he repeatedly said in Spanish "matame" which means kill me and "dame otro" which means give me another. He would not answer any of my questions. I was monitoring Jimenez to make sure he was alive. About thirty seconds before paramedics arrived, he stopped speaking. Jimenez continued to breathe and slightly move on his own.

Orange County Fire Authority Station 29 paramedics arrived at approximately 0546 hours. I took the handcuffs off Jimenez so he could be treated. Captain Tuohy, paramedic A. Robinson, firefighters J. Forester and T. Forester treated Jimenez at the scene. All of Jimenez' clothing was cut off. I saw four bullet holes in his upper torso. Jimenez' right hand and left knee area appeared to have been hit as well. At about 0605 hours, Jimenez was transported by Doctors Ambulance company to Mission Hospital in Mission Viejo. I rode in the back with Jimenez and Capt. Tuohy, paramedic A. Robinson, firefighter T. Forester, and ambulance technician Lindner. The ambulance was driven by technician Tantuvanich.

We arrived at Mission Hospital at about 0620 hours. Jimenez was treated in the Emergency Room by Dr. Stephen Desantis and his staff. Jimenez was then taken to a surgery room where Dr. Desantis and his staff attempted to stabilize him.

INVESTIGATING OFFICERS	REPORT BY J. Pelayo #3716	DATE OF REPORT 6/12/06	APPROVED 
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**SHERIFF'S DEPARTMENT**  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

**MICHAEL S. CARONA, SHERIFF-CORONER**

REPORT CONTINUATION

At 0730 hours, District Attorney Investigator Ron Seman arrived. Orange County Sheriff's Homicide Investigator Donald Voght arrived at about 0800 hours.

Dr. Desantis pronounced Jimenez deceased at 0825 hours. Inv. Voght contacted the Coroner's office and they issued Coroner Case number 06/03559-MU. At 0920 hours, I relinquished the scene to Inv. Voght and I left the area.

INVESTIGATING OFFICERS	REPORT BY J. Pelayo #3716	DATE OF REPORT 6/12/06	APPROVED 
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**SHERIFF'S DEPARTMENT**  
**ORANGE COUNTY**  
**SANTA ANA, CALIFORNIA**

PRIORITY: ☐ Yes  
☒ No

ORIGINAL

3. ☒ INITIAL NON-CRIMINAL4. ☐ INITIAL-CRIMINAL5. ☐ FOLLOW-UP CRIMINAL6. ☐ CONTINUATION REPORT NO.

FOLLOW-UP REPORT

MICHAEL S. CARONA, SHERIFF-CORONER

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE [REDACTED] Dana Point, CA	
9. VICTIM/INFORMANT [REDACTED]		10. DATE AND TIME OF OCCURRENCE Monday 06-12-06/0535 hrs.	11. GRID 971H5

12. DETAILS OF OFFENSE:

**BACKGROUND:**

On Monday June 12, 2006, at approximately 0550 hours, I received a phone call from Homicide Sergeant Y. Shull to respond to the above location regarding an officer involved shooting. I arrived on scene at approximately 0710 hours and was briefed with other members of the Sheriff's Department homicide unit and District Attorney's Office. DDA Investigator D. Mauger was assigned as the case agent. I assisted in the neighborhood canvass.

**CANVASS:**

[REDACTED] Dana Point

[REDACTED]

[REDACTED]

*Interview referred to DDA Investigator B. Nuckolls*

\*\*\*\*\*

[REDACTED] Dana Point

[REDACTED]

[REDACTED]

Did not see or hear anything.

INVESTIGATING OFFICERS Inv. J. Gaul	REPORT BY Inv. C. Edes PID #413	DATE OF REPORT 6/13/06	APPROVED [Signature]
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**SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA****MICHAEL S. CARONA, SHERIFF-CORONER****REPORT CONTINUATION**

[REDACTED] Dana Point

[REDACTED]

[REDACTED]

[REDACTED] said early this morning, he heard someone shouting "put it down, put it down." He believes the voice might have been female. He then heard one shot a pause then two gunshots. This came from the area of [REDACTED] and [REDACTED]

\*\*\*\*\*

[REDACTED] Dana Point

[REDACTED]

[REDACTED]

Did not hear or see anything.

\*\*\*\*\*

[REDACTED] Dana Point

[REDACTED]

[REDACTED]

Was not at home.

\*\*\*\*\*

[REDACTED] Dana Point

[REDACTED]

[REDACTED]

Out of the country past 4 weeks. Returned the day after the shooting.

INVESTIGATING OFFICERS Inv. J. Gaul	REPORT BY Inv. C. Edes PID #413	DATE OF REPORT 6/13/06	APPROVED
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1. COPIES TO:  
Homicide

2. CASE NO. #06-109584

**SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA**

PRIORITY: ☐ Yes  
☒ No

ORIGINAL CONFIDENTIAL

3. ☒ INITIAL NON-CRIMINAL  
4. ☐ INITIAL-CRIMINAL  
5. ☐ FOLLOW-UP CRIMINAL  
6. ☐ CONTINUATION REPORT NO.

**MICHAEL S. CARONA, SHERIFF-CORONER**

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

**FOLLOW-UP REPORT**

7. OFFENSE Officer Involved Shooting	8. LOCATION OF OCCURRENCE [REDACTED] Dana Point
9. VICTIM/INFORMANT [REDACTED]	10. DATE AND TIME OF OCCURRENCE Mon., 06-12-06/0535 hrs.
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12. DETAILS OF OFFENSE:

**SUSPECT**

**JIMINEZ**, Gerber Amigdael (10-03-85) LKA: [REDACTED] Dana Point, CA 92629

**BACKGROUND**

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I arrived at the location at approximately 0757 hrs. and I was briefed with other investigators from the O.C.S.D. and the O.C. District Attorney's Office. We were told that Dep. C. Nelson (O.C.S.D.) and Dep. M. Elmore (O.C.S.D.) were dispatched to the above location and both Deputies were involved in an officer involved shooting. I was asked to canvass the neighborhood in an effort to find any potential witnesses.

**NEIGHBORHOOD CANVASS**

**Dana Point**

On Mon., 06-12-06 at approximately 0820 hrs. I went to the above listed address and I talked to [REDACTED] telephone # [REDACTED] at the residence.

[REDACTED] told me she was in bed at approximately 0530 hrs. and heard people arguing and yelling to the west (towards [REDACTED]) of her home.

INVESTIGATING OFFICERS J.Gaul & D. Mauger	REPORT BY TODD #267	DATE OF REPORT Tues., 06-13-06	APPROVED Sgt. Y. Shull
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SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

██████████ said she attempted to call "911", but her cellular telephone would not connect her to an operator. ██████████ said a short time later she heard some gun shots and saw the O.C.S.D. at the above listed location. ██████████ said she did not see anything until after the gunshots and the O.C.S.D. arrived.

██████████ Dr., Dana Point

On Mon., 06-12-06 at approximately 0825 hrs. I went to the above listed address and talked to ██████████ telephone # ██████████ at the residence.

██████████ said he was in bed between the hours of 0515-0530 hrs. and he was awakened by noises outside of his home. ██████████ told me he did not see anything, but he heard 5-7 gunshots shortly after he awoke.

██████████ Dana Point

On Mon., 06-12-06 at approximately 0829 hrs. I went to the above listed address, but the resident did not answer the door. I left a business card on the front door for future reference. To date I have not received a telephone call back from this residence.

██████████ Dana Point

On Mon., 06-12-06 at approximately 0832 hrs. I went to the above listed address, but the resident did not answer the door. I left a business card on the front door for future reference. To date I have not received a telephone call back from this residence.

██████████ Dana Point

On Mon., 06-12-06 at approximately 0835 hrs. I went to the above listed address, but the resident did not answer the door. I left a business card on the front door for future reference.

On Mon., 06-12-06 at approximately 1420 hrs. I talked to ██████████ on the telephone. ██████████ told me he lived at ██████████ Dana Point and had a cellular telephone

INVESTIGATING OFFICERS  
J. Gaul & D. Mauger

REPORT BY  
TODD #267

DATE OF REPORT  
Tues., 06-13-06

APPROVED



SHERIFF'S DEPARTMENT  
ORANGE COUNTY  
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

of # [REDACTED] [REDACTED] said he was doing some construction work at [REDACTED] and found my business card.

[REDACTED] told me he started working at the residence at approximately 1000 hrs. and did not see or hear anything prior to that. [REDACTED] said the resident of [REDACTED] has been gone from the house for approximately one week.

[REDACTED] Dana Point

On Mon., 06-12-06 at approximately 0838 hrs. Inv. K. Hoffman (O.C.S.D.) & I went to the above listed address, but the resident did not answer the door. Inv. Hoffman left a business card on the front door for future reference.

Inv. Hoffman told me he talked to the resident ([REDACTED] home telephone # [REDACTED] & cellular telephone # [REDACTED]) on Tues., 06-13-06 at approximately 0900 hrs. Inv. Hoffman said he talked to [REDACTED] via the telephone.

[REDACTED] told Inv. Hoffman he got up at his regular time at approximately 0520 hrs. [REDACTED] said he heard some loud noises and went from his downstairs bedroom to the kitchen upstairs. [REDACTED] said he looked west from the kitchen window and saw two "plain clothes" police officer's with guns drawn.

[REDACTED] told Inv. Hoffman he left the kitchen window viewing area to call "911" and heard two separate volleys of gunshots, totaling 5-7 gunshots. He did not see who fired the gunshots.

[REDACTED] Dana Point

On Mon., 06-12-06 at approximately 0850 hrs. I went to the above listed address and talked to [REDACTED] cellular telephone # [REDACTED]

[REDACTED] told me she was up at her residence at approximately 0545 hrs. and she heard a male voice yell-five times-"drop it". [REDACTED] said she could not see where the voice came from. After hearing the yelling she heard six gunshots.

INVESTIGATING OFFICERS  
J. Gaul & D. Mauger

REPORT BY  
TODD #267

DATE OF REPORT  
Tues., 06-13-06

APPROVED

Sgt. yshrep