

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.