

TRANSCRIPT OF TAPED INTERVIEW OF PHILLIP WESTFALL
INTERVIEW CONDUCTED BY DETECTIVE PHELAN
CASE NUMBER 06-100229

Okay today is Friday, October the 25th, 2006. The time is 0515 hours. I'm Detective David A. Phelan with the Orange County Sheriff's Office Criminal Investigation Division. I'm currently at The Doll House located at 5570 South Orange Blossom Trail in reference to a death investigation. Orange County case number 06-100229.

A It's Wednesday, not Friday.

Q Correction on the date that would be Wednesday, October 25th. And I'm here speaking with...state your first, last name and spell it for me.

A Phillip Westfall. P-H-I-L-L-I-P...W-E-S-T-F-A-L-L.

Q Phillip what's your date of birth?

A 05-24-69.

Q And your address?

A 4613 Kenston Drive, Orlando, Florida.

Q And do you have a phone?

A Yes sir.

Q And that number?

A Cell or home?

Q A home number.

A Ah...that's not...that's my roommates phone. My cell number's 407-353-6399.

Q Okay. And where do you work?

A The Doll House.

1 Q And what is your position at The Doll House?

2 A I'm the valet attendant.

3 Q And valet attendant means you're in the parking lot most of time?

4 A All night.

5 Q All night. Okay. At approximately, ah...2:15 this morning, ah...was your attention
6 brought to an area of the parking lot where a fight was occurring?

7 A Yes sir.

8 Q And what...what got your attention there?

9 A Ah...a female screaming.

10 Q Okay. And did...did you hear anything, ah...any words being exchanged or
11 anything?

12 A Nothing before I heard her screaming.

13 Q Okay. And, ah...as you turn your attention to that tell me what you observed.

14 A I observed a female standing outside the door on the passenger side of a gray
15 Acura. Um...she was yelling at a car about six spaces to the south of where they
16 were parked. She was screaming, ah...there was four gentlemen outside of that
17 car. One of the gentleman started walking over to their vehicle, um...the driver...
18 (phone rings)

19 ...of the female's vehicle came out of the drivers seat and around the back of the
20 car, met up with that gentleman, punched him in the face and that guy went to
21 the ground. Another one of the gentleman came running over, he started fighting
22 with the gentleman that she was with. She tried punching, kicking and hitting,
23 um...that gentleman. All of a sudden it was four guys fighting the couple.

24 Um...people were being hit, punched, kicked in every direction. I was screaming
25 at them break it up...break it up. When it started to get real serious I carry mace,

1 I pulled out my mace and if anybody was gonna start beating somebody down
 2 really bad I was gonna hit them with it. Um...there...people started ripping their
 3 shirts off and fighting with the gentleman. He was...didn't seem like he was
 4 punching people very hard but all of a sudden everybody was bloody.
 5 Um...ah...somebody ran up and kicked the female in the back. She got up and
 6 then the gentleman from the car, I witnessed him...the last guy that was over
 7 there, I witnessed the gentleman from the car kind of with a swinging from his
 8 ...outside of his shoulder into the other guy hit him in the face, like I know you
 9 can't see this on the recorder but he...he swung and hit him like that. That
 10 gentleman started bleeding profusely.

11 Q Okay. So when you say the...somebody got hit in the face did the black
 12 gentleman hit...hit one of the other guys in the face...

13 A Yes sir.

14 Q ...or... Okay.

15 A The gentleman with the female hit one of the other guys in the face and instantly
 16 there was blood everywhere.

17 Q Okay.

18 A I thought he broke his nose. Um...I got into the middle, the last two people
 19 fighting was the gen...the last gentleman that was left here in the tank top which
 20 he also had a bl...a suit jacket over it.

21 Q Okay.

22 A He was...he had a hold of the driver and was...like from behind and was
 23 punching him in the side of the head. I screamed...you can get peoples attention
 24 really loud...really quick by screaming. I said 911's been called, cops are on the
 25 way, break it up now or I'll mace you both. They let go and separated, um...the

1 gentleman with the shirt off took about five steps back towards his car. He was
 2 probably six steps away from me. He had blood all over his chest and his waist
 3 and a little bit on his face and I was looking to see if everybody was okay,
 4 making sure that the couple was getting into their car. That's when I kind of got
 5 between everybody. Um...I turned and looked at the guy with no shirt on and he
 6 fell flat back on his back. And I was like...nothing hap...I was thinking to myself
 7 nothing just happened to you, what's wrong? As he was laying on the ground I
 8 ran over and looked down and witness two puncture wounds in his chest.

9 Q Okay.

10 A One near each nipple. I screamed he's been stabbed, um...stop them...stop
 11 them. I ran over to the back of the car took a very good look at it. I looked at the
 12 left side of the car, it said Acura. I looked at the symbol, I looked at the other
 13 side, it said TL but the way TL was written I was in a panic and I was saying TC
 14 which I know Sions are TC's not Acura's. Um...it was a gray car, there was a
 15 dent right in front of the right passenger side taillight that I believe
 16 was...happened during the fight because somebody went...got slammed against
 17 the car and I believe that made an imprint...a dent there from them. Ah...I tried
 18 to...I always carry a pen so I...and I always write down tag numbers.

19 Q Uh hum, (affirmative)

20 A There was no tag. There was a tag brace kind of shaped like a hurly H or maybe
 21 an X...

22 Q Uh hum, (affirmative)

23 A ...and behind that there was something written. I know the second letter was O
 24 but it looked like lost...it didn't look like lost, it looked like no something. Most
 25 people, if they don't have a tag they'll write lost tag.

1 Q Uh hum, (affirmative)

2 A All I saw was an O on the... behind that. Um...the female was wearing a red
3 shirt, she had straight black hair like a black girls hair, not like a Spanish girls
4 hair. Um...the gentleman was dark skin, very thin build and very...

5 (phone rings)

6 ...thin hair cut. I gotta pause that a second. Okay. (on phone...giving a
7 statement, I'll be right out there. Thanks for bringing me food.) Um...

8 Q Okay. The...if you saw the female again you think you'd be able to recognize
9 her?

10 A Yes sir.

11 Q If you saw the male again...the black male...you think you'd be able to recognize
12 him?

13 A I do believe so, yes sir.

14 Q Okay. Ah...did you ever see any of the Hispanic males with any kind of
15 weapons?

16 A No. I...I...I thought I saw the black male like slide something down, like he had
17 a knife that you can slide out like that.

18 Q Uh hum, (affirmative)

19 A At the...right at the end I saw him go like this or he used his thumb to cover it up.
20 I...I witnessed him do something with a metal object in his hand.

21 Q Okay.

22 A Um...

23 Q But that was the only weapon you think you may have seen?

24 A That was the...um...I...I...

25 Q Other than that it was just fists fight...

1 A It was fi... yeah, I...and...

2 Q (inaudible)

3 A ...really when he hit the guy in the mouth that got stabbed in the face I thought
4 he just punched him. Um...he actually...but at...at the end of it all I did see him
5 with something in his hand and realized that...that he had cut or stabbed
6 everybody. The gentleman that was...that was stabbed in the chest, the
7 gentleman that was stabbed in the face and the other gentleman did not even
8 realize that they were cut or injured with a weapon until the man passed out and
9 fell to the ground.

10 Q Ah...as the car was leaving the parking lot did you, ah...solicit anyone to follow it
11 or did you tell someone...

12 A Yes, um...the valet from across the street had heard me screaming and came
13 over to see...I guess to see if I was okay and he was...he came to an abrupt
14 stop. As soon as the...the Acura made a left to go outta there I said follow
15 him...follow him...follow him and pointed and I still didn't even realize that it was
16 my partner from across the street. I was just saying follow that car they were in
17 a crime and he took off out of here. And the car went down the...south through
18 the parking lot on the ea...west side and then out, made a left and went out the
19 south entrance of OBT. Not the south entrance to Rose.

20 Q Okay.

21 A And then made a right and continued south down 441.

22 Q And was the, ah...truck following it when you last saw it?

23 A Yes sir.

24 Q Okay. And that'll be the same vehicle that the black male and the black female
25 got into.

- 1 A Yes sir.
- 2 Q Okay. That you described earlier.
- 3 A Yes sir.
- 4 Q Okay. Ah...did you...the silver car that is parked out there now, that 300 M.
- 5 A Yes.
- 6 Q Ah...that's the car the Hispanics were in.
- 7 A Yes sir.
- 8 Q Where in relations to that car was the, ah...Acura parked? How far away?
- 9 A About six spots...about six spots south and one spot east.
- 10 Q Okay. And they were exchanging words from...between the two cars as you
- 11 first...when you first made aware of it.
- 12 A She was screaming, she...can I be blunt and say what...
- 13 Q Yeah.
- 14 A ...she said?
- 15 Q Yes, please.
- 16 A Fuck ya all niggers. Fuck ya all. Fuck ya all. And then that's when I came
- 17 running back cause I had no idea if it was a girl from the club, I didn't even...
- 18 Q Yeah.
- 19 A ...witness the couple walking to the vehicle.
- 20 Q Okay.
- 21 A Cause I was warming...I was starting to warm up the girls cars.
- 22 Q Okay. Is there anything else you can think of that may be important that I failed to
- 23 ask you in this case?
- 24 A Um...no, I...I...like I said I...on the...the suspect vehicle there was a dent that I
- 25 believe happened during the fight right in front of the right rear taillight.

1 Um...I...she was wearing a red shirt with some sort of design or writing on it.
2 Ah...straight...straight black hair like a black girls, not...not like a Spanish.
3 Um...and she had no accent and it was pretty much just a basically drunken
4 people in the back of the parking lot fighting.

5 Q Okay. Ah...okay, ah...earlier be...before going on tape you gave a written
6 statement to the deputy, is that correct?

7 A Yes sir.

8 Q In that statement you...you told what happened, is everything in that statement
9 accurate, ah...true and correct?

10 A Yes.

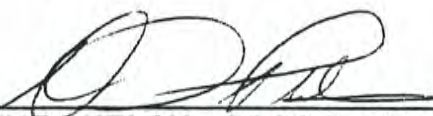
11 Q Okay. Do you swear that everything you said on this tape is true and correct?

12 A Yes sir.

13 Q Okay. The time is now 0526 hours and that will conclude this interview.
14
15

16 **THIS TRANSCRIPT HAS BEEN REVIEWED FOR ACCURACY**
17 **of the interview which was sworn before me.**

18 Signed this 15 day of November, 2006.

19 

21 **DETECTIVE PHELAN, OCSO DEPUTY SHERIFF**