

PEOPLE'S CLOSING ARGUMENT

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WE LIVE IN A WORLD OF COMMON SENSE, LADIES AND GENTLEMEN. SO THE DEFENSE IS TRYING TO CONVINCING YOU, AND THEY ARE DESPERATELY TRYING TO CONVINCING YOU, THAT FOR YOU TO USE YOUR COMMON SENSE IS SPECULATING.

THEY'RE TYING YOUR HANDS AND SAYING "DON'T USE YOUR COMMON SENSE," BECAUSE IF YOU DO, THAT PERSON IS GUILTY, NOT BEYOND A REASONABLE DOUBT, BEYOND ALL POSSIBLE DOUBT. THEY'RE TYING YOUR HANDS AND SAYING "DON'T USE YOUR COMMON SENSE." PRETEND LIKE YOU'RE SPECULATING.

THIS IS WHAT THE JURY INSTRUCTION SAYS. IT SAYS REJECT UNREASONABLE STUFF. YOU'RE NOT ROBOTS. WE BRING YOU IN HERE. WE ASK YOU ALL OF THESE QUESTIONS

1 ABOUT YOUR LIFE BECAUSE WE WANT YOU TO USE THAT STUFF.
2 WE WANT YOU TO DO THE RIGHT THING AND BE FAIR TO EVERY
3 SINGLE PERSON INVOLVED IN THIS CASE.

4 DNA. IT'S ONE OF THE FIRST THINGS I TOLD
5 YOU IN OPENING. WE DON'T HAVE IT. IT'S NOT A DNA CASE.
6 WHAT THE DEFENSE IS HOPING YOU BELIEVE IS THE FOLLOWING
7 ARGUMENT: HER DNA ISN'T AT THE SCENE SO SHE CAN'T BE
8 THE KILLER. THAT IS A WEAK ARGUMENT BECAUSE BY THAT
9 ARGUMENT, NO ONE'S DNA IS AT THE SCENE, WHICH MEANS
10 THERE IS NO KILLER, WHICH MEANS THIS IS THE MOST BIZARRE
11 SUICIDE IN THE HISTORY OF THE PLANET. THE NO DNA WEAK
12 ARGUMENT, IT'S A RED HERRING.

13 YOU HEARD ABOUT ALL OF THE SWABS OF THE
14 VEHICLE. IT WAS PAINSTAKING. SWABS ARE GREAT. DNA IS
15 GREAT. BUT YOU KNOW WHEN IT IS REALLY HELPFUL? WHEN
16 THERE HASN'T BEEN AN INTERVENING FOUR-MONTH PERIOD WHERE
17 YOUR SUN IS BAKING IN THE CAR. WHERE YOU CARRY AROUND
18 BLEACH AND DETERGENT IN YOUR CAR. THAT'S WHEN DNA IS
19 REAL HELPFUL. WHEN YOU DON'T CONCEAL THE MURDER FOR
20 FOUR MONTHS UNTIL YOU'RE FOUND. THAT'S WHEN THE DNA
21 CASE MAKES SENSE. DON'T LET THE DEFENSE DISTRACT YOU.

22 BY THE WAY, ALL THE MATERIALS TESTED BY THE
23 LAPD ARE STILL THERE. STILL BOOKED UNDER THIS CASE.
24 STILL COULD BE RETESTED. YOU DON'T THINK IF THERE WAS
25 SOME SILVER BULLET THE DEFENSE WOULDN'T HAVE RETESTED,
26 PUT A WITNESS ON TO TALK THAT ABOUT?

27 MR. PACHECO: OBJECTION. SHIFTING THE BURDEN.

28 THE COURT: OVERRULED.

1 MR. HARBUR: ALL OF THOSE MATERIALS ARE STILL IN
2 EVIDENCE.

3 THE DEFENSE IS DANCING AROUND HOPING YOU'LL
4 SAY, "OH MY GOD, THE LAPD MISSED IT. THEY MISSED IT.
5 THE REAL KILLER'S DNA. WHY DIDN'T THEY TEST IT?"

6 NO. BECAUSE IT'S EASIER TO COME INTO COURT
7 AND SAY "THE LAPD DIDN'T DO A GOOD JOB. I DON'T WANT TO
8 POINT FINGERS, BUT THEY MISSED SOME THINGS." BECAUSE
9 THAT'S EASIER THAN DOING THE WORK. THEY COULD HAVE HAD
10 IT RETESTED.

11 THE SWABS TAKEN FROM THE VICTIM'S GENITALS
12 WAS NOT SENT TO BODE BECAUSE THERE WAS NO SEMEN ON HER
13 GENITALS. THEY DID A FIELD TEST. IT WAS NEGATIVE FOR
14 SEMEN. THERE WAS NOTHING TO SEND TO THE OUTSIDE LAB.
15 THAT IS WHY IT WASN'T TESTED.

16 HE IS MISLEADING YOU BY SAYING THEY DIDN'T
17 SEND IT. THEY DIDN'T SEND IT BECAUSE THERE WAS NOTHING
18 THERE BECAUSE THIS WAS NOT A RAPE. THIS WAS A MURDER
19 AND THEN A SET UP TO MAKE IT LOOK LIKE A RAPE. AND WHO
20 BETTER TO MAKE A MURDER LOOK LIKE A RAPE BY A RANDOM,
21 HOMELESS PERSON THAN ANOTHER PROSTITUTE WHO LIVES AND
22 WORKS IN THAT AREA. NOT A GREAT KILLER. RIGHT?

23 SHOULDN'T HAVE LEFT THE CONDOM THAT WAS
24 SITTING IN HER TRUNK FOUR MONTHS LATER. THAT WAS KIND
25 OF STUPID. MAKING IT LOOK LIKE A RAPE, BUT THERE IS NO
26 SEMEN. THERE IS NO TRAUMA TO HER GENITALS ANYWHERE.

27 BOY, COMPARED TO THE VIOLENCE OF CUTTING
28 OFF THE VICTIM'S HEAD, YOU WOULD HAVE SEEN SOME TRAUMA

1 TO MS. ALVAREZ'S GENITALS BECAUSE THIS WAS A NASTY,
2 VIOLENT ASSAULT. NO EVIDENCE OF SEXUAL ASSAULT. IT WAS
3 STAGED BY THE DEFENDANT.

4 MAN, WE HEARD A LOT ABOUT MR. URQUIETA IN
5 THAT CLOSING ARGUMENT. THE DEFENSE IS TRYING TO
6 CONVINCEN YOU THAT THIS ENTIRE CASE TURNS ON THE
7 TESTIMONY OF MR. URQUIETA. IT DOES NOT. HE IS A PIECE
8 OF THE PUZZLE OF THE TRAIL THAT LEADS TO HER. HE IS ONE
9 PIECE.

10 LAPD HAD FOUR VETERAN DETECTIVES WORKING
11 THIS CASE BECAUSE IT'S IMPORTANT. TWO LITTLE KIDS LOST
12 THEIR MOM THAT DAY. A HUSBAND LOST HIS WIFE THAT DAY.
13 THEY'RE WORKING ON THE CASE, AND THEY'RE SICK OF
14 BULLSHIT. SO WHEN THEY GET MR. URQUIETA WITH HIS
15 ATTITUDE IN THERE, THEY'RE SICK OF THE BULLSHIT.
16 THEY'RE TRYING TO GET ANSWERS.

17 I COULDN'T KEEP TRACK OF HOW MANY TIMES THE
18 DEFENSE SAYS "THEY COERCED HIM. THEY WERE SO MEAN TO
19 HIM. THEY SLAPPED THE TABLE AND THEY YELLED AT HIM."

20 I WANT TO FLIP THAT FOR YOU. WHO PUT
21 MR. URQUIETA IN A TERRIBLE POSITION WITH NO WAY OUT WITH
22 HIS BACK UP AGAINST THE WALL AND NO OPTIONS? WHO DID
23 THAT TO MR. URQUIETA? HER. SHE DID IT TO MR. URQUIETA
24 BY SAYING, "HEY, YOU'RE NOT THE BRIGHTEST BULB. WHY
25 DON'T YOU HELP ME CLEAN MY CAR OUT? BY THE WAY, I JUST
26 KILLED SOMEBODY."

27 WHO PUT MR. URQUIETA IN THAT CRAPPY
28 POSITION? AND YOU KNOW WHAT? SHE PICKED A GOOD ONE.

1 SHE PICKED A GOOD ONE TO DIRTY UP IN THIS. SOMEONE IN
2 THE COUNTRY ILLEGALLY. MAN OF COLOR. GAY. WAS
3 DEPORTED TWICE FOLLOWING THIS INCIDENT.

4 AND HERE'S THE GREAT THING ABOUT PICKING
5 SOMEONE LIKE THE DEFENDANT DID, LIKE MR. URQUIETA, WE
6 CAN WALK HIM IN AND WE CAN STAND HERE AND SAY, "OH,
7 YEAH, YOU'RE A DRUG ADDICT, AREN'T YOU? YOU'RE HERE
8 BECAUSE YOU WANT MEDICATION FOR YOUR TERMINAL ILLNESS?"

9 YOU CAN WALK ALL OVER THE GUY. WHAT KIND
10 OF PERSON ARE YOU GOING TO CALL IF YOU COMMIT A MURDER?
11 YOU'RE GOING TO CALL THE POLICE? YOU'RE GOING TO CALL
12 THE PRESIDENT OF THE LOCAL SCHOOL BOARD? NO. YOU'RE
13 GOING TO GET A GUY LIKE MR. URQUIETA WHO IS GOING TO
14 BOTTLE THAT UP AND SAY NOTHING.

15 WHAT IS HE GOING TO DO? GO TO THE POLICE
16 AND SAY, "I GOT INFORMATION ON A MURDER."

17 "GREAT. YOU'RE HERE ILLEGALLY AREN'T YOU
18 AND YOU HAVE A WARRANT OUT FOR YOUR ARREST? THANKS FOR
19 THE INFORMATION. WE'LL SEE YOU NEXT YEAR."

20 HE ENDED UP IN MEXICO. IT WAS PERFECT. IF
21 THE LAPD HAD NOT BROUGHT HIM ACROSS THE BORDER, HE
22 WOULDN'T HAVE BEEN HERE TO TESTIFY ABOUT THE MURDER.
23 AND THE DEFENSE IS GOING, "OH, HE SHOULD HAVE PAID HIS
24 OWN WAY HERE." THAT WAS REALLY SHAMEFUL. HE SHOULD
25 HAVE BOUGHT HIS OWN PLANE TICKET TO TESTIFY AGAINST HIS
26 FRIEND, THE MURDERER. A GUY WHO TOLD YOU, "I DON'T HAVE
27 A GRAND TO HIRE AN IMMIGRATION ATTORNEY." RIGHT?

28 SO LET'S ACQUIT THE DEFENDANT BECAUSE

1 MR. URQUIETA DOESN'T HAVE THE MONEY TO FLY HIMSELF HERE
2 FROM MEXICO, AND THEN LET'S TALK ABOUT HIS DRUG
3 ADDICTION, AND LET'S BRING UP HIS TERMINAL ILLNESS AND
4 TALK ABOUT MEDICATION.

5 THIS IS THE PERSON WHO PUT MR. URQUIETA IN
6 THAT SITUATION (INDICATING), NOT THE LAPD. SO DON'T
7 FALL FOR THAT ARGUMENT.

8 THE THINGS MR. URQUIETA SAID WERE
9 CORROBORATED BY THE PHYSICAL EVIDENCE AND BY OTHER
10 WITNESSES YOU HEARD FROM. AND THE DEFENSE IS HOPING YOU
11 WILL WRITE THEM OFF. THEY'RE HOPING YOU WILL WRITE THEM
12 OFF.

13 THE DEFENSE TOOK JOY IN DANCING AROUND THIS
14 FACT OF MAYBE HE WANTED TO SEE HIS FAMILY. MAYBE HE'S
15 GOING TO GET CITIZENSHIP. WHAT IS HE BEING PROMISED?
16 DID THEY PUT ANY EVIDENCE ON THAT HE WAS PROMISED
17 IMMUNITY; THAT HE HAS BEEN PROMISED SOME KIND OF PATH TO
18 CITIZENSHIP TO STAY IN THE COUNTRY? NO. WHY DID THE
19 DEFENSE DO THAT? IT DOESN'T EXIST, AND ISN'T IT A HELL
20 OF LOT EASIER TO GET UP HERE AND SAY, "LADIES AND
21 GENTLEMEN, HE LOVES HIS FAMILY. HE KIND OF WANTS TO GET
22 BETTER MEDICATION IN THE UNITED STATES." ISN'T THAT
23 EASIER TO JUST THROW THAT STUFF IN FRONT OF YOU INSTEAD
24 OF PUTTING ON SOME PROOF OF THIS? OF COURSE IT IS.
25 THAT'S WHAT THEY DID.

26 NONE OF THE PEOPLE YOU HEARD FROM IN THIS
27 CASE, THE CIVILIANS, ARE PROFESSIONAL WITNESSES.
28 THEY'RE PEOPLE WITH ISSUES LIKE ALL OF US. DEFENSE IS

1 HOPING YOU WILL WRITE THEM OFF. ILLEGAL IMMIGRANT.
2 PROSTITUTE. TRANSGENDER. MAYBE THEY'RE HOPING YOU
3 WON'T CARE AND YOU WON'T LISTEN TO THOSE PEOPLE, AND YOU
4 WILL SAY, "THIS IS JUST -- THIS IS NOT MY LIFE. I DON'T
5 KNOW ABOUT THESE PEOPLE. I DON'T KNOW." THEY'RE HOPING
6 THAT'S WHAT YOU DO. I'M ASKING YOU NOT TO.

7 MR. COTA. THE DEFENSE BRINGS HIM IN IN A
8 COUNTY BLUE JUMPSUIT IN HANDCUFFS, WALKS HIM BACK AND
9 FORTH IN FRONT OF YOU. OKAY. HE HAS NOTHING TO SAY.
10 YEAH, HE WAS DRUNK THAT NIGHT, HANGING OUT. MAYBE SAW A
11 SECURITY TRUCK.

12 SO DID THE DEFENSE CALL HIM BECAUSE HE HAD
13 SOMETHING VALUABLE TO HELP YOU DETERMINE THE TRUTH, OR
14 WAS IT TO CAUSE THIS SPECTACLE OF THIS GUY COMING INTO
15 COURT, SHACKLED DOWN AND STANDING WITH A BAILIFF
16 NEXT-DOOR SO ALL OF YOU CAN GO, "BOY, THAT DOESN'T LOOK
17 GOOD. HE LOOKS LIKE A CRIMINAL. HE LOOKS BAD."

18 THAT IS SHAMEFUL. REALLY? THEY CAN'T
19 THROW A SHIRT ON THE GUY. MAYBE NOT PARADE HIM BACK AND
20 FORTH IN FRONT OF YOU IN HANDCUFFS. A 59-YEAR-OLD MAN
21 WITH A DRINKING PROBLEM WHO LIVES UNDER PCH BRIDGE FOR
22 FOUR YEARS. REALLY? WHAT DID THAT DO TO HELP YOU
23 UNDERSTAND THIS CASE? NOTHING.

24 THIS IS JUST THE SECOND PART OF THE
25 ARGUMENT THAT I WANT TO GET TO, AND THEN I'M DONE.
26 STUBBORN FACTS. THIS ISN'T A LEGAL DEFINITION. THERE
27 IS NO JURY INSTRUCTION ABOUT IT.

28 I KIND OF THINK OF IT LIKE THIS: I COULD

1 HIRE 50 LAWYERS FROM HARVARD LAW SCHOOL AND GIVE THEM A
2 YEAR AND THEY COULDN'T FIGURE OUT A WAY TO EXPLAIN
3 THEMSELVES OUT OF THESE FACTS IN THIS CASE. THE DEFENSE
4 DIDN'T ADDRESS THEM IN A WAY THAT IS SATISFACTORY TO THE
5 13 OF YOU. I WANT TO TALK ABOUT THEM, AND THEN I'M
6 SITTING DOWN.

7 YOU GOT A SENSE OF WHO THE DEFENDANT IS IN
8 THIS CASE. A STRONG MALE. JEALOUS. ENVIOUS.
9 POSSESSIVE, TO A STRANGE DEGREE, OF HER BOYFRIEND WHO
10 HAPPENS TO LIVE AND WORK ABOUT A BLOCK AND A HALF AWAY
11 FROM WHERE THE VICTIM WAS WORKING THAT MORNING AND FROM
12 WHERE THE VICTIM WAS KNOWN TO WORK. WHERE THE VICTIM
13 HAD ACTUALLY WORKED FOR A WHILE, STOPPED WORKING, AND
14 THEN CAME BACK.

15 THE DEFENDANT, WHO CARRIES KNIVES -- OKAY.
16 PROSTITUTION IS DANGEROUS, BUT YOU ONLY CARRY KNIVES IF
17 YOU KNOW HOW TO USE THEM. OKAY. YOU DON'T CARRY KNIVES
18 IF YOU HAVE NO IDEA WHAT YOU'RE DOING WITH IT. YOU
19 CARRY KNIVES WHEN YOU KNOW HOW TO USE THEM TO PROTECT
20 YOURSELF.

21 SO THAT IS WHO THE DEFENDANT IS AND HAD
22 BEEN ON THE MORNING OF THE MURDER. AND THIS IS OUR
23 VICTIM (INDICATING). AND I DON'T WANT US TO FORGET
24 ABOUT HER. THIS IS CRISTY ALVAREZ LEAVING HER TWO
25 BABIES AND HER HUSBAND BEHIND THE MORNING OF THE MURDER
26 AT 3:00.

27 YOU GOT TO HEAR A LITTLE BIT ABOUT
28 CRISTY -- CRISTY ALVAREZ. SORRY. A PRETTY GIRL

1 HUSTLING. RIGHT? NOBODY WAKES UP IN THE MORNING AND
2 SAYS, "I'M GOING TO GO HAVE SEX WITH PEOPLE GETTING OFF
3 THEIR NIGHT SHIFT FOR MONEY." IT'S NOT SOMETHING PEOPLE
4 DO BECAUSE THEY WANT TO. AND WE KNOW THIS ABOUT HER.
5 SHE DIDN'T DESERVE THIS. OKAY. AND SHE WAS TAKEN FROM
6 HER FAMILY TOO SOON.

7 SHE SHOWS UP TO WORK. WHO ELSE IS LURKING,
8 CIRCLING IN THE AREA, 4:48 IN THE MORNING? THERE IS ONE
9 WHITE 2000 DAEWOO IN THIS AREA, AND IT BELONGS TO HER
10 AND NOBODY ELSE EVER DROVE IT. NOBODY ELSE EVER DROVE
11 THAT CAR.

12 CIRCLE NO. 3, 5:27. THIS IS THE REALLY
13 STRANGE ONE WHERE THE DEFENDANT KIND OF DIPS IN HERE
14 RIGHT BEHIND THE VICTIM'S CAR AND KIND OF CORRECTS
15 COURSE. KEEPS DRIVING.

16 JOSE LOPEZ WAS A LITTLE OFF ON THE TIME.
17 IT WASN'T 4:30 OR 4:45 BECAUSE WE SEE CRISTY ALVAREZ
18 JUST KIND OF PULL HER CAR FORWARD JUST OFF CAMERA AT
19 5:15 A.M. AND CHANGE. SO WE KNOW SHE IS STILL ALIVE AT
20 THAT POINT. WE KNOW THE MURDER HAPPENS AT SOME POINT
21 RIGHT AFTER 5:15.

22 AND JOSE LOPEZ, THE GUY IN THE WINDOW,
23 LOOKS OUT, HE SEES THAT KOREAN OR JAPANESE CAR. HE
24 SAYS, "THE PERSON -- IT WAS A MAN. THEY HAD SHORT HAIR.
25 THEY LOOKED UP AT ME." AND IT'S KIND OF CRAZY HE
26 NOTICED THE DETAIL, THEY HAD A LITTLE TROUBLE STARTING
27 THE CAR.

28 REMEMBER THAT RECEIPT IN THE DEFENDANT'S

1 CAR FROM DECEMBER OF 2011, A COUPLE OF WEEKS BEFORE THE
2 MURDER? APPARENTLY HAVING SOME TROUBLE WITH THE
3 STARTER. DIDN'T SEE THE BACK OF THE DEFENDANT'S HAIR.
4 WHY? BECAUSE THE DEFENDANT WAS EITHER WEARING A HOOD OR
5 HAD HER HAIR BACK.

6 THE INTERESTING THING IS THAT DURING THIS
7 BOOKING AND PROCESSING, SHE JUST DOES THIS (INDICATING).
8 UNPROMPTED. STRAIGHT BACK. YOU SAW THE DEFENDANT
9 ACROSS THE STREET PULLING A CAR OUT WEARING LONG
10 SLEEVES. YOU WOULDN'T SAY THAT IS A 32-YEAR-OLD
11 HISPANIC MALE DRIVING THAT DAEWOO? OF COURSE IT WAS.
12 NOBODY ELSE.

13 BUT THEN FOLLOWING THE MURDER WHICH WE KNOW
14 HAPPENED SOME TIME AFTER 5:15, PANIC SETS IN. WHY?
15 WELL, THAT'S THE DEFENDANT'S CAR. HERE'S A CUSTOMER
16 WAITING FOR MS. ALVAREZ. THAT'S NOT GOOD. A WITNESS.
17 MAYBE SOMEONE WHO SAW THE WHITE DAEWOO. MAYBE, AS THE
18 DETECTIVES TESTIFIED, YOU CAN SEE THAT CAMERA HANGING ON
19 THE SIDE OF AMERICAN TRANSPORT. SHOOT. THERE IS A
20 CAMERA. THAT'S NOT SO GOOD EITHER.

21 I GOT THIS VICTIM DOWN TO THIS CONCEALED
22 AREA, I KILLED HER, BUT WE MAY HAVE WITNESS ISSUES,
23 DEFENDANT IS THINKING TO HERSELF. PANIC SETS IN. YOU
24 SEE HER GOING BACK AND FORTH AGAIN WHERE AT 5:53 WE SEE
25 HER ONE FINAL TIME AT 6:05.

26 DURING THE ENTIRE TIME THE DEFENDANT'S CAR
27 IS CIRCLING. AND FROM APPROXIMATELY 2:10 A.M. TO RIGHT
28 AROUND 8:00 A.M. THAT MORNING, RADIO SILENCE ON THE

1 DEFENDANT'S PHONE. NOT A SINGLE PHONE CALL IS MADE,
2 WHICH IS CRAZY WHEN YOU THINK ABOUT IT. BECAUSE
3 WITNESSES TESTIFIED SHE GOT SO MANY CALLS IT WAS CRAZY.
4 AND 2:00 TO 8:00 A.M., DURING THE NEW YEAR'S HOLIDAY,
5 CAN YOU THINK OF A BUSIER TIME FOR A PROSTITUTE? I
6 MEAN, ARE YOU KIDDING ME. RADIO SILENCE. WHY? BECAUSE
7 SHE'S DOING THIS. SHE'S DOING OTHER THINGS THAT
8 MORNING.

9 WE KNOW FROM THE WITNESSES THAT THE
10 DEFENDANT WAS KIND OF BACK AND FORTH BETWEEN THE DONUT
11 SHOP AND THE LAUNDROMAT WHICH WAS ACROSS THE STREET THAT
12 MORNING. INTERESTING TIME TO DO LAUNDRY. TO ME IT IS A
13 LITTLE BIT LESS ABOUT THE PHONE CALLS THE DEFENDANT
14 DIDN'T MAKE, WHICH ARE POWERFUL EVIDENCE, THAT RADIO
15 SILENCE IS POWERFUL. IT'S ABOUT THE CALLS THAT SHE DID
16 MAKE ON JANUARY 2ND. THE SAME MORNING AS THE MURDER.

17 GOD, THIS IS EITHER SHE IS GUILTY OR THIS
18 IS THE CRAZIEST MOST UNFORTUNATE SERIES OF COINCIDENCES
19 IMAGINABLE, AND SHE'S THE UNLUCKIEST WOMAN ON THE
20 PLANET, WHICH IS ESSENTIALLY WHAT THE DEFENSE IS TELLING
21 YOU, THIS IS ALL COINCIDENCE.

22 SIX PHONE CALLS, LADIES AND GENTLEMEN. SIX
23 BACK AND FORTH BETWEEN A COMPANY THAT STARTED OUT AS AN
24 AUTO DISMANTLER. AN AUTO DISMANTLER. SIX PHONE CALLS
25 BACK AND FORTH. IT'S THAT NUMBER THAT ENDS 774 [SIC].
26 THE FIRST ONE, 10:32. INCOMING COMING FROM THE BODY
27 SHOP. WE KNOW THEY'RE PROBABLY LEAVING THE DONUT SHOP
28 AROUND THIS TIME. SO RIGHT AROUND KIND OF 1:00 P.M.

1 THREE INCOMING CALLS FROM THE AUTO DISMANTLER. BUT WE
2 KNOW AT THE SAME TIME THE DEFENDANT IS TALKING TO
3 GUILLERMO URQUIETA. "HEY, I NEED HELP DOING THE DETAIL
4 OF MY CAR." ALL OF A SUDDEN. ALL OF A SUDDEN I GOT TO
5 DETAIL THE INSIDE OF MY CAR.

6 ALSO I NEED A MECHANIC. DO YOU KNOW A GOOD
7 MECHANIC? BECAUSE I ALSO NEED SIGNIFICANT BODY WORK
8 DONE TO MY CAR. I KNOW THIS IS JUST SO CRAZY, BUT HEY,
9 IT'S JANUARY 2ND. WHO DOESN'T WANT TO OVERHAUL THEIR
10 CAR THE DAY AFTER NEW YEAR'S. RIGHT? TOTALLY NATURAL.

11 SO AT THE SAME TIME SHE'S TRYING TO LINE UP
12 A DISMANTLE OR SERIOUS AUTO WORK AT PEÑA'S. PROBABLY
13 SHE GETS PRICED OUT. IT'S ACTUALLY A REAL BUSINESS. SO
14 WHAT DOES SHE DO? YOU KNOW WHAT HAPPENS. AGAIN, THIS
15 IS THE PHONE NUMBER FOR PEÑA AUTO. IT'S GRAINY, BUT
16 HERE'S THE BUSINESS WE'RE TALKING ABOUT. THIS IS THE
17 PHONE NUMBER RIGHT HERE (INDICATING).

18 WHAT DOES SHE DO? THERE IS THAT FLURRY OF
19 PHONE CALLS. SHE GOES WITH AN OFF-THE-BOOKS MECHANIC.
20 PERFECT. A HOMELESS GUY WHO DOES BODY WORK. HE PAINTS.
21 HE GETS DENTS OUT OF THE CAR. AND OH, BY THE WAY, THEY
22 DIDN'T SAY THEY CLEANED THE INSIDE OF THE CAR.
23 MR. URQUIETA SAID THEY DETAILED THE INSIDE OF THE CAR.
24 THE MIRRORS. THE STEERING WHEEL. RIGHT? THEY END UP
25 HERE (INDICATING).

26 TWO DIFFERENT WITNESSES TALK ABOUT THIS.
27 MR. URQUIETA TALKED ABOUT THIS. HE SAID WE WERE RIGHT
28 IN THIS LOT (INDICATING). RIGHT IN THIS LOT DOING THIS

1 DETAIL. TOOK LIKE FOUR OR FIVE HOURS. HE TOLD IT TO
2 YOU. AND RUBEN LONGORIA TOLD YOU THE SAME THING. HE
3 SAID, "I WAS KIND OF PISSED BECAUSE THEY WERE SPRAY
4 PAINTING AND MY MOM'S VAN WAS RIGHT THERE."

5 THERE WAS A SENTENCE THAT MS. LONGORIA SAID
6 YESTERDAY THAT CAUGHT MY ATTENTION AND MAY HAVE CAUGHT
7 YOURS. SHE SAID, "IT WAS SO WEIRD BECAUSE THESE ARE THE
8 KINDS OF THINGS, CLEANING OUT HER CAR, IS SOMETHING SHE
9 NEVER DID."

10 GOD, THIS IS LOOKING LIKE A CRAZY AMOUNT OF
11 COINCIDENCES WHERE SHE'S GUILTY. BUT THAT'S WHAT WE GOT
12 GOING ON HERE. WHEN YOU ARE IN A RUSH TO CONCEAL YOUR
13 CAR BECAUSE YOU'RE WORRIED ABOUT WITNESSES, YOU TRY
14 GOING WITH AN AUTO DISMANTLE OR A PROFESSIONAL REPAIR
15 SHOP, BUT YOU END UP WITH AN OFF-THE-BOOK HOMELESS GUY
16 WHO DOES MECHANIC WORK ON THE SIDE, LADIES AND
17 GENTLEMEN, YOU GET SHODDY BODY WORK. YOU GET THIS
18 (INDICATING). RIGHT? YOU GET THIS. IT'S TERRIBLE.
19 REALLY CRUMMY AUTO WORK.

20 HOW DO WE KNOW THOSE WITNESSES ARE TELLING
21 THE TRUTH, THAT ON JANUARY 2ND THIS IS ALL TAKING PLACE?
22 LITTLE DETAILS LIKE THIS (INDICATING). SPRAY PAINT.
23 SPRAY PAINT. NOT THE GREATEST AUTO BODY WORK.

24 WE KNOW THAT AT ABOUT THAT SAME TIME THE
25 DEFENDANT MAKES THIS STATEMENT, "I FUCKED HER UP. I
26 FUCKED HER OVER," AND SHE MAKES THAT STABBING MOTION.

27 THE DEFENSE TRIED TO CONFUSE YOU YESTERDAY
28 BY ASKING LONGORIA, "OH, WHAT MOTION WAS IT?" AND SHE

1 MAKES THE GESTURE THAT LOOKS LIKE A BLOW JOB. I'M
2 SORRY. THERE IS A DIFFERENCE BETWEEN THAT AND THIS
3 (INDICATING). OKAY. EVERYONE KNOWS THAT THERE IS A
4 DIFFERENCE BETWEEN THOSE TWO MOTIONS. DON'T LET THEM
5 TRY TO CONFUSE YOU ON THAT.

6 I HAVE A LITTLE CLIP. I HOPE THE AUDIO IS
7 LOUD ENOUGH. MR. URQUIETA DOES THIS (INDICATING). I
8 WANT YOU TO BE CANDID AND JUST WATCH THE MOTIONS HE
9 MAKES WHEN HE IS IN THAT SECOND INTERVIEW WITH
10 MR. FLORES. HE IS KIND OF BEING -- HE IS BEING ASKED TO
11 KIND OF, YOU KNOW, PUT HIMSELF BACK IN THE MOMENT,
12 RELAX, KIND OF A GOOD COP/BAD COP THING. AND LET'S SEE
13 IF WE CAN KIND OF SEE IT HERE.

14

15 (TAPE PLAYED IN OPEN COURT.)

16

17 MR. HARBUR: PRETTY QUICK. LADIES AND GENTLEMEN,
18 THE DEFENDANT WAS NOT SAYING "I GAVE HER A BLOW JOB."
19 SORRY. THAT'S NOT WHAT THE DEFENDANT WAS SAYING. WE
20 KNOW IT ALL HAPPENED A COUPLE HOURS AFTER CRISTY ALVAREZ
21 WAS MURDERED. WE KNOW IT WAS JANUARY 2ND FROM THE CALL
22 LOGS AND THE WITNESSES WHO ALL SAID IT HAPPENED THAT DAY
23 IN THE PARKING LOT OF THE DEFENDANT'S APARTMENT.

24 MR. URQUIETA KNEW INFORMATION THAT ONLY THE
25 KILLER WOULD KNOW. STABBED IN THE STOMACH. THAT WAS
26 WITHHELD FROM THE MEDIA BY LAPD BECAUSE THEY DIDN'T WANT
27 FALSE CONFESSIONS. HE KNEW SHE GOT HIT IN THE HEAD. NO
28 ONE ELSE KNEW THAT.

1 ANOTHER RED HERRING, ANOTHER DISTRACTION
2 THE DEFENSE IS THROWING OUT, "WHY DIDN'T THEY SWAB
3 MR. URQUIETA?" THAT'S IT. HE IS THE KILLER, LADIES AND
4 GENTLEMEN. MR. URQUIETA IS THE KILLER. HE CAME ACROSS
5 THE BORDER VOLUNTARILY FROM MEXICO BECAUSE, AS WE ALL
6 KNOW, THERE IS NOTHING THE UNITED STATES GOVERNMENT
7 LOVES MORE RIGHT NOW THAN A KILLER COMING BACK ACROSS
8 THE BORDER AND HANGING OUT IN THE UNITED STATES. RIGHT?
9 GREAT TIME TO BE DOING THAT. GIVE ME A BREAK. COME ON.

10 SO WHAT IS THE DEFENSE TRYING TO GET YOU TO
11 THINK WITH "WHY DIDN'T THEY SWAB HIM?" WHAT IS THAT?
12 HOW DO WE READ INTO THAT?

13 WELL, FIRST OF ALL IF URQUIETA IS THE
14 KILLER, IS THE DEFENSE ADMITTING THAT HE BORROWED THE
15 DEFENDANT'S CAR SO THAT IS THE DEFENDANT'S CAR ON THE
16 SURVEILLANCE FOOTAGE? SO THAT WAS THE DEFENDANT'S CAR
17 THAT JOSE LOPEZ SAW? WHAT'S THE DEAL? WHY DANCE
18 AROUND? THEY DIDN'T TAKE THE SWAB. EXPLAIN IT.
19 EXPLAIN YOUR POINT OR DON'T MAKE IT.

20 SHE WAS STABBED IN THE STOMACH AND WE KNOW
21 THAT BECAUSE OF THIS LAYER OF FAT THAT WAS SPILLED OUT
22 OF HER STOMACH. AND THE DEFENDANT, HOPING THIS WOULD
23 LOOK LIKE A RAPE, BUT THERE BEING NO PHYSICAL EVIDENCE
24 OF IT, MAKES A LITTLE BIT OF A MISTAKE USING THAT
25 CONDOM. GREEN FANTASY BRAND ASSORTED COLORS AND HANGING
26 ONTO A BOX OF THEM IN HER CAR.

27 SHE HAD THE RIGHT THOUGHT. LET'S MAKE IT
28 LOOK LIKE A RANDOM HOMELESS GUY RAPED HER. NOT A

1 TERRIBLE WAY TO TRY TO COVER IT UP. MISTAKES WERE MADE.
2 WE KNOW MS. ALVAREZ GOT HIT IN THE STOMACH. I'M SORRY.
3 SHE GOT HIT IN THE HEAD. WE KNOW THAT. AND THEN THERE
4 IS JUST SOME STUBBORN FACTS IN THIS CASE THAT, I'M
5 SORRY, THERE IS NO GOOD EXPLANATION FOR IT. NO GOOD
6 EXPLANATION FOR IT.

7 COME ON. WHAT IS THE REASONABLE
8 INTERPRETATION OF THIS? THE DEFENSE SAID, "WELL, WE
9 DON'T KNOW THE CIRCUMSTANCES UNDER WHICH THAT WAS MADE."

10 WELL, HERE'S A QUESTION THAT I'LL POSE TO
11 YOU AND INVITE YOU TO DISCUSS IT WITH YOUR FELLOW
12 JURORS. TELL ME A REASONABLE CIRCUMSTANCE UNDER WHICH
13 YOU HANDWRITE SOMEONE'S MAKE, MODEL AND LICENSE PLATE
14 AND YOU CURL IT UP AND YOU STICK IN YOUR GLOVE BOX.
15 REALLY? YOU'RE JUST SUPPOSE TO OVERLOOK THAT. RIGHT.

16 THE DEFENSE SAID, "OH, DON'T SPECULATE
17 ABOUT IT." I'M NOT ASKING YOU TO SPECULATE. I'M SAYING
18 USE YOUR COMMON SENSE. WHAT THE HELL ARE WE TALKING
19 ABOUT? REALLY? WE DON'T KNOW THE CIRCUMSTANCES? YEAH,
20 WE DO. SHE MURDERED THE VICTIM JANUARY 2ND, TOLD HER
21 FRIEND ABOUT IT, TRIED TO CONCEAL HER CAR, AND SHE GOT
22 CAUGHT. THAT IS THE CIRCUMSTANCES. AND SHE CIRCLED THE
23 BLOCK SIX TIMES, TOO. THOSE ARE THE CIRCUMSTANCES.
24 THAT'S NOT SPECULATING. THAT'S LOOKING AT THE EVIDENCE
25 AND CALLING IT LIKE YOU SEE IT.

26 ALMOST DONE. ONE MORE MINUTE.

27 FINAL POINT. THIS WAS A STRANGE, TERRIBLE,
28 INEXPLICABLE CRIME, AND THE LAW RECOGNIZES THAT THERE

1 ARE CRIMES FOR WHICH MOTIVE EITHER DOESN'T EXIST OR IT
2 DOESN'T MAKE ANY SENSE. THE LAW RECOGNIZES THAT AND
3 SAYS MOTIVE DOES NOT NEED TO BE PROVEN BECAUSE SOME
4 CRIMES, THEY JUST DON'T MAKE ANY SENSE, AND THIS ONE
5 CERTAINLY DIDN'T.

6 YEAH, MAYBE THERE WAS A STRUGGLE DOWN
7 THERE, OR MAYBE THE DEFENDANT JUST AMBUSHED HER AND
8 BECAUSE THE VICTIM WEIGHED 98 POUNDS, IT WAS A PRETTY
9 SHORT FIGHT.

10 THE LAW HAS THAT INSTRUCTION BECAUSE WHAT
11 THE LAW DOES NOT SAY IS IF THE CRIME DOESN'T MAKE SENSE,
12 WALK HER. SEND HER HOME. THE LAW DOESN'T SAY THAT. IT
13 DOESN'T SAY AN INEXPLICABLE CRIME MEANS YOU GET AN
14 ACQUITTAL. THE LAW DOESN'T SAY THAT.

15 WE KNOW THIS CRIME WAS PERSONAL AND NASTY.
16 IT WASN'T A RANDOM KILLER. IT WASN'T A RAPE. AND WE
17 KNOW THAT BECAUSE OF WHAT MS. ALVAREZ'S BODY LOOKED
18 LIKE. THAT'S WHAT PERSONAL LOOKS LIKE (INDICATING).
19 THAT IS WHAT PERSONAL LOOKS LIKE (INDICATING).

20 I TOLD YOU IN OPENING STATEMENT THAT THE
21 CASE HAS PIECES TO IT, AND WHEN YOU PUT THE PIECES
22 TOGETHER IT MAKES A TRAIL AND IT LEADS TO NOBODY OTHER
23 THAN HER. THAT'S IT.

24 THANK YOU FOR YOUR TIME. WE'RE ASKING YOU
25 TO DO THE RIGHT THING AND TO USE YOUR COMMON SENSE.

26 THANK YOU, YOUR HONOR.

27 NOTHING FURTHER.

28 THE COURT: THANK YOU. ALL RIGHT.

1 LADIES AND GENTLEMEN, I'M GOING TO MOVE TO
2 THE FINAL INSTRUCTIONS. I REALIZE WE HAVE BEEN GOING
3 FOR A LITTLE WHILE, BUT I WANT TO GET YOU BACK IN THE
4 JURY ROOM WHERE OUR RESTROOMS ARE THERE, SO IF YOU CAN
5 JUST BEAR WITH ME FOR A FEW MOMENTS.

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7 (WHEREUPON, FURTHER PROCEEDINGS WERE
8 REPORTED BUT NOT TRANSCRIBED.)

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