

## NCSC Practice Scripts

### Consecutive

1. Q. Good morning. Please state your name and spell your last name for the record.
2. A. Guillermo Mendoza, M-E-N-D-O-Z-A.
3. Q. Mr. Mendoza, we understand that English is not your **native**<sup>1</sup> language and that you prefer to testify with an interpreter. Is that correct?
4. A. Yes, if it is not too much trouble, **sir**<sup>2</sup>.
5. Q. **No worries**<sup>3</sup>, that is why the judge ordered an interpreter for you.
6. Q. Now, were you working as a plumber at a construction site on the evening of **October 27th, 2020**<sup>4</sup>?
7. A. That's correct. On **that date**<sup>5</sup>, I had worked late and as I was **walking to**<sup>6</sup> my car, I noticed that the window on the passenger side of the vehicle **had been broken**<sup>7</sup>. So **I looked**<sup>8</sup> through the window to see if there was someone in there.
8. Q. I see. At about what time did you notice that your car had been **vandalized**<sup>9</sup>?
9. A. **It had to be**<sup>10</sup> after eight at night, because it was already dark, and I had signed out at 7:45. **I'm certain**<sup>11</sup>.
10. Q. Can you describe the area in which you parked your car? **Were you worried**<sup>12</sup> about the safety of your car, or your **belongings**<sup>13</sup>?
11. A. **Truthfully**<sup>14</sup>, no, because I always parked very close to that **little bar**<sup>15</sup> located on **284 South**<sup>16</sup> Avenue, where there are always people outside.
12. Q. **Very well**<sup>17</sup>. Sir, after you looked inside your car, did you notice anything was **gone**<sup>18</sup>? If so, can you please tell the **jury**<sup>19</sup> what was **removed**<sup>20</sup> from your vehicle, if anything?

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13. A. Of course, I noticed **first thing**<sup>21</sup> that my tablet, which **I keep**<sup>22</sup> inside a leather backpack on the floor behind my seat, had been stolen. Also, my **ice skates**<sup>23</sup> were taken.
14. Q. What did you do afterwards, Mr. Mendoza - **strike that**<sup>24</sup>. After you noticed that your **stuff**<sup>25</sup> had been taken, did you make any **attempt**<sup>26</sup> to look for the **perpetrators**<sup>27</sup>, or did you immediately contact the police and request their assistance at that point?
15. A. Well, the first thing that **occurred to me**<sup>28</sup> was to go to the bar to ask if someone had seen something, but the **bouncers**<sup>29</sup> told me that they hadn't seen anything. They did mention that several cars had been vandalized in the vicinity lately.
16. Q. Can you tell us **what you did**<sup>30</sup> after you **inquired**<sup>31</sup> about the theft?
17. A. I immediately decided to call the police to report that someone **had broken into**<sup>32</sup> my car and had **stolen**<sup>33</sup> some of my belongings. The 911 operator told me to stay there to wait for the police car.
18. Q. You **stated**<sup>34</sup> earlier that while you were waiting for the cops, you saw someone **that looked**<sup>35</sup> suspicious to you **hanging around**<sup>36</sup> the place and looking at your **ride**<sup>37</sup>. Is that what happened?
19. A. Exactly. As soon as I **hung up**<sup>38</sup> the phone after speaking to the operator, I noticed that a guy **dressed in rags**<sup>39</sup> was loitering around my car, looking through the window.
20. Q. And you said that a **deputy**<sup>40</sup> was arriving at this time. Did he immediately **approach**<sup>41</sup> you?
21. A. Yes, **that's right**<sup>42</sup>. He got out of the car and asked who **had called**<sup>43</sup>.

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22. Q. Did you identify yourself as the **caller**<sup>44</sup>?
23. A. **Of course**<sup>45</sup>. I approached the officer and **I pointed out**<sup>46</sup> the man who, by then, had gotten into my car and was **rummaging**<sup>47</sup> through the **glove compartment**<sup>48</sup>.
24. Q. What did the officer do?
25. A. I think he radioed his **partner**<sup>49</sup>, then he told me to stay where I was and immediately approached the car with his gun **drawn**<sup>50</sup> and shouting, “Police! **Don’t move**<sup>51</sup>. Hands up.”
26. Q. What happened next? What did the **suspect**<sup>52</sup> do after the officer ordered him to raise his hands? Did he **comply**<sup>53</sup> with the orders **given to him**<sup>54</sup>?
27. A. **Not at all**<sup>55</sup>! As soon as he saw the deputy, the thief got out of the car and **took off running**<sup>56</sup> down the street, but at that moment more officers arrived and caught him **right away**<sup>57</sup>.
28. Q. When he was apprehended, did the individual **calm down**<sup>58</sup> then, or did he **resist**<sup>59</sup>?
29. A. No counselor, **in fact**<sup>60</sup>, he punched the officer who was trying to arrest him **really hard**<sup>61</sup>. Finally, they were able to control him and took him to jail.
30. Q. Which part of the arresting officer’s face **was struck**<sup>62</sup>?
31. A. If **I’m not mistaken**<sup>63</sup>, it was right on the **chin**<sup>64</sup>, but I’m not a hundred percent sure.
32. Q. Mr. Mendoza, the man that you saw that night, the one who **assaulted**<sup>65</sup> the officer, is he in this **courtroom**<sup>66</sup> now? If you see him, please point him out and describe him.
33. A. Yes, it is that **skinny**<sup>67</sup> man with **greying**<sup>68</sup> hair.

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34. Q. Let the record **reflect**<sup>69</sup> that the witness has identified the defendant, **Walter Merchant**<sup>70</sup>. Mr. Mendoza, are you sure it is the same man?
35. A. I am **absolutely sure**<sup>71</sup>; I will never forget his **face**<sup>72</sup>, even if he shaves.
36. Q. After they had him cuffed, what happened **next**<sup>73</sup>? Was he **behaving**<sup>74</sup> by then, or was he still **belligerent**<sup>75</sup>?
37. A. Oh no, **no way**<sup>76</sup>! He was pulling, trying to **get loose**<sup>77</sup> and shouting obscenities. They had to drag him to the squad car that was parked **about fifty**<sup>78</sup> feet from where he was caught.
38. Q. What happened when they all got to the patrol car?
39. A. Before getting him into the vehicle, the officers **searched him**<sup>79</sup> and found a syringe, **a lighter**<sup>80</sup>, and a folding knife in his jacket.
40. Q. Mr. Mendoza you seem to have a clear **recollection**<sup>81</sup> of the events. Were you able to see **everything**<sup>82</sup> perfectly from where you stood?
41. A. Well, the truth is that nothing like this had ever happened to me. I'll be honest with you; I got a little closer to **be able to**<sup>83</sup> see clearly what was going on. **That is why**<sup>84</sup> I remember it very well. **Besides**<sup>85</sup>, I wanted to know if that **asshole**<sup>86</sup> had stolen my things.
42. Q. Once they got him into the patrol car, did he **settle down**<sup>87</sup> and cooperate?
43. A. You know, he didn't, but in the end, they got him in the patrol car and took him to the **slammer**<sup>88</sup> without any **more**<sup>89</sup> problems.
44. Q. I have no further questions, **Your Honor**<sup>90</sup>. Thank you.