

VOLUNTARY STATEMENT

DATE October 31, 2011. TIME 0121 HRS. Location: Orleans County Public Safety Building

I, Luis Alberto Rodriguez Flamenco Dob 5/24/1987, am <sup>23</sup> ~~21~~ years old and I live at [REDACTED]  
Albion NY L.A.R.F

I am giving this statement to Inv. Corey Black / Inv. Gary Colon I.D. 132, who has identified himself as a Investigator with the Orleans County Sheriff's Department.

I do hereby make the following statement voluntarily of my own free will without any compulsion or persuasion by any person or persons whomsoever:

That sometime in the afternoon of 10/30/11 I was at my house and Cholo and Marcos came over and Cholo was saying something about having problems with some guy who pulled out a knife on him. We were supposed to go and scare the guy or something so we walked up to Wal-Mart to get a air cartridge for the air pistol and when we were walking up there and we were talking about wanting to get out of here but I don't remember if we were talking about stealing a car or not. When we got to Wal-Mart we had walked up toward the front of the parking lot by the store and I saw this women she was white and was walking away from the store out into the parking lot. I ran up to her and I snatched her car keys and I started stabbing her with a small bladed kitchen knife that I had taken with me from my house. I had the knife in my pants and I pulled it out and started to stab her. I don't know why I did it but I took her keys and ran across the street into the field. I threw the knife and the keys down somewhere in the field and I ran through the field and then to the railroad tracks. When I was on the railroad tracks I put down a desert brown camo pack that had the air pistol in it. I ran all the way home and was at my house when the Police came and asked me to come down to the police station so I said ya.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

I have read this statement consisting of 1 page(s), each page of which bears my signature, and I do affirm that all facts contained herein are true to the best of my memory and knowledge.

Luis Alberto Rodriguez Flamenco  
(Signature of person making statement)

[Signature]  
(Witness signature)

[Signature] 0200 Am  
(Witness signature)

VOLUNTARY STATEMENT

DATE October 30, 2011. TIME 22:23 HRS. Location: Orleans County Public Safety Building

I, Marcos Gomez-Perez Dob 4/27/90, am 21 years old and I live [REDACTED] of Albion

I am giving this statement to Inv Corey Black / BPA Cesar F. Calcano I.D. 132, who has identified himself as a Investigator with the Orleans County Sheriff's Department.

I do hereby make the following statement voluntarily of my own free will without any compulsion or persuasion by any person or persons whomsoever:

That On October 30, 2011, I was at a house drinking and dancing with friends. After a while, one of my friends by the name of Kalimba ask me to accompany him to wal-mart to buy shoes. We then walked to wal-mart. My friend Cholo also accompanied us. On the walk to wal-mart, Kalimba spoke about wanting to go to Georgia to look for work. As we arrived to the wal-mart parking lot, I saw a woman walking towards her vehicle. Kalimba walked up to the woman and began to stab her. I was about 20 feet behind him. I was shocked and ran away i did not expect him to stab her. I walked back to the same house that where I was drinking. On the walk to house, I spoke to my wife Elba and my brother Gonzalo on the phone. I explained to them what had just happened. I was at the house for about an hour until, the police came and picked me up.

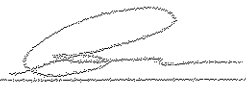
Kalimba is a man of brown skin color and long hair. He was wearing an orange color dress shirt and jeans.

Cholo is a man of fair skin color and short hair. He was wearing a black hooded sweatshirt and blue shorts.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

I have read this statement consisting of 1 page(s), each page of which bears my signature, and I do affirm that all facts contained herein are true to the best of my memory and knowledge.

  
\_\_\_\_\_  
(Signature of person making statement)

BPA   
\_\_\_\_\_  
(Witness signature)

 2317 #15  
\_\_\_\_\_  
(Witness signature)

STATE OF NEW YORK

COUNTY OF

ORLEANS

JUSTICE

COURT

TOWN/VILLAGE

of

Albion

THE PEOPLE OF THE STATE OF NEW YORK

-vs-

Rodriguez-Franco, Luis Alberto

Defendant(s)

SUPPORTING DEPOSITION

On	DATE 10-30-11	at	TIME STARTED 8:10	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.	FULL NAME Jeremy M. Millis
DATE OF BIRTH 11-26-79	NO. & STREET [REDACTED]	<input type="checkbox"/> CITY Medina	STATE New York		

state the following: While I was in the parking lot at Walmart located on Route 31 in the Town of Albion I saw a small screen for help. I thought the group was screening ground at first. As I went over to the group, at this time I saw two males and one female. A male in orange colored shirt grabbed the female and threw her to the ground. A second male in a blue shirt backed away from the female when she went to the ground. The male in the orange started running east out of the parking lot. The guy in blue then also ran the same way. They both ran south and then crossed the road outside of walking a house on the east side of the road. The guy in orange was Mexican, short hair, 5'5" tall, short hair. The guy in blue was Mexican, also and a little taller. I should be able to identify the guy in the orange. Tonight at 8:30 PM I identified a Mexican male in a grey hoodie which was standing at the north entrance to Walmart. This guy was in the back of an Albion Police car. This male ran north from the parking lot entrance when the other 2 males I was chasing got close.

NOTICE  
(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury  
this 30 day of OCT 2011  
-OR-

*[Signature]*  
(SIGNATURE OF DEPONENT)

\*Subscribed and Sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 20

(WITNESS)  
*[Signature]*  
TIME ENDED 8:35  
 a.m.  
 p.m.  
(NAME OF PERSON TAKING DEPOSITION)

\*This form needs to be sworn to only when specifically required by the court.

SUPPORTING DEPOSITION (CPL § 100.20)

STATE OF NEW YORK

COUNTY OF

ORLEANS

JUSTICE

COURT

TOWN/VILLAGE

of

Albion

THE PEOPLE OF THE STATE OF NEW YORK

-vs-

Rodriguez - Plamenco, Luis Alberto

Defendant(s)

SUPPORTING DEPOSITION

On	DATE 10/30/11	at	TIME STARTED 7:50	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.	I, FULL NAME Kevin M. Nau SR.
DATE OF BIRTH 2/4/71	NO. & STREET [REDACTED]	CITY/TOWN Albion	STATE New York		

state the following: Tonight at about 7:00 PM I came to the Albion Wal Mart located on Route 31. I pulled into the South entrance and parked near the front entrance door. Shortly after when I got out of the car a heard a female scream for help. I then drove a couple feet over and saw a female laying on the ground. I blocked an area with my car and observed stay around on the side of the car and back. As I was pulling up I saw 3 males walking from the area heading to the east. I stayed with the female until the medic arrived.

NOTICE

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Affirmed under penalty of perjury this 30<sup>th</sup> day of OCT 2011

-OR-

\*Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\*This form needs to be sworn to only when specifically required by the court.

[Handwritten Signature]

(SIGNATURE OF DEPONENT)

(WITNESS)

Sgt. Dean Lewis

(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED 8:05	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.
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STATE OF NEW YORK

COUNTY OF

ORLEANS

JUSTICE

COURT

TOWN/VILLAGE

of

Albion

THE PEOPLE OF THE STATE OF NEW YORK

SUPPORTING DEPOSITION

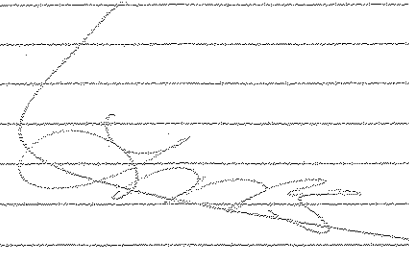
-vs-

Rodriguez-Flamenco, Luis Alberto

Defendant(s)

On	DATE 10/30/11	at	TIME STARTED 8:40	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.	I.	FULL NAME Lisa M. Barry
	DATE OF BIRTH 1-24-83		NO. & STREET [REDACTED]			STATE New York

state the following: Tonight I was at the Walmart store located on Route 31 in the town of Albion. When I was driving out of the parking lot I saw a person thrown to the ground by another person wearing a grey hooded sweatshirt. At this time I started following 3 people running from the area. One person had an orange colored shirt the others had grey or dark colors and might a white shirt. I followed the 3 out of the parking lot. The one in the orange ran across the road behind a white house on the east side of business basin Rd. There was also a 4th person in a grey shirt standing at the end of the south entrance where the other 3 were running. The person in orange was not white he had darker skin.

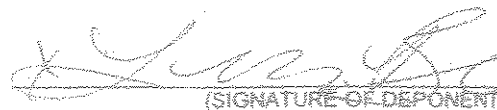


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Affirmed under penalty of perjury  
this 30<sup>th</sup> day of OCT 2011  
-OR-

  
(SIGNATURE OF DEPONENT)

\*Subscribed and Sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

(WITNESS)  
Sgt. Dean Louis  
(NAME OF PERSON TAKING DEPOSITION)  
TIME ENDED 8:55  
 a.m.  
 p.m.

\*This form needs to be sworn to only when specifically required by the court.