

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR PASCO COUNTY  
CASE NUMBER CRC2014CF005586CFAXWS

STATE OF FLORIDA,

Plaintiff,

vs.

VOLUME XIV

ADAM MATOS,

Defendant.

PROCEEDINGS: JURY TRIAL

BEFORE: THE HONORABLE MARY M. HANDSEL  
Circuit Court Judge

DATE: November 15, 2017

PLACE: Courtroom 3-A  
West Pasco Judicial Center  
7530 Little Road  
New Port Richey, Florida 3465

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I N D E X1  
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14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

	<u>PAGE</u>
OPENING STATEMENT	
By Mr. Michailos	2082
INQUIRY OF DEFENDANT	2103
<u>WITNESSES CALLED BY THE DEFENSE:</u>	
ROBERT DUNLAVEY	
Direct by Mr. Michailos	2094
Cross by Mr. Sarabia	2097
Redirect by Mr. Michailos	2099
ADAM MATOS	
Direct by Mr. Vizcarra	2108
Cross by Mr. Sarabia	2186

1 (Continued from Volume XIII.)

2 P R O C E E D I N G S

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4 (OPEN COURT.)

5 (Defendant present.)

6 (Jury absent.)

7 THE COURT: All right. We're back on the  
8 record. State of Florida versus Adam Matos. The  
9 defendant is present with his lawyers. The State  
10 is present.

11 We're -- State having rested, Defense are you  
12 going to be making an opening statement?

13 MR. MICHAIILOS: Yes, Your Honor.

14 THE COURT: All right. And then you have your  
15 witnesses ready to go?

16 MR. MICHAIILOS: Yes, Your Honor.

17 THE COURT: All right. And then the State,  
18 you're ready with any rebuttal, possibly, that you  
19 need?

20 MR. LABRUZZO: We'll do our best, Judge. We  
21 have very little insight as to what might occur.

22 THE COURT: Well, maybe this opening statement  
23 itself will give you a little more insight.

24 MR. LABRUZZO: Yes, Judge. And just as a  
25 reminder, the opening statement is what they

1 believe the evidence that they intend to present,  
2 so not argument what we previously presented in  
3 this case.

4 THE COURT: Who are you telling that to?

5 MR. LABRUZZO: Just stating it in open court,  
6 Judge.

7 THE COURT: That's what objections are for.

8 MR. LABRUZZO: I understand.

9 THE COURT: I'm sure they're going to present  
10 their opening statement as what they believe the  
11 evidence will show when they put on their  
12 witnesses, right, Mr. Michailos?

13 MR. MICHAIILOS: Yes, Your Honor.

14 THE COURT: You'll get your time in closing.  
15 This isn't the time for closing.

16 MR. MICHAIILOS: Yes, Your Honor.

17 THE COURT: The jury's on their way up. So as  
18 soon as they're seated, we'll move along.

19 And, Mr. Matos, just so you're not confused,  
20 as soon as they get done with all the witnesses  
21 except you, I'll ask you that question we talked  
22 about yesterday and the day before. Okay?

23 THE DEFENDANT: Okay, Your Honor.

24 THE COURT: That's when I'll need the answer.

25 All right. The jury's ready?

1 THE BAILIFF: Yes, Your Honor.

2 THE COURT: All right. Bring them in.

3 THE BAILIFF: The jury's now entering the  
4 courtroom, Your Honor.

5 THE COURT: Thank you.

6 (Jury present.)

7 THE BAILIFF: The jury's all present and  
8 seated, Your Honor.

9 THE COURT: All right. Good morning, ladies  
10 and gentlemen. How are you?

11 THE JURY PANEL: (Responding.)

12 THE COURT: It's not so cold in here this  
13 morning. Colder outside. Not so cold in here.

14 Everyone able to follow my instructions? Yes?

15 THE JURY PANEL: (Responding.)

16 THE COURT: All right. State having rested,  
17 Defense, do you wish to make an opening statement  
18 at this time?

19 MR. MICHAÏLOS: Yes, we do, Your Honor.

20 THE COURT: All right. You may proceed.

21 MR. MICHAÏLOS: May it please the Court.  
22 Counsel.

23 Good morning, ladies and gentlemen.

24 THE JURY PANEL: (Responding.)

25 MR. MICHAÏLOS: Ladies and gentlemen, this

1 case is not the case of revenge that the State  
2 portrayed in its opening statement. This case is  
3 about self defense.

4 Adam Matos met Megan Brown about 13 years ago  
5 in the state of Pennsylvania when he was 19 and she  
6 was 18. They had an on-again off-again  
7 relationship. In 2009, she became pregnant. Adam  
8 was thrilled. He planned to be the father he never  
9 had. As the birth of the baby drew nearer,  
10 however, Megan told him that he was not the baby's  
11 father and she broke up with Adam.

12 But as time went on, the baby looked exactly  
13 like Adam. A paternity test determined that Adam  
14 was the father. Adam dearly loved and loves his  
15 son and wanted to be a part of his life. Be that  
16 as it may, this conflicted with plans that the  
17 Browns had made. They were going to leave  
18 Pennsylvania and move to Florida with their  
19 daughter and grandson. They couldn't take ██████████  
20 out of Pennsylvania without Adam's permission.  
21 They decided to invite him to move to Florida with  
22 them.

23 Megan reconciled her relationship with Adam.  
24 They were going to be a family. Adam believed  
25 that. He helped with the moving. Greg Brown had a

1 bad back. Adam helped unload all the boxes and  
2 furniture and contributed to the unpacking and  
3 cleaning of the new home. Adam began to feel like  
4 he was a part of the Brown family. However, once  
5 they moved in, the Browns' attitude towards Adam  
6 changed. He had to immediately get a job and pay  
7 \$740 dollars a month towards rent and other  
8 expenses. If not, he would have to move out. He  
9 found a job at Denny's about four miles from this  
10 house -- from the house. A kind neighbor gave him  
11 money to buy a bike for the commute. He planned to  
12 make this work. Within weeks, though, Megan began  
13 a relationship with Nicholas Leonard laying the  
14 foundations of a very unstable triangle.

15 Fast forward to August -- to Wednesday, August  
16 27, 2014. Megan stayed out all night. Adam days  
17 earlier found out that Megan had been involved with  
18 Nicholas Leonard. Adam was upset and he did call  
19 Megan several times that night. Actually, Adam  
20 also talked with Nicholas Leonard on this night.  
21 Nicholas texted him and they talked on the phone  
22 two to three times for about 45 minutes.

23 Adam was upset because Megan had been telling  
24 him that she was not in a romantic relationship  
25 with anyone. She had been playing constant games



1 with him. They were broken up then they weren't  
2 broken up.

3 During the last week, she would sleep in  
4 ██████'s room, but as recent as two days prior,  
5 she slept with Adam. This is what was going  
6 through Adam's sleepless mind at 5:30 AM when Megan  
7 came home. This is what led to the argument that  
8 morning prior to her calling 911. He wanted to  
9 know where he stood. Adam had left his family and  
10 friends and all that he knew in Pennsylvania to  
11 move 1,000 miles to Florida and all he wanted to  
12 know was where he stood.

13 After Adam left the house in the morning of  
14 August 28, Megan eventually reached out to Nicholas  
15 Leonard. The opportunity arose to eliminate the  
16 third wheel. Nicholas armed himself with his  
17 loaded semiautomatic Kel-Tec pistol and went over  
18 to her house. Before he went over there, he ran  
19 into Robert Dunlavey. Robert Dunlavey's father,  
20 Ralph, lives in Nick's neighborhood. Robert knows  
21 Nick and has worked with him on handyman jobs.  
22 Nick was a friend.

23 That morning Robert saw Nick as he was leaving  
24 his father's house. Nick was going to call a cab  
25 so he could pick up his truck from the Anchorage

1 Bar he was the at the night before. Rob offered to  
2 give Nick a ride. During the ride, Nick told  
3 Robert about his new love Megan about her boyfriend  
4 who assaulted her. He showed him the gun he had in  
5 his pocket and he told him that he would love the  
6 chance to put a bullet in between Adam's eyes.

7 Meanwhile, Adam spent the day in some vacant  
8 house's backyard northeast of Hatteras trying to  
9 figure out what to do. He decided to go back home,  
10 either work things out or pack a bag and bear  
11 essentials and leave. He only had the clothes on  
12 his back. Maybe he would go stay with a couple of  
13 guys he knew from work or with a cousin in Orlando.

14 He called Megan at 4:12 PM, but she didn't  
15 pick up her phone. He returned back to the house  
16 after 6:00 PM thinking she had left for work. He  
17 went in through the side garage door on the east  
18 side of the house. He walked up the inside  
19 staircase like he had done many times before. And  
20 when he got to the second floor, he heard  
21 Margaret's dogs barking like they always do.

22 He walked to his and Megan's bedroom in the  
23 southeastern part of the house. As he opened the  
24 door and entered, he was surprised by Megan who  
25 hurried out with [REDACTED] Before he could realize

1           what was going on, Nicholas Leonard appeared out of  
2           nowhere from the northeast corner of the room to  
3           the left where the closet is and literally went for  
4           Adam's jugular with his left hand.

5           Nicholas pulled out his gun from his pocket  
6           with his right hand and tried to point it at Adam.  
7           Adam resisted Nicholas as they fought for the gun.  
8           As they struggled, they ended up in the southeast  
9           corner of the room next to the dresser. At some  
10          point, Adam saw a knife on the dresser. He grabbed  
11          it and stabbed and cut Nicholas deep in his upper  
12          left arm and elbow while holding Nicholas's right  
13          wrist and gun away with his other hand. This  
14          caused a lot of bleeding.

15          Nicholas immediately let go of Adam's neck and  
16          Adam dropped the knife. They wrestled for the gun  
17          standing at first, then falling and ending up on  
18          the mattress. Adam was taller, but Nicholas was  
19          stockier and more muscular. Nicholas was angry and  
20          frustrated that he couldn't shoot Adam.

21          He had Adam pinned on the mattress with all  
22          body weight but he couldn't free the gun. Furious,  
23          he pushed two fingers of his free hand in Adam's  
24          mouth and he yanked and twisted his cheek from the  
25          inside yelling, "I'll rip your face off."

1           Right then Megan re-entered the room with her  
2           dad, Gregory Brown. Greg had his Winchester .30-30  
3           lever action rifle with a scope on it and when he  
4           got a clear shot, he pointed it at Adam's chest.  
5           Adam pleaded, "Please don't shoot me, Greg. Please  
6           don't shoot me." Greg ignored him and took aim.  
7           He pulled the trigger but nothing happened. The  
8           gun jammed. Greg tried to unjam it and  
9           reciprocated the bolt. Megan screamed, "Dad, shoot  
10          him. Shoot him." Adam froze.

11           At this moment, Adam noticed Nicholas relax  
12          his grip as if he was getting weaker trying to get  
13          away from the barrel of Greg's gun. But when Greg  
14          pulled the trigger, the gun jammed again. This  
15          gave Adam the opportunity to get the upper hand and  
16          wrestle the gun away from Nicholas while Greg tried  
17          again to unjam his rifle.

18           As Adam pulled on Nicholas' pistol, the gun  
19          went off and accidentally fired into the west wall  
20          46 inches from the ground. Greg and Megan ran out  
21          of the bedroom toward the western part of the house  
22          toward the master bedroom. Adam shot the gun off a  
23          second time and felt Nicholas's body go limp. He  
24          got up and ran after Greg. Greg had an arsenal of  
25          weapons and ammunition in his master bedroom in the

1 walk-in closet.

2 Adam found him with a second rifle in his  
3 hands in the back of the closet turning around to  
4 face Adam. Adam shot him in the lower back. Greg  
5 continued to turn and point his gun at Adam and  
6 Adam shot at him again. Greg fell to the floor in  
7 the closet. And as Adam turned around clockwise to  
8 walk away, he spotted Megan behind the half wall in  
9 the bedroom with something in her right hand. He  
10 reacted and without thinking he shot at her. That  
11 bullet is what caused the hole in the corner bead.  
12 It passed through the corner bead of the wall  
13 before hitting her in the left eye. Realizing he  
14 had just killed the mother of his child, he lost it  
15 completely. He muttered and asked Leonard -- he  
16 walked back to his bedroom finding Leonard lying on  
17 the mattress where he left him. He muttered and  
18 asked Leonard why. And in a rage, he picked up a  
19 hammer from the floor and hit him repeatedly on the  
20 head.

21 Later, still under the stress and heat of  
22 passion from what had occurred earlier and  
23 suffering from a feeling of paranoia that everyone  
24 was trying to kill him, Adam killed Margaret Brown.

25 The hours and days that followed, ladies and

1 gentlemen, are that have a man who was stuck. Part  
2 of him wanted to call the police, but he was  
3 convinced that any contact with the police would  
4 surely result in his death and possibly to the harm  
5 of his son [REDACTED] That is the reason why he  
6 through all the guns in the canal. He did not want  
7 to give the police any suggestion that he was armed  
8 or a threat if they were to come into contact with  
9 him.

10 He had no great plan or scheme to evade law  
11 enforcement or run. Mr. Sarabia said in his  
12 opening statement, "If this were a book, it would  
13 be called, I almost got away with it." The problem  
14 with that, ladies and gentlemen, is Adam Matos  
15 never tried to get away. He had seven days between  
16 August 28, 2014 and September 4, 2014, the day  
17 Linda Thomas called the police to get away. He  
18 didn't even try. Instead, he sold half of the  
19 20-odd dogs in the house for almost nothing so they  
20 could be cared for properly and other items like  
21 the TV so he could have money for food. When  
22 [REDACTED] slept, he drank beer so he could at least  
23 try to escape mentally at least temporarily.

24 He was afflicted by paralysis of the soul that  
25 will never leave him. That is the reasons why the

1 house was not completely cleaned up. It was hard  
2 to clean up. He didn't care. He was depressed.  
3 He lived day to day without any plan. The only  
4 thing he cared about in the world was his son  
5 [REDACTED] He wasn't going to abandon [REDACTED] and he  
6 remained at 7719 Hatteras Drive until the police  
7 came by on September 4th of 2014.

8 About the time Deputy Silva and the other  
9 deputies accompanying him were unholstering their  
10 guns to search the rest of the house, he snuck out  
11 the back with [REDACTED] He and [REDACTED] stayed in  
12 somebody's backyard until it got dark because the  
13 police had cut off any exit from the neighborhood.

14 When it got dark, he used William Lusk's canoe  
15 to row himself and [REDACTED] across one of the canals  
16 near Bertram Drive, got into a cab and went to  
17 Tampa to the Floridan Hotel. Adam just wanted to  
18 his get his boy off the street and into a safe  
19 shelter. He never abandoned his boy. And when he  
20 was arrested, he cooperated. He was polite as  
21 always. He never tried to resist. He did lie. He  
22 lied and pretended that he had nothing to do with  
23 the deaths. He wanted to believe that he had  
24 nothing to do with the deaths. He was not  
25 sophisticated enough to understand legal

1 affirmative defenses. He hoped that a miracle  
2 would happen. He might be let go and be reunited  
3 with his son. When that didn't happen, ladies and  
4 gentlemen, he agreed to [REDACTED] adoption by his  
5 great aunt, Margaret's sister, Rebecca Thomas  
6 because he always had the best interest of his son  
7 at heart.

8 Ladies and gentlemen, at the beginning of this  
9 case, I had you promise to keep an open mind and  
10 withhold your judgment until after you have heard  
11 all the evidence. At the close of the evidence --  
12 the close of all the evidence, I will ask that you  
13 find that Adam Matos is not guilty of any first  
14 degree premeditated murder. Thank you.

15 THE COURT: Before you call your first  
16 witness, can I have the lawyers at the bench.

17 (BENCH CONFERENCE.)

18 THE COURT: I would have liked a heads-up that  
19 you were going to admit so that I could have  
20 addressed that with your client prior to you doing  
21 it in front of the jury.

22 MR. MICHAÏLOS: Okay.

23 THE COURT: I understand that you didn't want  
24 to lay your hand, but this morning I could have  
25 addressed this with your client. So now I have to



1 wait or take the jury out to find out if he agrees  
2 to your strategy admitting.

3 MR. MICHAIILOS: I apologize, Judge.

4 THE COURT: I mean --

5 MR. MICHAIILOS: I've never been in this  
6 predicament before.

7 THE COURT: The case law is pretty clear.  
8 Your client has to agree to the strategy before you  
9 as his attorney can get up here and admit that he  
10 committed these crimes, whatever reason, defense.

11 MR. MICHAIILOS: I understand.

12 THE COURT: So as soon as you -- before you do  
13 all of it, you better hope he agrees.

14 MR. MICHAIILOS: Yes, Your Honor.

15 MR. SARABIA: Are we going to do that now?

16 THE COURT: No. We're going to keep going.

17 (OPEN COURT.)

18 THE COURT: Defense, call your first witness.

19 MR. MICHAIILOS: At this time, the Defense  
20 calls Robert Dunlavey to the stand.

21 THE COURT: Robert Dunlavey, please.

22 Good morning, Mr. Dunlavey. You want to step  
23 to the podium for me. You want to stop right  
24 there. Raise your right hand and be sworn by my  
25 clerk.

1 THEREUPON,

2 ROBERT DUNLAVEY,

3 the witness herein, having been first duly sworn, was  
4 examined and testified as follows:

5 THE WITNESS: Yes.

6 THE COURT: All right, sir. If you can come  
7 around into this chair right here (indicating).  
8 That's the witness stand. And speak in a loud and  
9 clear voice for me. You have a microphone right in  
10 front of you. Okay?

11 THE WITNESS: Yep.

12 THE COURT: Thank you, sir. We just all need  
13 to hear you.

14 You might want to scoot up just a little bit.

15 THE WITNESS: All right.

16 THE COURT: It moves.

17 THE WITNESS: It's a heavy chair.

18 THE COURT: Thank you.

19 DIRECT EXAMINATION

20 BY MR. MICHAÏLOS:

21 Q Good morning, sir.

22 A Yes.

23 Q Please state your full name for the record.

24 A Robert Dunlavey.

25 Q Mr. Dunlavey, did you know Nicholas Leonard?

1           A     Yes.  He was a friend of mine, and my father's  
2 neighbor.

3           Q     Did you happen to see Nicholas Leonard on the  
4 morning of August 28, 2014?

5           A     Yes.

6           Q     Where did you see him?

7           A     I stopped to see my Dad.  I was finishing my  
8 landscaping duties for the day and I seen him in the  
9 driveway.

10           THE COURT:  Mr. Dunlavey, you're really going  
11 to have to speak up or move -- there you go.

12           A     I seen him in the driveway and he said he was  
13 going to take a cab.  And I said, "Well, I can give you  
14 a ride if you need a ride."

15           Q     Okay.  And did you give him a ride?

16           A     Yes.

17           Q     Where did you give him a ride to?

18           A     He was going to go change the locks in the  
19 house.

20           Q     Where did you give him a ride to, sir?

21           A     Oh.  A ride to the bar where he left his  
22 pickup truck.

23           Q     Do you know the name of the bar?

24           A     The Anchorage.

25           Q     Did he talk to you during the ride?

1           A     Yes.  He brought some tools with him and he --  
2 he mentioned that -- what was going on.

3           Q     Did he tell you he had a gun?

4           A     Yeah.  I didn't realize until he got in my  
5 truck that he said he had one in his pocket.

6           Q     Did he show it to you?

7           A     No.

8           Q     But he had it on him?

9           A     Yes.

10          Q     Did he tell you what he planned to do on that  
11 date if he saw Adam Matos?

12          A     Well, he said he would -- he would defend and  
13 probably shoot him if he had to.

14          Q     Did he say he was going to shoot him if he  
15 showed up at the house?

16          A     Yeah.  If he felt threatened, yes.

17          Q     Did he say if he felt threatened or are you  
18 implying that?

19          A     I'm not -- I'm just saying that -- what he  
20 said.

21          Q     His exact words were what?

22          A     If he came at him, he would shoot him.

23          Q     If he came at him?

24          A     Yes.

25          Q     Or -- okay.  Was Nicholas Leonard upset this

1 morning?

2 A He didn't seem really that much upset. More  
3 just kind of -- I don't know how to explain it. Just --  
4 I don't know if that's the correct word or not.

5 Q Was he angry?

6 A Yeah. Yeah. I guess so. Yes.

7 Q Okay. And then when his -- he went missing,  
8 your dad called 911 a few days later, right?

9 A Yes.

10 MR. MICHAÏLOS: Thank you, Mr. Dunlavey.

11 THE WITNESS: Okay.

12 THE COURT: State, cross.

13 MR. SARABIA: Thank you, Judge.

14 CROSS-EXAMINATION

15 BY MR. SARABIA:

16 Q So Nicholas Leonard needed a ride to his car  
17 because he had left it at the bar the night before and  
18 you gave him that?

19 A Right.

20 Q And on the way there, you had an opportunity  
21 to chat with him?

22 A Yes. Briefly.

23 Q And this is 9:00, 10:00 in the morning,  
24 somewhere in there?

25 A More like 10:30.

1 Q 10:30 in the morning?

2 And one of the things Nick was talking about he  
3 mentioned his girlfriend Megan had been assaulted with a  
4 knife? He was talking about that?

5 A Yes. Yes.

6 Q Was he concerned about that?

7 A Yes. He wanted to go over and change the  
8 locks.

9 Q Okay. And was he -- these are all statements  
10 that were made he was expressing concern for Megan?

11 A Right.

12 Q Because he was concerned about the guy who  
13 had, under his understanding, threatened to kill her,  
14 right?

15 A Yes.

16 Q Now -- and when he said that he would use --  
17 that he would defend himself or Megan, it was in the  
18 context of if there was a problem with this guy and this  
19 guy followed through with the things he said that  
20 morning, right?

21 A Uh-huh. Yes.

22 Q That was your understanding of the  
23 conversation and the way you took Mr. Leonard's  
24 statements, right?

25 A Yes.

1 Q And Mr. Leonard told you that he intended to  
2 go over there later and make sure everything was okay?

3 A Uh-huh. Yes.

4 Q And one of the things he was hoping to do  
5 while he was there is possibly change the locks, right?

6 A Yeah. That was his first thing he was  
7 planning on doing.

8 Q Okay.

9 MR. SARABIA: May I have a moment, Judge?

10 THE COURT: You may.

11 MR. SARABIA: No more questions.

12 THE COURT: Redirect?

13 MR. MICHAIILOS: Yes, Judge.

14 REDIRECT EXAMINATION

15 BY MR. MICHAIILOS:

16 Q Mr. Dunlavey I, is it true you didn't want to  
17 testify in this case?

18 MR. LABRUZZO: Objection, Judge. Relevance.

19 THE COURT: Sustained. And approach.

20 (BENCH CONFERENCE.)

21 THE COURT: Mr. Michailos, this is your own  
22 witness. First of all, that was a leading  
23 question. That's your witness. You can't lead.  
24 Second of all, that's irrelevant.

25 MR. MICHAIILOS: I'll withdraw the question. I

1 apologize.

2 THE COURT: Okay. It's your witness. You put  
3 him on the stand; you vouch for his credibility.  
4 He hasn't said or done anything that appears that  
5 he's not cooperating because he answered  
6 everybody's questions.

7 MR. MICHAIILOS: I understand, Judge. I  
8 apologize.

9 THE COURT: So, you know, whether somebody  
10 didn't want to be around for two weeks, I don't  
11 think any of us wanted to do that or the jury. So  
12 it will be sustained and watch the leading. Okay.

13 MR. MICHAIILOS: Okay.

14 (OPEN COURT.)

15 THE COURT: The objection is sustained.

16 MR. MICHAIILOS: Yes, Your Honor.

17 BY MR. MICHAIILOS:

18 Q Mr. Dunlavey, one more question.

19 A Yes.

20 Q Did Nicholas Leonard tell you he would shoot  
21 Adam Matos between the eyes?

22 A Yes. If he felt threatened.

23 MR. MICHAIILOS: Thank you, sir.

24 THE COURT: All right. Are we all done?

25 MR. SARABIA: We have no more questions,



1 Judge.

2 THE COURT: Sir, you may step down.

3 Is he released from his subpoena?

4 MR. MICHAÏLOS: Yes, Your Honor.

5 THE COURT: State, you're okay with that?

6 MR. SARABIA: Yes, Judge.

7 THE COURT: All right, sir. You're good to  
8 go. You are no longer under subpoena. Okay?

9 THE WITNESS: Okay.

10 THE COURT: Thank you, sir.

11 MR. SARABIA: We'd ask that he be retained  
12 under subpoena.

13 THE COURT: Okay. We're going to ask him  
14 to -- can he leave the courthouse?

15 MR. SARABIA: Yes.

16 THE COURT: All right. You can leave the  
17 courthouse. Thank you, sir.

18 Defense, call your next witness.

19 MR. MICHAÏLOS: Judge, if we may approach?

20 THE COURT: Okay.

21 (BENCH CONFERENCE.)

22 MR. MICHAÏLOS: Our next witness is the  
23 defendant, Your Honor.

24 THE COURT: Do you have any other witnesses?

25 MR. VIZCARRA: Not at this time, no.

1 MR. MICHAÏLOS: Not at this time.

2 THE COURT: Then I'll have the jury go into  
3 the jury room.

4 (OPEN COURT.)

5 THE COURT: Ladies and gentlemen, I apologize.  
6 I'm going to need you to step into the jury room  
7 for just a few moments.

8 We're not done yet. Don't talk about the  
9 case. We'll get the temperature in there for this  
10 morning. It won't be long. I promise. Okay?

11 (Jury absent.)

12 THE BAILIFF: The jury's out of the presence  
13 of the Court, Your Honor.

14 THE COURT: All right.

15 Defense, my understanding is that the only  
16 witness you have left is the defendant; is that  
17 correct?

18 MR. VIZCARRA: Yes.

19 MR. MICHAÏLOS: That's the witness we have  
20 available. Yes, Your Honor.

21 THE COURT: Mr. Matos, if you can stand up for  
22 me. Raise your right hand again.

23 (Defendant sworn.)

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: All right. You may be seated.

1           Before I move on to whether you're going to  
2 testify or not, your lawyer in opening statement  
3 stated that you, in fact, did commit these murders.

4           You heard him. You were here. Correct?

5           THE DEFENDANT: Yes, Your Honor.

6           MR. MICHAÏLOS: Just for clarification, we  
7 didn't agree to murder. Homicide, I guess.

8           THE COURT: That.

9           MR. VIZCARRA: Yes.

10          THE COURT: Okay. That you shot and beat the  
11 people and they died. I don't know any other way  
12 to put that. The homicide. Okay?

13          MR. VIZCARRA: Right.

14          THE COURT: That you were, in fact,  
15 responsible for their death. How about that? You  
16 heard him say that? Yes?

17          THE DEFENDANT: Yes. Yes, Your Honor.

18          THE COURT: And are you in agreement in the  
19 strategy that he imposed in that opening statement?

20          THE DEFENDANT: Yes, Your Honor.

21          THE COURT: All right. You don't have any  
22 problem that he stood up there and said that you  
23 basically committed the acts which caused the death  
24 of these four individuals? You're okay with that?

25          THE DEFENDANT: Yes, Your Honor.

1           THE COURT: And that you had talked to them  
2 about that and you agreed that he could do that in  
3 opening statement, correct?

4           THE DEFENDANT: Yes, Your Honor.

5           THE COURT: And you don't have any problem  
6 with that?

7           THE DEFENDANT: No, Your Honor.

8           THE COURT: All right. And now we're to that  
9 point where I talk to you -- I tried to talk to you  
10 everyday about this, only because it is a very  
11 important matter for you and it's your decision.  
12 So we'll go over it again.

13           You understand that you have an absolute right  
14 to remain silent? Yes?

15           THE DEFENDANT: Yes, Your Honor.

16           THE COURT: And that if you do not testify,  
17 then I am going to go ahead and read those  
18 instructions to the jury that they're not to hold  
19 it against you. You understand that?

20           THE DEFENDANT: Yes.

21           THE COURT: Now, your lawyer has now stood up  
22 and basically laid out for the jury what you're  
23 going to say. That doesn't mean you have to  
24 testify. You can still choose not to testify. You  
25 understand that?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: Okay. Because I don't want to  
3 want to put you in the spot where he did that and  
4 now you feel like you can't -- you have to testify.  
5 You don't have to testify. You can -- you can  
6 choose not to testify and I'll remind the jury that  
7 what the lawyers say is not the evidence and  
8 they're not to consider it and they're basically to  
9 disregard anything that the lawyer said in his  
10 opening statement because it's not evidence in this  
11 case. Okay? So it's up to you, personally, on  
12 whether you wish to testify.

13 So have you had an opportunity to speak to  
14 your attorneys about this matter?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: And do you need any more time to  
17 talk to them?

18 THE DEFENDANT: No, Your Honor.

19 THE COURT: Are you currently under the  
20 influence of any drugs, alcohol or prescription  
21 medication?

22 THE DEFENDANT: No, Your Honor.

23 THE COURT: And I asked you yesterday, but  
24 they could have given you something last night  
25 because, you know, getting stressful and all of

1           that.

2           Are you currently taking anything at the jail?

3           THE DEFENDANT: No, Your Honor.

4           THE COURT: Sleep medication? Cold  
5 medication? You got a bit by, you know, a spider  
6 in the jail. Any medication whatsoever?

7           THE DEFENDANT: No, Your Honor.

8           THE COURT: All right. And at this point,  
9 have you made a decision on whether you wish to  
10 testify?

11          THE DEFENDANT: Yes, Your Honor.

12          THE COURT: All right. What's your decision?

13          THE DEFENDANT: I would like to testify, Your  
14 Honor.

15          THE COURT: Okay. Then what I'm going to have  
16 you do is I'm going to have you stand up and have  
17 you take the witness stand at this time. Okay?

18                 And if the bailiffs have to reposition  
19 themselves, that's fine.

20          MR. LABRUZZO: We can move the TV if it needs  
21 to be moved.

22          THE COURT: It's up to the bailiffs. They  
23 usually put a chair over there to sit in. So if we  
24 need to move the TV, we'll move the TV.

25          THE BAILIFF: Would it be okay -- I'm going to

1 put the easels in there? Is that okay, Judge?

2 THE COURT: That's fine.

3 Can he sit in a chair?

4 THE BAILIFF: Sure.

5 THE COURT: Okay. I have no problem with him  
6 sitting in a chair.

7 Why don't we just put it in the hallway.

8 You don't need the TV, do you?

9 MR. MICHAÏLOS: No.

10 THE COURT: State, do you think you're going  
11 to need the TV?

12 MR. SARABIA: Not during this.

13 THE COURT: All right. And then we'll get a  
14 chair and have a deputy sit right at the back --  
15 the TV over there. Just make sure it's clear.

16 (Staff conversation.)

17 All right. Is everybody ready for the jury?

18 MR. MICHAÏLOS: Yes, Your Honor.

19 THE COURT: All right. Bring the jury back  
20 in.

21 THE BAILIFF: Yes, Your Honor.

22 The jury's now entering the courtroom, Your  
23 Honor.

24 THE COURT: Thank you.

25 (Jury present.)

1 THE BAILIFF: The jury's all present and  
2 seated Your Honor.

3 THE COURT: All right. Defense, call your  
4 next witness.

5 MR. VIZCARRA: The Defense would call Adam  
6 Matos.

7 THE COURT: All right. Mr. Matos, if you can  
8 raise your right hand for me.

9 THEREUPON,

10 ADAM MATOS,

11 the defendant herein having been duly sworn, was  
12 examined and testified as follows:

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: All right. Defense, you may  
15 proceed.

16 MR. VIZCARRA: Thank you, Your Honor.  
17 Counsel.

18 DIRECT EXAMINATION

19 BY MR. VIZCARRA:

20 Q Hello.

21 A Hi.

22 Q Please state your name.

23 A Adam Matos.

24 Q Let's cut right to the chase, shall we?

25 Adam Matos, on August 28, 2014, did Nicholas



1 Leonard put his hands on your throat?

2 A Yes, he did.

3 Q Did he threaten your life with a gun?

4 A Yes, he did.

5 Q Did you get in a fight with him?

6 A Yes.

7 Q Did you defend yourself?

8 A Yes, I did.

9 Q Did you kill him?

10 A Yes.

11 Q Why?

12 A He tried to kill me.

13 Q Adam Matos, on August 28, 2014, did Gregory

14 Brown threaten your life --

15 A Yes, he did.

16 Q -- with a rifle?

17 Did he pull the trigger?

18 A Yes.

19 Q Did you get into a shootout with him?

20 A Yes, I did.

21 Q Did you defend yourself?

22 A Yes.

23 Q Did you kill him?

24 A Yes, I did.

25 Q Why?

1           A     He tried to kill me.

2           Q     Adam Matos, on August 28, 2014, was Megan  
3 Brown with Nicholas Leonard when Nicholas Leonard had  
4 his hands our throat?

5           A     Yes, she was.

6           Q     Was she with Gregory Brown when he threatened  
7 your life with his rifle?

8           A     Yes, she was.

9           Q     Was she with Gregory Brown when he tried to  
10 shoot you with his rifle?

11          A     Yes.

12          Q     Did she say anything as he was pointing his  
13 rifle at you?

14          A     She said, "Dad, shoot him. Shoot him, Dad."

15          Q     Did you defend yourself against them?

16          A     Yes.

17          Q     Did you kill her?

18          A     Yes.

19          Q     Why?

20          A     I felt that she was going to kill me as well.

21          Q     How about Margaret Brown; did you believe that  
22 she was trying to kill you?

23          A     Yes.

24          Q     Did you fear for your life, though?

25          A     Yes.

1 Q What were your feelings when you killed her?

2 A I was lost. I was hurt. I was in shock. I  
3 was out of my mind and I thought that everyone was out  
4 to kill me. I felt like she was going to kill me as  
5 well.

6 Q Did you kill her?

7 A Yes.

8 Q Did you strike her with a hammer?

9 A Yes.

10 Q Was she bleeding a lot?

11 A Yes.

12 Q What did you decide to do to her head?

13 A There was a lot of blood. And to stop the  
14 blood from getting everywhere, I put a trash bag over  
15 her head.

16 Q Anything else you put over in helping putting  
17 the trash bag over her head and keeping that blood  
18 contained?

19 A I used tape to close the bag to prevent blood  
20 from getting -- leaking out.

21 Q Was this after you had gotten into the  
22 altercation with Nicholas Leonard upstairs?

23 A Yes, it was.

24 Q Was she dead or alive when you put the bag  
25 over her head?

1           A     She was dead.

2           Q     Well, let's talk about the house at 7719  
3 Hatteras Drive in Hudson, Florida back in August of  
4 2014. Okay? How many bedrooms were being slept in?

5           A     Three bedrooms.

6           Q     And did the house face south?

7           A     Yes.

8           Q     Now, who slept in the master bedroom on the  
9 west side of the house?

10          A     Greg and Margaret.

11          Q     Greg and Margaret Brown?

12          A     Yes.

13          Q     I'm going to refer to this room as Greg and  
14 Margaret's room. Okay?

15          A     Okay.

16          Q     Who slept in the southeast bedroom on the east  
17 side of the house closest to the front door?

18          A     Megan and I.

19          Q     I'm going to refer to this as Adam and Megan's  
20 room. Okay?

21          A     Okay.

22          Q     How close is this room, Adam and Megan's room,  
23 to the front door?

24          A     About a few feet.

25          Q     Just a few feet?

1 A Yes.

2 Q Who slept in the northeast bedroom on the east  
3 side of the house farthest to the front door?

4 A [REDACTED]

5 Q I'm going to call this [REDACTED] room. Okay?

6 A Yes.

7 Q Tell us about the lock on [REDACTED] bedroom  
8 when you were there in August of 2014, before this  
9 incident.

10 A When we moved their there was just a simple  
11 doorknob with a simple lock that you could lock from the  
12 inside.

13 Q If the lock had been changed after August 28th  
14 of 2014, who would have done it?

15 A It would have to have been Nick or Megan.

16 Q Now, the two bedrooms on the east side of the  
17 house, they were separated by a bathroom, correct?

18 A Yes.

19 Q This neighborhood -- this neighborhood at 7719  
20 Hatteras Drive, are their woods around and close to that  
21 neighborhood?

22 A Yes.

23 Q Do you ever hear gunshots?

24 A Yes.

25 Q How often?

1           A     Often.  About -- on a regular basis.

2           Q     Just during the day or --

3           A     Day and night.

4           Q     Now, Megan was out with some friends on the  
5 night of August 27th, 2014, correct?

6           A     Yes.

7           Q     We're going to talk about that a little bit  
8 later.  But right now I want us to concentrate on  
9 August 28, 2014.  Okay?

10           A     Approximately what time did Megan Brown get home on  
11 August 28, 2014?

12           A     Around 5:30 A.M.

13           Q     Had she been out all night long?

14           A     Yes.

15           Q     Were you worried about her?

16           A     Yes.

17           Q     Were you angry?

18           A     Yes.

19           Q     Why?

20           A     I was angry about a phone conversation that I  
21 had with Nicholas Leonard.  He let me know that he was  
22 having an affair with Megan and that she was a whore,  
23 and that he didn't want her anymore.

24           MR. LABRUZZO:  Objection, Judge, as to  
25 hearsay.

1 THE COURT: Sustained.

2 MR. MICHAELOS: Judge, if we can approach?

3 THE COURT: Certainly.

4 (BENCH CONFERENCE.)

5 MR. MICHAELOS: Judge, this is a statement to  
6 show the state of mind of the listener under 801.

7 THE COURT: Counsel, are you telling me that  
8 his statement that she was a whore has anything --

9 MR. MICHAELOS: Oh, not the whore.

10 THE COURT: That's what I sustained the  
11 objection. That's when they made it.

12 MR. MICHAELOS: I apologize.

13 THE COURT: So what I'm saying is he can say  
14 he had a conversation. He can say about the  
15 affair. But we're getting into calling the victims  
16 names --

17 MR. MICHAELOS: I agree. I didn't see that  
18 coming.

19 THE COURT: Okay. That's why I sustained it.

20 MR. MICHAELOS: Okay.

21 (OPEN COURT.)

22 THE COURT: The objection is sustained.

23 Q (By Mr. Vizcarra) Without getting into those  
24 type of details, you said you had talked to Nicholas  
25 Leonard and he advised you what -- without getting into

1 things like that?

2 A Just let me know that he didn't want anything  
3 to do with her and he was done with her. He didn't want  
4 to be a home wrecker, that he was done with her.

5 Q Now, did he advise you that there was an  
6 incident that happened at the time he called you?

7 A Yes.

8 Q And did he seem still upset about that?

9 A He seemed upset that there was an incident  
10 that occurred that night at the bar.

11 Q And did he tell you that it just -- it just  
12 had occurred right when he called you?

13 A Yes. He called me as he was leaving the bar  
14 getting into a cab.

15 Q And tell us about what information he gave  
16 you.

17 MR. SARABIA: Objection, Judge. Hearsay.

18 THE COURT: Sustained.

19 MR. VIZCARRA: Judge, if I may?

20 THE COURT: You want to approach?

21 MR. VIZCARRA: Please.

22 (BENCH CONFERENCE.)

23 MR. VIZCARRA: Two things, Judge.

24 THE COURT: First of all, Counsel, where are  
25 you going with this?



1 MR. VIZCARRA: The evidence of an out of court  
2 statement is offered to prove the state of mind of  
3 a person who heard the statement. The statement is  
4 not hearsay because it's not being offered for the  
5 truth of the statement's contents. And Ehrhardt,  
6 on Page 958 Section 801.6 cites Blackwood versus  
7 State. Testimony --

8 THE COURT: Counsel, I understand the Rules of  
9 Evidence.

10 MR. VIZCARRA: Okay.

11 THE COURT: My question is: I heard the  
12 opening statement of your side. Whatever he's  
13 going to say is completely different than what  
14 Mr. Michailos has just talked about. You're now  
15 saying --

16 MR. MICHAELOS: I didn't talk about the  
17 contents.

18 THE COURT: Right. That's my point. So what  
19 is it that he's going to say that affected him?

20 MR. VIZCARRA: He's going to say that Nicholas  
21 Leonard called him and said that Megan had been  
22 flirting with the bartender.

23 THE COURT: That's a complete --

24 MR. VIZCARRA: Judge, can I do this? I'm  
25 going to skip it for now and I'll make a proffer.

1 THE COURT: No. I'm ready. I just need to  
2 get closer so you can keep your voice down.

3 MR. VIZCARRA: I'm sorry. My hearing is not  
4 as good.

5 THE COURT: So she was flirting with a  
6 bartender.

7 MR. VIZCARRA: Flirting with the bartender.  
8 He was through with her. He didn't want anything  
9 to do with her.

10 THE COURT: And how does any of this have an  
11 effect on your client?

12 MR. VIZCARRA: Because when he went over there  
13 to get his things, he did not have any type of fear  
14 or belief that Nicholas Leonard would be over  
15 there.

16 THE COURT: So let me get this right. Why do  
17 you need to go into the contents of the statement  
18 when you've already gotten out that he said he was  
19 through with her and wasn't interested in her?

20 What happened at the bar, that she might have  
21 flirted with somebody, that's irrelevant,  
22 completely irrelevant and not necessary to lay the  
23 foundation. You've already got in that he got in a  
24 cab, said he was through with her and not  
25 interested in her, mad at her. We're done.

1 Nothing else is coming in. I've already admit  
2 that. That objection is not -- sustained.

3 So what Megan might have done or didn't do is  
4 not relevant to this state of mind of your client.  
5 The fact that he talked to Nicholas Leonard and he  
6 said he that was through with her, we're good.  
7 That's already in, so we're going to move on.  
8 Sustained.

9 (OPEN COURT.)

10 THE COURT: The remainder of that  
11 conversation, it's hearsay and it's sustained.

12 Q (By Mr. Vizcarra) Based on your conversation  
13 with Nicholas Leonard, did you believe that he and Megan  
14 would be together?

15 A I guess. I mean, it seemed that they were  
16 intimate. So it seemed that something was going on  
17 between them.

18 Q Right. Did you believe that they would be  
19 together after that conversation with him?

20 A From the way --

21 THE COURT: Mr. Matos, you've got to keep your  
22 voice up just like everybody else. If you have to  
23 move the chair up, that's fine, or the microphone.  
24 There you go. I'm sorry. Go head.

25 THE DEFENDANT: It seemed like from after that

1 day, they wouldn't be together.

2 Q (By Mr. Vizcarra) You're also -- did you and  
3 Megan get into an argument when she got home at 5:30 in  
4 the morning?

5 A Yes, we did.

6 Q What was the argument about?

7 A It was about the phone conversation that I had  
8 with Nicholas Leonard.

9 Q And tell us what happened.

10 A When she came home, I asked her if she -- if  
11 she was having an affair with Nicholas Leonard. She  
12 told me that she wasn't. And when I asked her about it,  
13 she denied it and she said that --

14 MR. LABRUZZO: Judge.

15 A -- Nicholas was stalking her and that he  
16 followed her to the bar.

17 Q (By Mr. Vizcarra) Without getting further  
18 into that conversation, did she lead you to think that  
19 there was nothing between her and Nicholas Leonard?

20 A Yes. She said there was nothing going on  
21 between them.

22 Q Did you believe her a hundred percent?

23 A I didn't know what to believe.

24 Q Tell us what happened after that.

25 A I got upset. I pulled out a knife. And I

1 asked her --

2 Q Where did you get the knife from?

3 A From the kitchen.

4 -- and I asked her what was the truth. I just  
5 wanted to know the truth. I didn't want to hurt her.

6 She tried to grab the knife out of my hand. She  
7 cut herself on her finger. And once I saw this, she had  
8 cut herself, I put the knife down on the dresser.

9 [REDACTED] just woke up. So I left the house and took my  
10 bike and I went up the road northeast.

11 Q Did you pull the knife out to hurt her?

12 A No.

13 Q Why did you pull the knife out?

14 A I just wanted the truth. I was upset. It was  
15 just a stupid thing to do.

16 Q Did you ever put the knife to her throat?

17 A No.

18 Q At no time did you scratch or hurt her throat  
19 in any way?

20 A No.

21 Q And you never put it up to her throat?

22 A No.

23 Q You said that she grabbed the knife?

24 A Yes.

25 Q Did you expect her to do that?

1           A     No.

2           Q     Where did you go?

3           A     I went northeast up the road behind the house  
4 that was empty. And I just laid down and was just chain  
5 smoking, just cooling off.

6           Q     Were you riding a bicycle?

7           A     Yes.

8           Q     Why did you leave?

9           A     I just wanted to give her some space, just get  
10 away from the house.

11          Q     Were you able to cool off?

12          A     Yes.

13          Q     Did you see law enforcement arrive at the  
14 house?

15          A     I saw law enforcement driving in that general  
16 direction towards the house.

17          Q     Did they leave?

18          A     I couldn't see from that angle.

19          Q     What did you do?

20          A     I stood there most of the day just sleeping,  
21 chain smoking.

22          Q     Now, by the way, let me go back just a little  
23 bit. Was Nicholas Leonard there when Megan got home in  
24 the morning?

25          A     No. He was not.

1 Q Was he there when you left the house?

2 A No.

3 Q Was he there when you guys were arguing?

4 A No.

5 Q Did you decide to return to the house at 7719  
6 Hatteras Drive?

7 A Yes.

8 Q What about what time was it?

9 A Between 6:00 and 7:00 P.M.

10 Q Still light outside?

11 A Yes.

12 Q Why?

13 A I wanted to get my things. I didn't have  
14 anything on me, so I just wanted to get my belongings.  
15 I wanted to see if I could say goodbye to [REDACTED] and  
16 possibly work things out with Megan.

17 Q What time did you go inside, approximately?

18 A A little after 6:00.

19 Q And what door did you use to go inside?

20 A I believe the east entrance.

21 Q Okay. That one that goes into the east garage  
22 area or the stairwell?

23 A Yes.

24 Q Okay. It's the only door on the east side of  
25 the house, right?

1           A     Correct.

2           Q     Okay. Was the door open?

3           A     It was wide open, yes.

4           Q     I didn't ask you earlier, but about how many  
5 dogs were in this house on Hatteras Drive?

6           A     Twenty dogs.

7           Q     Describe them for me. Small dogs? Large  
8 dogs?

9           A     Small to tiny.

10          Q     How often do these dogs bark?

11          A     All the time.

12          Q     How would you describe their barking?

13          A     Loud. They were barky dogs.

14          Q     Did you hear them bark as you went up the  
15 stairs?

16          A     Yes, I did.

17          Q     Where are the dogs kept in the house usually?

18          A     In the dining room area.

19          Q     And is that downstairs or upstairs?

20          A     That's upstairs.

21          Q     Okay. How far from yours and Megan's bedroom,  
22 approximately?

23          A     About ten feet.

24          Q     Now, as you walked up those stairs, did you  
25 have a gun in your hand?



1           A     No.

2           Q     A knife?

3           A     No.

4           Q     A bat?

5           A     No.

6           Q     A hammer?

7           A     No.

8           Q     What, if anything, did you have in your hands?

9           A     Nothing at all.

10          Q     Tell us again.  What were you going to do  
11 inside the house?

12          A     I just wanted to get my things, just gather  
13 the stuff that I had.

14          Q     When you had left, did you bring things with  
15 you?

16          A     No.

17          Q     Were you able to do that, get your things?

18          A     No.

19          Q     Was the door to you and Megan's room, was it  
20 closed?

21          A     Yes.

22          Q     Did you open it?

23          A     Yes.

24          Q     Did you step inside?

25          A     Yes, I did.

1 Q Did you see Megan and [REDACTED]

2 A Yes. As I entered the room, they were just  
3 coming out.

4 Q Did Nicholas Leonard come up to you?

5 A Yes.

6 Q Where did he come from?

7 A He came from the closet area.

8 Q Were you able to see where he was coming from  
9 as far as any length of time before he got to you?

10 A No. He just came out of nowhere.

11 Q Did he reach -- I'm sorry. Did he grab you  
12 anywhere?

13 A He grabbed me by the throat.

14 Q And did he reach for a gun?

15 A He reached into his right pocket and he pulled  
16 out a gun and he pointed it at my chest.

17 Q Did you grab his gun?

18 A Yes.

19 Q Or his hand?

20 A I grabbed his hand and I pointed it towards  
21 the ground away from me so he wouldn't shoot me.

22 Q Did he seem like he was trying to raise the  
23 gun toward you?

24 A Yes.

25 Q Did you struggle to stop him from getting the

1 gun pointed at you?

2 A We did. We struggled.

3 Q Tell us what happened.

4 A There was a lot of wrestling going on. We  
5 were going around the room. We ended up in the corner  
6 by the dresser. And I saw a knife on top of the dresser  
7 that I used to defend myself. And I stabbed him in the  
8 arm a few times and he released his grip on my throat.  
9 And I dropped the knife and we continued to wrestle  
10 around. I was trying to get the gun out of his hands  
11 and we wind up falling on the bed.

12 Q Now, when you say, "bed", was there an actual  
13 bedframe or was it just a mattress?

14 A It was just a mattress on the floor.

15 Q Okay. And it was on the floor you said?

16 A Yes.

17 Q How many times did you stab him?

18 A About three times.

19 Q And you said that you guys fell on the bed.

20 Both of you?

21 A Yes.

22 Q Let me go back real quick and ask you about  
23 this knife. Did you leave this knife on the dresser?

24 A No.

25 Q Do you have hunting knives laying around when

1 you have this four year old walking around?

2 A No. I do not.

3 Q Are you the type of person to keep a knife on  
4 the dresser?

5 A No.

6 Q How about under a mattress?

7 A No.

8 Q While you guys are struggling, did Nicholas do  
9 anything to your face?

10 A He took the inside of my cheek and he started  
11 to rip the flesh from the inside out and he told me,  
12 "I'm going to rip your face off."

13 Q Did Megan come back?

14 A Megan and Greg stepped into the room, yes.

15 Q Okay. And tell us about happened as you guys  
16 were struggling on the bed and Megan and Greg come back.

17 A Megan, she screamed out, "Dad, shoot him.  
18 Shoot him, Dad."

19 Q Did he have anything in his hand? I'm talking  
20 about Greg.

21 A A rifle in his hand.

22 Q And where was it pointed?

23 A At my chest.

24 Q Did Nick do anything when he saw that rifle  
25 pointed at you?

1           A     He moved out of the way. He was still pinning  
2 me down, my legs. He just moved out of the way so Greg  
3 could have a clear shot at my chest.

4           Q     Did you say anything to Greg?

5           A     I asked Greg, I said, "Please, Greg. Don't  
6 shoot me, Greg. Don't do this, Greg."

7           Q     Did Greg pull the trigger?

8           A     Yes, he did.

9           Q     What happened?

10          A     It misfired.

11          Q     What was going on after the gun misfired?

12          A     He was trying to get it to work again and he  
13 repeated the steps of trying to shoot me again.

14          Q     Tell me what was going on with Nick while Greg  
15 is messing with this gun. Is he getting stronger or  
16 weaker?

17          A     He seemed to be weakening.

18          Q     Was he bleeding a lot?

19          A     There was a lot of blood. He was bleeding a  
20 lot from his arm.

21          Q     Did Nick -- did Nick, sorry. Did Greg ever  
22 shoot the gun again, the second time?

23          A     Yes. He pulled the trigger again.

24          Q     And what happened?

25          A     It was a misfire again.

1 Q Tell us what happens between you and Nick  
2 Leonard.

3 A As Greg was continuing to try to shoot the gun  
4 again, Nicholas loosened his grip on his gun and I was  
5 able to get it out of his hands.

6 Q Did you or him shoot the gun?

7 A Yes. A shot went off towards the wall.

8 Q While you guys were struggling for the gun?

9 A Yes.

10 Q And you said it went toward the wall?

11 A It went through the wall.

12 Q Okay. Did it put a bullet hole through the  
13 wall?

14 A Yes.

15 Q Okay. Tell us, was there a second shot?

16 A Yes. As I grabbed the gun, I shot it towards  
17 Nicholas.

18 Q Okay. Was Nick still bleeding from the stab  
19 wound?

20 A Yes, he was.

21 Q Did you later find that bullet from shooting  
22 that gun a second time?

23 A Yes, I did.

24 Q What did you do with it?

25 A I threw it in the trash bag.

1 Q And was that the one that was found in the  
2 garage, west garage?

3 A No. The one that I found that I thought that  
4 hit Nicholas Leonard I found behind the bed.

5 Q Okay. And did that -- did you end up putting  
6 that in the trash?

7 A Yes.

8 Q Okay. While you and Nick are struggling, Greg  
9 has shot the gun twice, wasn't able to get it to kill  
10 you --

11 A Yes.

12 Q -- what happened with Greg and Megan?

13 A They ran back to his the bedroom, the master  
14 bedroom.

15 Q Did you know what was in that master bedroom?

16 A He had a bunch of weapons in his closet.

17 Q Did you chase after him?

18 A Yes.

19 Q Why?

20 A I felt that he was going to get another weapon  
21 and try to kill me.

22 Q When you got to the master bedroom closet,  
23 what was Greg doing?

24 A He was attempting to load another weapon.

25 Q What did you do?

1           A     I shot him in his lower back as he was trying  
2 to turn around with his weapon.

3           Q     Did he go down then or did he turn around?

4           A     No. He had the weapon in his hand and I shot  
5 him again.

6           Q     Did he go down then?

7           A     Yes.

8           Q     As you leave the master bedroom closet, tell  
9 us what happens next.

10          A     As I was leaving the closet, I could see  
11 someone in my peripheral and it was Megan. And I  
12 thought she had something in her hand and I just reacted  
13 and I shot her.

14          Q     Where was she at?

15          A     She was by the door around a corner.

16          Q     And did she have something in her hand?

17          A     Yes.

18          Q     What was it?

19          A     I later found it to be a cell phone.

20          Q     How many times did you shoot her?

21          A     One time.

22          Q     And was it around where that bead was in the  
23 master bedroom?

24          A     Where the bullet hole was in the corner of the  
25 wall.



1 Q What did you do then?

2 A I lost it completely. I just realized that I  
3 had killed the woman that I loved, the mother of my  
4 child. And at that point I realized that [REDACTED] no  
5 longer had a mother and no longer had a grandfather, and  
6 no longer had me. And at that point I felt like my life  
7 was over.

8 Q Were you angry at all?

9 A Yes. I was very angry.

10 Q Did you place that anger on any particular  
11 individual?

12 A Nicholas Leonard.

13 Q Why?

14 A I was upset that he brought a weapon into my  
15 home, that he tried to kill me; he turned my family  
16 against me and tried to have them kill me as well.

17 Q What did you do?

18 A I went back to my bedroom. And he was just  
19 lying on the bed and he was unconscious. And I was just  
20 upset and I was just yelling out why -- why this had to  
21 happen. I grabbed the hammer that was on the floor and  
22 I just kept hitting him until I couldn't anymore.

23 Q How many times do you remember hitting him  
24 with that hammer?

25 A I can't remember. It was a lot of times.

1 Q Was it always with the end of the hammer  
2 necessarily that you put the nails in?

3 A It may have slipped when I was hitting him.

4 Q What did you do after this?

5 A After that, I went and checked on [REDACTED] to  
6 make sure he was okay and he was. And I told him just  
7 stay in his room. There was a lot of blood on me from  
8 the altercation that I had with Nicholas and I washed it  
9 off. And then I went to check up on [REDACTED] to make  
10 sure that he was okay.

11 Q Was he?

12 A He was okay.

13 Q What did you tell him?

14 A I told him everything's going to be okay. I  
15 gave him a hug, kissed him on the cheek.

16 Q How did you feel in general after having this  
17 entire incident?

18 A I felt just lost. My whole world was turned  
19 upside down and I was just -- I was out of my mind. I  
20 was in shock. And I felt like a part of me died that  
21 day.

22 Q Did you have any fear about the cops shooting  
23 you?

24 A Yes. I was in fear that if the cops were to  
25 show up that they would try to kill me as well.

1 Q How about [REDACTED]

2 A I was scared that [REDACTED] was in danger as  
3 well, that he might be in harm's way if the police were  
4 to show up.

5 Q What did you do with all of these guns? Nick  
6 Leonard's gun?

7 A I threw all the weapons in the canal. I  
8 didn't want any weapons in the house after that  
9 incident. I didn't want it to be a threat to anyone  
10 else or to me or to [REDACTED]

11 Q Were you afraid that [REDACTED] might see those  
12 bodies?

13 A I was afraid that he would be exposed to it,  
14 so I locked the doors to the bedrooms where the bodies  
15 were.

16 Q Yours and Megan's room, how did you lock that  
17 door?

18 A There's a latch on the door. It's a high  
19 latch, so he wasn't able to reach it. And you latch it  
20 from the outside of the room.

21 Q And the master bedroom?

22 A The master bedroom, the doorknob to the room  
23 was missing so you couldn't just step into the room.  
24 And you had to be a strong person to turn it because it  
25 didn't have the knob there. It's just a piece of metal.

1 And I put a dog cage in front of the door to keep him  
2 from getting in.

3 Q What did you and [REDACTED] do?

4 A At that point it was very fuzzy, my memory, of  
5 what happened that day. Later, I was just lost, out of  
6 it, and I was just chain smoking a lot.

7 Q What happens when Margaret comes home from  
8 work?

9 A I heard the dogs barking. And at that point I  
10 was still out of it and I was in shock and I was scared  
11 that people might be coming to the house to kill me.

12 Q And if you saw Margaret, did you feel that she  
13 was in on it?

14 A Yes. I felt that she would try to kill me as  
15 well.

16 Q Where was [REDACTED] What was he doing?

17 A He was in his room sleeping.

18 Q So what did you do?

19 A I went down to the garage with the hammer that  
20 I used on Nicholas and I killed Margaret in the west  
21 garage hallway.

22 Q You ran down the stairs and met her down  
23 there?

24 A Yes, I did.

25 Q How did you kill her?

1           A     I hit her over the head a few times.

2           Q     How many times did you hit her?

3           A     I can't remember.  Maybe more than three  
4 times.

5           Q     Was it necessarily with the end of the hammer  
6 that --

7           A     I can't remember.

8           Q     Was she standing up when you first hit her?

9           A     Yes.

10          Q     And you said -- where did you say that was?

11          A     The west garage hallway.

12          Q     Was there only one hallway like that  
13 downstairs?

14          A     Yes.

15          Q     Tell us about the blood.

16          A     There was blood everywhere.  To prevent more  
17 blood from getting everywhere, like what happened to  
18 Nick, I put a bag over her head to keep blood from  
19 getting everywhere.

20          Q     What else did you do?

21          A     I tried -- I used tape to close it off so  
22 blood wouldn't leak through.

23          Q     Looking back now, do you realize that she  
24 probably wasn't out to kill you or harm you?

25          A     I realize now that she probably wasn't trying

1 to kill me. I was just out of it and so paranoid and in  
2 shock that I thought everyone was trying to kill me.

3 Q How do you feel about her death now?

4 A Horrible. I feel disgusted. And I loved her  
5 very much. And I just -- there's not a day that goes by  
6 that I don't think about it. I relive that -- those  
7 memories, I relive it every day and it just haunts me  
8 every day.

9 Q Can you put into words what that day, August  
10 28th, 2014, was like for you?

11 MR. LABRUZZO: Objection, Judge, as to  
12 relevance.

13 THE COURT: Sustained.

14 MR. VIZCARRA: Approach, Judge?

15 THE COURT: Sure.

16 (BENCH CONFERENCE.)

17 MR. VIZCARRA: Judge, it just explains the  
18 actions he had after that day. It goes to that.

19 THE COURT: That's not what you asked him.  
20 You asked him if you could put into words how you  
21 feel about what happened that day. That's not  
22 relevant.

23 MR. VIZCARRA: Okay.

24 THE COURT: That he -- he's opining back on  
25 how he feels. If you want to talk about what he

1 did after he killed the people and why he threw  
2 them in a pile and all of that, move on. We're not  
3 going to wrap it up in his feelings while he opines  
4 about what happened.

5 MR. VIZCARRA: I appreciate your ruling,  
6 Judge. Can I make a proffer at the end of all the  
7 evidence, the State's cross of these so it's  
8 preserved for the record?

9 THE COURT: Sure. After the jury goes out,  
10 I'll leave the court reporter here and you can  
11 proffer anything you want.

12 MR. VIZCARRA: Thank you.

13 THE COURT: Thank you.

14 (OPEN COURT.)

15 THE COURT: That is sustained.

16 Q (By Mr. Vizcarra) Adam Matos, why didn't you  
17 just leave [REDACTED] get into the van and drive off?

18 A I couldn't abandon my son. I couldn't just  
19 leave him like that. He's all I had.

20 Q You could go to Canada or Mexico.

21 A I could have.

22 Q Didn't you plan an escape once you killed  
23 these four people?

24 A No.

25 Q What was your plan as far as your -- what you

1 were going to do with little [REDACTED] your son?

2 A I didn't have any plans. At that point I was  
3 so lost, I didn't know what to do. I was confused. I  
4 was sad. The world was just turned upside down and I  
5 didn't have any plan.

6 Q Let's talk about Nicholas Leonard's truck.  
7 Where did you find -- well, first of all, did you see a  
8 truck parked nearby 7719 Hatteras Drive?

9 A When I came home?

10 Q Yeah.

11 A When I came home I couldn't see anything from  
12 the direction I was coming from. I didn't see any  
13 truck.

14 Q There wasn't a blue truck parked in the  
15 driveway?

16 A No.

17 Q Did you later see a blue truck parked  
18 somewhere in the vicinity?

19 A Later on I noticed that there was a blue truck  
20 parked far across the street.

21 Q "Far across the street", in somebody else's  
22 house?

23 A Somebody else's property.

24 Q Okay. Was there a house there?

25 A Yes.



1 Q And it was parked not on 7719 Hatteras Drive,  
2 but you said on somebody else's property?

3 A On someone's lawn across the street.

4 Q Okay. Did you move it?

5 A Yes.

6 Q Where?

7 A About half a mile away.

8 Q Where was [REDACTED] --

9 A [REDACTED] was --

10 Q -- when you moved the truck?

11 A [REDACTED] was at home sleeping.

12 Q What did you do with the bodies at least  
13 initially?

14 A I moved them out of the bedrooms into the east  
15 garage.

16 Q Now, Margaret's van, where was it parked when  
17 she had gotten home late on the night of the 28th?

18 A It was parked in the west garage.

19 Q Did you move it?

20 A Yes.

21 Q Where did you move it to?

22 A To the east garage.

23 Q Did you use that van to move the bodies  
24 eventually?

25 A Yes.

1 Q We'll talk about that a little later.

2 August 29, 2014, the next day, did you put an add  
3 on Craigslist?

4 A Yes, I did.

5 Q Did you sell the dogs and the TV?

6 A Yes.

7 Q Why? Why did you do that?

8 A I needed money for -- to feed [REDACTED] and I  
9 didn't have any cash.

10 Q Was any of this planned before August 28th of  
11 2014?

12 A No, it wasn't.

13 Q Did you kill these people in order to sell  
14 their things?

15 A No, I did not.

16 Q Did you use their credit cards? Did you kill  
17 them to use their credit cards?

18 A No, I did not.

19 Q To sell or use their vehicles?

20 A No.

21 Q Why? Why did you kill them?

22 A They were trying to kill me.

23 Q In fact, tell us why you sold these dogs. You  
24 said there was 20 dogs there, but you sold some of them.  
25 Why only \$50 a piece?

1           A     I just wanted to get enough money for food. I  
2 wasn't trying to make a large profit. I wanted the dogs  
3 to have a good home to go to. I was unable to care for  
4 them in the situation that I was in.

5           Q     Did you know you could have probably gotten  
6 more for them?

7           A     I realized later that they were worth a lot  
8 more.

9           Q     About how many dogs were you able to sell?

10          A     About ten dogs.

11          Q     Did you order some pizzas using Margaret's  
12 credit card?

13          A     Yes.

14          Q     Why?

15          A     I didn't have any cash and I just wanted to  
16 feed ██████████

17          Q     Did you take the silver van to Wal-Mart around  
18 midnight on the 29th?

19          A     Yes.

20          Q     Why so late?

21          A     I waited until ██████████ was sleeping.

22          Q     Did you buy a shovel?

23          A     Yes.

24          Q     Why did you buy a shovel?

25          A     I wanted to move the bodies out of the house.

1 I didn't know what to do with them. And I didn't want  
2 [REDACTED] being exposed to them, so I bought the shovel to  
3 try to bury them in the yard.

4 Q And the only time you had a shovel was the day  
5 after this happened, on August 29th of 2014?

6 A Yes.

7 Q Were you working in August of 2014?

8 A Yes, I was.

9 Q Did you have a job before you started working  
10 at Get Hooked?

11 A Yes.

12 Q Where was that?

13 A At Denny's.

14 Q What is Get Hooked?

15 A It's a seafood restaurant.

16 Q What did you do there?

17 A I worked as a cook and a dishwasher.

18 Q How far was it from 7719 Hatteras Drive?

19 A About a mile.

20 Q How did you get to work?

21 A I rode my bike.

22 Q Did you have a car?

23 A No.

24 Q Tell us how you got the bicycle.

25 A One day when I was walking to work to

1 Denny's --

2 MR. SARABIA: Objection, Judge, as to  
3 relevance.

4 THE COURT: Sustained.

5 Q (By Mr. Vizcarra) Did you ride your bike back  
6 and forth to work?

7 A Yes.

8 Q Now, before we go any further, let's talk  
9 about prior record. You've been convicted of five  
10 misdemeanors in Pennsylvania, but in Florida those  
11 misdemeanors would be five felonies, right?

12 A Yes.

13 Q And crimes of dishonesty, you were convicted  
14 of two?

15 A Yes.

16 Q Now, let's get back to work and your paycheck.  
17 Did you have a check waiting for you?

18 A Yes, I did.

19 Q Did you make arrangements to pick up that  
20 paycheck?

21 A Yes.

22 Q What arrangements did you make?

23 A I made arrangements with the boss to give it  
24 to one of the guys that worked in the kitchen with me  
25 and I was going to just pick it up from him.

1 Q Did you get your check?

2 A Yes, I did.

3 Q And did you cash it at Wal-Mart?

4 A No.

5 Q Winn Dixie?

6 A No.

7 Q How did you cash it?

8 A I later cashed it at Wells Fargo.

9 Q And how much about was that check for?

10 A I believe it was around 370.

11 Q Okay. Now, during these days after you're  
12 attacked and before the deputies knocked on your door,  
13 you and ██████ were ordering pizzas?

14 A Yes.

15 Q Wings?

16 A Yes.

17 Q Soft drinks?

18 A Yes.

19 Q What were you doing when ██████ was watching  
20 TV or napping or asleep?

21 A I was just trying to clean up the blood to  
22 keep him from being exposed to any of that.

23 Q Did you take care of ██████ in that house?

24 A Yes.

25 Q Was it difficult for you to mentally stay in

1 that house?

2 MR. LABRUZZO: Objection, Judge, relevance.

3 THE COURT: Sustained.

4 Q (By Mr. Vizcarra) Was it important, though,  
5 for you to be with [REDACTED]

6 A Yes.

7 Q About a week after you were attacked in your  
8 own house, did you go nextdoor and talk to Ryan McCann?

9 A Yes.

10 Q Did you guys decide to go to Skinny's Bar?

11 A Yes.

12 Q How far was Skinny's Bar from your house?

13 A About two miles.

14 Q How long were you guys there?

15 A A few hours.

16 Q Could it have been more?

17 A Possibly.

18 Q Where was [REDACTED]

19 A He was at home sleeping.

20 Q Do you feel bad about leaving [REDACTED] at home?

21 MR. LABRUZZO: Objection, Judge, relevance.

22 THE COURT: Sustained.

23 Q (By Mr. Vizcarra) Were you drinking?

24 A Yes.

25 Q Why were you drinking?

1           A     Just trying to escape the reality of what  
2 happened.

3           Q     Did you do that some while you were there at  
4 the house?

5           A     A little. I was just trying --

6           Q     How about Ryan McCann's house nextdoor?

7           A     A little bit.

8           Q     When was it that you would do that?

9           A     I really can't remember. I know that we  
10 drank.

11          Q     What type of day? What part of the day?

12          A     I believe it was nighttime.

13          Q     Where was [REDACTED] when you were trying to do  
14 that?

15          A     He was at home sleeping.

16          Q     Why would you be out drinking nextdoor? At  
17 Skinny's Bar?

18          A     I don't know.

19                MR. LABRUZZO: Objection, Judge, relevance.

20                THE COURT: Sustained.

21          Q     (By Mr. Vizcarra) At some point in time did  
22 you move the bodies?

23          A     Yes.

24          Q     When was that?

25          A     I believe it was the night that I bought the



1 shovel from Wal-Mart.

2 Q Did you first try to bury the bodies near the  
3 house on Hatteras Drive?

4 A Yes.

5 Q Like how close to the house?

6 A Right outside on -- next to the house in the  
7 grass.

8 Q How many feet?

9 A About a few feet from the house.

10 Q Using the shovel?

11 A Yes.

12 Q Digging a hole?

13 A Yes.

14 Q What happened?

15 A I was able to dig down maybe two feet and I  
16 hit rock so I was unable to make a deep enough hole.

17 Q What did you decide to do then?

18 A I wanted to get the bodies away from the  
19 house. I didn't want [REDACTED] being exposed to all the  
20 blood and the bodies and the smell, so I attempted to  
21 put them in the van.

22 Q And is this that silver van that you had said  
23 you moved from the west garage to the east garage?

24 A Yes.

25 Q How were you able to move them into the back

1 of the van?

2 A It was difficult to move them, so I used some  
3 rope that I had found.

4 Q Before you started utilizing the ropes, did  
5 you first try moving Margaret Brown using an extension  
6 cord?

7 A Yes.

8 Q And was there a problem moving her with an  
9 extension card?

10 A Yes. Her arms kept moving and it was hard to  
11 move her.

12 Q Did you ever drop her loading her into the  
13 van?

14 A Yes.

15 Q Explain that.

16 A As I was trying to load her into the van, I  
17 dropped her a couple of times.

18 Q And is that where the pool of blood was?

19 A Yes.

20 Q And did you try using zip ties?

21 A Yes. I used zip ties to hold her hands  
22 together just so she wouldn't -- wasn't moving as I was  
23 pulling her.

24 Q Did you use one zip tie?

25 A I used three.

1 Q Was one not big enough?

2 A It was just to hold them together.

3 Q So each hand with a zip tie and one zip tie in  
4 the middle?

5 A Yes.

6 Q And were those in front of her or behind her  
7 back?

8 A Behind her back.

9 Q Did that seem to help?

10 A Yes.

11 Q What did you use to move the other bodies?

12 A I used the rope.

13 Q And did that work better?

14 A Yes.

15 Q Did you use the dolly that was in the  
16 photographs in some way?

17 A Yes. I used the dolly to make like sort of  
18 incline so I could pull them into the van.

19 Q Okay. So what door of the van did you use?

20 A The backdoor.

21 Q Okay. So you put all -- what did you do with  
22 the seats?

23 A I put the seats down.

24 Q And tell us -- you said you used the dolly as  
25 an incline?

1 A Yes.

2 Q And you put the bodies on the dolly?

3 A Yes.

4 Q Okay. Then what did you do with the dolly?

5 A I put the dolly on the back of the van where  
6 you step into it and was able to use that as -- like a  
7 leverage.

8 Q Did you grab the bodies just like your hands  
9 and your chest to their chest or did you use anything  
10 else?

11 A I just used the rope and just pulled them onto  
12 the dolly and just slide them up.

13 Q Where did you put the rope?

14 A The rope was around their midsection.

15 Q When you moved the bodies was [REDACTED] awake or  
16 asleep?

17 A [REDACTED] was sleeping.

18 Q What time of day was this?

19 A It was late, two in the morning.

20 Q Why not bury the bodies?

21 A I couldn't. It was just impossible.

22 Q The location where you took the bodies, why  
23 was it so close to the house where you lived?

24 A I didn't know where to go. I didn't know what  
25 to do with them. So -- I didn't want to leave [REDACTED]

1 alone for a long period of time, so I just picked a  
2 random spot.

3 Q And why was it so close to the road?

4 A I don't know. It was just a spot to -- I just  
5 wanted the whole experience to be over with. The whole  
6 experience was very disturbing to me and it was just,  
7 you know, very disturbing. So I just dropped them off  
8 on the side of the road.

9 Q Was it difficult moving the bodies?

10 A Yes.

11 Q Why?

12 A Just the experience of moving dead people and  
13 they were --

14 MR. SARABIA: Objection, Judge, relevance.

15 MR. VIZCARRA: It just explains, Judge.

16 THE COURT: I'm sorry?

17 MR. VIZCARRA: Explains.

18 THE COURT: Explains what?

19 MR. VIZCARRA: Where he put them.

20 THE COURT: That's not the question you asked.

21 So I'll sustain the objection. You can reask the  
22 question.

23 MR. VIZCARRA: Okay.

24 Q (By Mr. Vizcarra) Explain to me why you put  
25 those bodies in a place so close to where you lived and

1 so close to the road.

2 A I just wanted to get it over with and just get  
3 them away from the house so [REDACTED] wouldn't be exposed  
4 to them.

5 Q Okay. And in the situation that they were in,  
6 was it difficult to handle those bodies --

7 A Yes.

8 Q -- and to move them long distances?

9 A Yes.

10 Q Okay. This may sound like a strange question,  
11 but let me ask you anyway. Did you ever use the ropes  
12 on anyone that was alive?

13 A No.

14 Q Did you ever use the zip ties on anyone that  
15 was alive?

16 A No.

17 Q Did you ever cover anyone's face while they  
18 were alive?

19 A No.

20 Q Did you ever use duct tape on anyone while  
21 they were alive?

22 A No.

23 Q When you used the ropes, the zip ties, the  
24 garbage bags or the duct tape, were the people dead or  
25 alive?

1           A     They were dead.

2           Q     How was [REDACTED] doing at this point from your  
3 perspective a couple days later?

4           MR. SARABIA:  Objection, Judge, relevance.

5           THE COURT:  Sustained.

6           Q     (By Mr. Vizcarra)  The reason you did this  
7 late at night and so close, did that have anything to do  
8 with your son?

9           MR. SARABIA:  Objection, Judge, relevance.

10          THE COURT:  Sustained.  Asked and answered.

11          He's already answered that question.

12          Q     (By Mr. Vizcarra)  Let's talk about moving  
13 Megan's truck.  About when did you do that?

14          A     I believe it was maybe Friday.

15          Q     A couple days -- a day or two after this  
16 incident --

17          A     Yes.

18          Q     -- where you had to defend yourself, right?

19          A     Yes.

20          Q     And how did you do it?

21          A     I used my bike to get to her vehicle.  And I  
22 put my bike in the trunk and drove the vehicle back to  
23 the house.

24          Q     Where was it, --

25          A     I parked --

1 Q -- her vehicle?

2 A When I found it?

3 Q Yeah.

4 A It was at the Fisherman's Shack.

5 Q How far away is that from your home?

6 A About a mile.

7 Q Did you come back right away?

8 A Yes.

9 Q Speaking of moving things, you heard about  
10 some things being in the garage with blood on them,  
11 right?

12 A Yes.

13 Q Did you move anything from upstairs to  
14 downstairs?

15 A I moved a few items from the room to the  
16 garage.

17 Q Was one of those the mattress?

18 A Yes.

19 Q And I'm talking about the mattress in yours  
20 and Megan's room.

21 A Yes.

22 Q Tell us what you did with that mattress.

23 A I moved it to the garage and I cut the topping  
24 off because there was blood all over it and I didn't  
25 want people seeing it when I put it on the curb.



1 Q Okay. Furniture or some wicker baskets,  
2 anything like that, did you move that downstairs?

3 A Yes.

4 Q Any other things?

5 A Just trash bags.

6 Q Did you spray out the blood in the garage?

7 A Yes.

8 Q Why?

9 A There was a lot of blood and I just didn't  
10 want [REDACTED] being exposed to it, so I sprayed it with  
11 the hose.

12 Q Did you try to clean up the bloody mess  
13 upstairs?

14 A I tried to do the best I could.

15 Q Why?

16 A I didn't want [REDACTED] being exposed to any of  
17 it.

18 Q Did you fill up a bunch of trashcans and leave  
19 them on the curb?

20 A Yes.

21 Q Did they pick up some of the trash?

22 A Yes.

23 Q Why didn't you put all the trash on the curb?  
24 Why was some of it still in the garage?

25 A At that point I just figured that it was

1 pointless. At that point I wasn't trying to clean up  
2 anymore. I just -- I knew that, you know, it was only a  
3 matter of time before someone found out, so I just  
4 stopped trying to clean up.

5 Q What kind of cigarettes do you smoke?

6 A Camel Menthol.

7 Q And how about Megan?

8 A Camel Menthol.

9 Q And how about Greg Brown?

10 A Marlboro Lights.

11 Q Mr. Matos, let's go back to how you met Megan  
12 Brown and found out that you were [REDACTED] father.

13 Okay?

14 MR. SARABIA: Objection, Judge, relevance.

15 THE COURT: Approach.

16 (BENCH CONFERENCE.)

17 THE COURT: How is any of this relevant?

18 MR. VIZCARRA: Judge, it explains how he got  
19 here. It explains the background with these  
20 people.

21 THE COURT: How is any of that relevant?

22 MR. VIZCARRA: I'm sorry?

23 THE COURT: How is any of that relevant?

24 MR. VIZCARRA: He, as in the opening --

25 THE COURT: I don't care what Mr. Michailos

1       said. It's not -- they didn't object to it. It's  
2       not evidence. Why is it relevant? He's here.  
3       He's already testified ██████████ his child and he  
4       had a relationship with Megan, that they came from  
5       Pennsylvania. So anything other than that is not  
6       relevant.

7               MR. VIZCARRA: It's relevant because the State  
8       makes a big deal about his motive to kill these  
9       people. I think Mr. LaBruzzo argued or talked  
10      about transferred intent as part of their theory.  
11      There was no motive to these people. He loved them  
12      like family. He helped them get down here. There  
13      is --

14             THE COURT: I never heard anything about  
15      transferred intent. I don't who understand what  
16      you're saying.

17             MR. VIZCARRA: Their theory is that he killed  
18      them because he was mad at Megan and he was not  
19      allowed back in the residence. So that was the  
20      whole motive for going back and killing them.

21             THE COURT: Right.

22             MR. VIZCARRA: He had a background with these  
23      people. He helped them come down.

24             THE COURT: We've already heard --

25             MR. VIZCARRA: This is part of our theory that

1 destroys their motive. And it also sets up the  
2 rest of the evidence as far as him not having a  
3 premeditation to kill these people.

4 It is relevant, Judge. It indicates his  
5 relationship to these people. It also clears up  
6 the fact that his son's name is different than his.

7 THE COURT: Okay. So it will be sustained  
8 because you have yet brought in any relevance.  
9 There's already been testimony that he came down  
10 with them, that he helped them moved in. He's  
11 already testified to that.

12 MR. VIZCARRA: We're entitled to put that on  
13 too.

14 THE COURT: Your question that you just asked  
15 is not relevant nor admissible. How he found out  
16 he's the father, what relationship he had with  
17 Megan in '09 when this happened in 2014 is  
18 sustained.

19 MR. VIZCARRA: And, Judge, I'm sorry, if I  
20 could on the record, they moved down two months  
21 prior to the incident.

22 THE COURT: I understand. But you asked him  
23 how -- in opening he went to 2009. We're not going  
24 back there. If you want to ask, did you help them  
25 move down, sure.

1 MR. VIZCARRA: I'll add that to my proffer,  
2 Judge.

3 THE COURT: I don't care. You can proffer  
4 anything you want. Sustained.

5 (OPEN COURT.)

6 THE COURT: That will be sustained.

7 Q (By Mr. Vizcarra) Tell us what your thoughts  
8 were when you found out that Megan Brown was pregnant  
9 with your child.

10 MR. SARABIA: Objection, Judge. Relevance.

11 THE COURT: Sustained.

12 Q (By Mr. Vizcarra) Why is [REDACTED] name

13 [REDACTED]

14 MR. SARABIA: Objection, Judge. Again,  
15 relevance.

16 THE COURT: Sustained.

17 Q (By Mr. Vizcarra) Did you have a long bond  
18 with [REDACTED]

19 A Yes. We had a very close bond.

20 Q Describe that bond between the two of you.

21 MR. SARABIA: Objection, Judge. Relevance.

22 THE COURT: I'll allow a little latitude on  
23 that. That's fine.

24 THE DEFENDANT: We have a wonderful bond  
25 between father and son. It's the best experience

1 I've ever had.

2 Q (By Mr. Vizcarra) Tell us about your  
3 relationship with Megan.

4 A We were happy.

5 Q Had she always treated you well?

6 A Not always.

7 Q Were there times when she would ask you to  
8 watch [REDACTED]

9 A Yes.

10 Q Did you always make time to be a father to  
11 him?

12 A Yes. I try to make as much time as possible  
13 for [REDACTED]

14 Q Did at some point she tell you that her  
15 parents were moving to Florida?

16 A Yes.

17 MR. SARABIA: Objection, Judge. Relevance.

18 THE COURT: That's fine.

19 THE DEFENDANT: Yes.

20 Q (By Mr. Vizcarra) And did she ask you to go  
21 with her and [REDACTED] and her parents to Florida?

22 A Yes.

23 Q Did she ask you to help move furniture because  
24 of her dad's bad back?

25 A Yes.

1 Q And did your family and friends try to  
2 discourage you?

3 A Yes.

4 Q Did you, in fact, try to convince her to stay  
5 in Pennsylvania?

6 A Yes.

7 MR. SARABIA: Objection, Judge. Relevance.

8 THE COURT: Sustained.

9 Counsel, as I previously ruled, you can talk  
10 about the move itself; everything else is  
11 irrelevant.

12 MR. VIZCARRA: Can I approach very briefly? I  
13 don't want to --

14 THE COURT: Sure.

15 (BENCH CONFERENCE.)

16 MR. VIZCARRA: Judge, this all goes to the  
17 nature of their relationship. And I wanted to ask  
18 before I got into it what was her -- I'm sorry.  
19 Did you have court ordered visitation with [REDACTED]

20 THE COURT: That will be sustained.

21 MR. VIZCARRA: Okay. So I'm not going to go  
22 into that. Okay. Thank you.

23 THE COURT: Matter of fact, we sustained that  
24 early on in this trial and I ruled it's irrelevant.  
25 He was there. Obviously he had -- you keep calling

1 it visitation; he was living in the household.  
2 There's no visitation agreement. They were all  
3 living there. We're going to move on.

4 MR. SARABIA: And, Judge, if he plans to go  
5 into stuff subsequent to the arrest, we're -- the  
6 adoption and everything, we're objecting to  
7 relevance of that as well.

8 THE COURT: Yeah. We're not going into the  
9 adoption.

10 MR. VIZCARRA: Okay.

11 THE COURT: What he did afterwards -- [REDACTED]  
12 has no relevance here. I know that you want to  
13 make this a feature of your case, but the problem  
14 is is that it's all after the murders, and how he  
15 relates to [REDACTED] -- they've let a lot of it in --  
16 it's not relevant. It's not admissible. So we're  
17 going to move away. If you ask one more question  
18 about how he feels about [REDACTED] and his  
19 relationship with [REDACTED] after these murders, I'm  
20 going to sustain every single one of them. Okay?

21 MR. VIZCARRA: I appreciate -- I appreciate  
22 you making that clear.

23 THE COURT: Premeditation and the murders, you  
24 want to go into it if we get into a second phase,  
25 have at it. This is first phase. And you're



1 really trying -- you're pushing the boundaries  
2 here. The State hasn't objected. It's not my  
3 place to get involved. If they're going to start  
4 objecting every single time, and I'm going to  
5 sustain it every single time. So your relationship  
6 with [REDACTED] after these murders occurred is not  
7 relevant. So we're going to move on.

8 MS. GARRETT: Your Honor, if I may while we're  
9 addressing it to make sure it's on the record; does  
10 that mean -- my understanding is the State's not  
11 going to be going into the whereabouts and care of  
12 [REDACTED] following --

13 THE COURT: Hold on. You guys already went  
14 into that. What I'm saying is about the adoption  
15 and him going on the boat and he did it because of  
16 [REDACTED] They haven't objected, so they have a  
17 right to cross on that. But their question is is  
18 that he, in opening Mr. Michailos went into the  
19 adoption. It's not irrelevant. It's not  
20 admissible. So whether the State's going to cross  
21 on where [REDACTED] was when he was in the bar, you  
22 brought it up, they can cross on that. I'm not  
23 limiting that. But anything afterward, they're not  
24 going to be able to go into.

25 You've already got in the record that he was

1 sleeping or he was in his room when all of this  
2 occurred. We're past that. We're at the part  
3 where we're burying bodies. So I assume that we're  
4 past that. But the State can cross because you've  
5 put it in. So -- but I'm saying anything past  
6 this, where we are, we're done. We're over. You  
7 know, whether he had been adopted, those kinds of  
8 things, they may ask him about why he wanted him to  
9 go live with his mother or his father in  
10 California. I don't know. But that's on the tape.

11 So all I'm saying is we've gotten in all this  
12 stuff we're getting into on [REDACTED] But they can  
13 cross on whatever's been in. So we'll move along.

14 Okay?

15 (OPEN COURT.)

16 THE COURT: Counsel, move along.

17 MR. VIZCARRA: Thank you.

18 Q (By Mr. Vizcarra) When -- what was yours and  
19 Megan's plan when you got to Florida?

20 A To --

21 MR. SARABIA: Objection, Judge. Relevance.

22 THE COURT: I'll allow it.

23 THE DEFENDANT: She wanted to start going to  
24 nursing school and we had plans of getting married.

25 Q (By Mr. Vizcarra) If [REDACTED] was not going to

1 Florida, would you have gone to Florida?

2 A No.

3 MR. SARABIA: Objection, Judge. Relevance.

4 THE COURT: Overruled.

5 Q (By Mr. Vizcarra) Before moving to Florida in  
6 July of 2014, did you purchase a gun or a pistol?

7 A No.

8 Q Did you own one?

9 A No.

10 Q Ammunition?

11 A No.

12 Q A gun case?

13 A No.

14 Q How about when you got to Florida?

15 A No.

16 Q None of those?

17 A No.

18 Q Did Margaret Brown -- did you-all have an  
19 agreement to pay rent before moving to Florida?

20 A Yes.

21 Q How much?

22 A 740.

23 Q Before moving to Florida?

24 A Before, it was around 500.

25 Q Okay. Did it change after you moved down

1 here?

2 A Yes.

3 Q What was it?

4 MR. SARABIA: Objection, Judge, as to the  
5 relevance.

6 THE COURT: Sustained.

7 Q (By Mr. Vizcarra) Did Megan start to change  
8 once she started working at the Fisherman's Shack?

9 A Yes.

10 MR. SARABIA: Objection, Judge. Relevance.

11 THE COURT: Overruled.

12 Q (By Mr. Vizcarra) I'm sorry?

13 A Yes.

14 Q And did she ever tell you that she was going  
15 to see other men?

16 A No.

17 Q Did you ask her if she was seeing other men?

18 A Yes.

19 MR. SARABIA: Objection, Judge.

20 THE COURT: Approach.

21 (BENCH CONFERENCE.)

22 MR. VIZCARRA: It goes to state of mind,  
23 Judge.

24 THE COURT: To what?

25 MR. VIZCARRA: And the nature of their

1 relationship.

2 THE COURT: What does the nature of their  
3 relationship have anything to do with anything?

4 MR. VIZCARRA: When he came back --

5 THE COURT: You've already told all that.  
6 Hold on. Let me make this perfectly clear: You  
7 already went into his comments with Nicholas  
8 Leonard and his conversation with Nicholas Leonard  
9 and that she was seeing Nicholas Leonard or maybe  
10 she wasn't seeing Nicholas Leonard. So why are  
11 we -- you're rehashing what he's already testified  
12 to.

13 MR. VIZCARRA: I'll keep moving on.

14 THE COURT: All right. So it's not even not  
15 relevant, it's --

16 MR. SARABIA: Hearsay too.

17 THE COURT: It's hearsay and it's also asked  
18 and answered. You've already been over it. We're  
19 not going over it again.

20 (OPEN COURT.)

21 THE COURT: I'll sustain the objection as  
22 asked and answered. We're going to move along.

23 Q (By Mr. Vizcarra) On August 28, 2014, before  
24 5:30 A.M., how did you feel about Nicholas Leonard?

25 A I didn't feel any type of way.

1 Q How about Megan Brown?

2 A I loved her.

3 Q How about Greg Brown?

4 A I loved him like he was a father to me.

5 Q How about Margaret Brown?

6 A I loved her like she was a mother.

7 Q How about [REDACTED]?

8 A I love him very much. He's my world. He's  
9 all I have left.

10 Q Let's talk about how you felt on August 28,  
11 2014. I asked you before August 28th how you felt, but  
12 how did you feel when Nicholas Leonard had his hands on  
13 your neck?

14 A I felt like I was going to die.

15 Q How about when he reached for his gun in his  
16 pocket?

17 A I felt like he was going to kill me.

18 Q Same questions for Gregory Brown.

19 A Yes. I felt he was going to kill me.

20 Q How about Megan Brown in that master bedroom?

21 A I felt like she was --

22 MR. SARABIA: Objection, Judge. Asked and  
23 answered.

24 THE COURT: Overruled. Go ahead.

25 THE DEFENDANT: I felt like she was going to

1           kill me as well.

2           Q       (By Mr. Vizcarra) How about when she yelled,  
3 "Shoot him"?

4           A       I felt like I was going to die.

5           Q       How about when you heard the dogs barking and  
6 someone's in the garage about to walk upstairs?

7           A       I felt like I was going to die.

8           Q       How about when you realized it was Margaret  
9 Brown?

10          A       I later realized that she wasn't a threat to  
11 me.

12          Q       How did you feel then?

13          A       I felt horrible. Just disgusted.

14          Q       Mr. Matos, why didn't you call law enforcement  
15 right after the incident with Nicholas Leonard, Megan  
16 Brown and Greg Brown?

17          A       I was scared that the police would try to  
18 shoot me if they found out that I just killed those  
19 people.

20          Q       Any other reasons why you didn't call law  
21 enforcement right after that?

22          A       I was in fear for my life. I was -- I was  
23 scared. I was -- just I lost my mind.

24          Q       Why didn't you call law enforcement right  
25 after the incident with Margaret Brown?

1           A     I felt like, you know, my life was still in  
2 danger and I was scared that if I was to call the cops  
3 that they might put ██████ in harm's way.

4           Q     Why did you lie to the police and tell them  
5 that you never returned to the house after the incident  
6 on the morning of August 28, 2014?

7           A     I didn't want to lose ██████ I felt like  
8 they wouldn't believe me.

9           Q     Why did you lie to the reporter and tell them  
10 you never returned to the house after the incident on  
11 the morning of August 28, 2014?

12          A     The same reason, I didn't want to lose  
13 ██████ He's all I have and I felt like if I was to  
14 share that information at that time that I would be  
15 putting myself in danger.

16          Q     It's been three years since then. It's been  
17 two weeks of testimony. Why are you saying this now?

18          A     I just want my chance to get the truth across  
19 to the jury and the Court and tell the truth, the story  
20 that really happened and share with you the story that  
21 the State is trying to hide from you.

22          Q     Mr. Matos, let's talk about September 4, 2014.  
23 You said it was August 28, 2014, when you were forced to  
24 defend yourself at your house?

25          A     Yes.



1 Q Now, the days rolled by. The 29th, Friday;  
2 Saturday, the 30th; Sunday, the 31st; Monday, the 1st;  
3 Tuesday, the second; Wednesday the 3rd; now September 4,  
4 2014, a week later, had you be at 7719 Hatteras Drive  
5 pretty much the whole time?

6 A Yes.

7 Q Had you booked a flight?

8 A No.

9 Q Anything out of state? Out of the country?

10 A No.

11 Q You had access to the blue truck, right?

12 A Yes.

13 Q You had access to Megan's Blazer?

14 A Yes.

15 Q You had an RV in the driveway?

16 A Yes.

17 Q On the morning of September 4, 2014, the  
18 police, specifically a deputy for the Pasco County  
19 Sheriff's Office, drives up, parks their car and knocks  
20 on the front door, right?

21 A Yes.

22 Q Are you home then?

23 A Yes, I was.

24 Q Do you see him?

25 A Yes. He was at the front door. I could see

1 him from [REDACTED] room where I was sleeping.

2 Q Did you hear him?

3 A I heard him knocking at the door, yes.

4 Q What did you see him do?

5 A He walked back down the steps and I believe he  
6 went into the garage.

7 Q What did you tell your son [REDACTED]

8 A I told [REDACTED] to wake up and get dressed.

9 Q What did you guys do?

10 A We packed a bag of just a few things and we  
11 exited out of the garage pool area.

12 Q Where did you guys go?

13 A We walked behind a neighbor's house towards  
14 the west end of the street and we stood behind an empty  
15 house until it got dark.

16 Q Were you walking close to the canal?

17 A Yes.

18 Q Why did you wait from August 28th to September  
19 4th to leave your house?

20 A I don't know. I had nowhere to go. I just  
21 wanted to stay with [REDACTED] and make sure that he was  
22 taken care of and I didn't want to abandon him. So -- I  
23 had nowhere else to go.

24 Q And you waited until law enforcement knocked  
25 on the door before you left?

1           A     Yes.

2           Q     Please tell us what you guys, you and [REDACTED]  
3 did to get from 7719 Hatteras Drive to the Floridan  
4 Hotel in Tampa, Florida. Take your time.

5           A     Once it got dark, we walked to the end of the  
6 street to the cul-de-sac and I found a canoe that was on  
7 the dock. And we both got into the canoe and we went  
8 across the canal to the next neighborhood across the  
9 way. And we walked a few blocks and there was a house  
10 by the canal and there was a bench to sit on by the  
11 water. And we just looked at the boats. And [REDACTED]  
12 laid down and laid his head on my lap. He was about to  
13 fall asleep, so I wanted to get him somewhere  
14 comfortable where he could sleep and get something to  
15 eat. And I didn't want him sleeping in the street like  
16 that so I called a taxi. The taxi picked us up. And we  
17 went to a gas station or a store that was called Circle  
18 K. We just bought some snacks, some drinks, and we went  
19 to Tampa to the bus station. That's where we got  
20 dropped off. And I asked the guy there if there was any  
21 buses going out; he said no. So we left and we went to  
22 a hotel around the corner. There was a man in the  
23 street that approached us and he offered to walk us --  
24 walk us to the hotel. And we checked in at the hotel  
25 and we got a room.

1 Q Did you have a reservation?

2 A No.

3 Q How did you pay?

4 A Cash.

5 Q At this point I want to ask you about weapons  
6 and guns. Did you have any guns with you?

7 A No.

8 Q You said you got rid of all the guns and  
9 weapons.

10 A Yes.

11 Q The Kel-Tec pistol that Nick was trying to  
12 shoot you with?

13 A I threw it in the canal.

14 Q The rifle that Greg tried you to shoot you  
15 with?

16 A The I threw those in the canal as well.

17 Q That's the one that jammed?

18 A Yes.

19 Q How about the one he was trying to shoot you  
20 with in the closet?

21 A I threw it in the canal.

22 Q All the other riffles and shotguns?

23 A All in the canal.

24 Q Ammo?

25 A In the canal.

1 Q Something about a crossbow or a compound bow?

2 A That went in as well.

3 Q How about the hammer?

4 A In the canal.

5 Q And a knife?

6 A The canal.

7 Q When you went into the canoe and put [REDACTED]  
8 in there and rode it across the canal, did you have any  
9 weapons on your person --

10 A No.

11 Q -- or in your property?

12 A No.

13 Q Did you end up eventually checking into the  
14 Floridan Hotel?

15 A Yes.

16 Q Okay. And when you were in Tampa with  
17 [REDACTED] did the police play some kind of rouse to make  
18 you come out of your hotel room?

19 A Yes, they did.

20 Q And tell me about that.

21 A I woke up --

22 MR. SARABIA: Objection to the relevance.

23 THE COURT: I'm sorry?

24 MR. SARABIA: Objection to the relevance.

25 THE COURT: Overruled.

1 THE DEFENDANT: I woke up at 5:00 in the  
2 morning to a phone call from the front desk. The  
3 man said that I had to change rooms because the  
4 electricity wasn't working in that section of the  
5 hotel.

6 So I woke up and I told him it wasn't  
7 necessary, we were going to check out soon, but he  
8 insisted that I come down and switch rooms. I woke  
9 up and I told [REDACTED] that everything was going to  
10 be okay, that I probably wasn't coming back. So I  
11 just wanted him to know that everything was going  
12 to be okay and that I love him very much. I told  
13 him that I was sorry that things didn't go the way  
14 we planned it to be.

15 MR. SARABIA: Objection to the relevance of  
16 this, Judge.

17 THE COURT: Sustained. Unresponsive.

18 MR. SARABIA: Unresponsive.

19 THE COURT: I don't believe that's the  
20 question you asked, Counsel, so we'll move on.

21 Q (By Mr. Vizcarra) Tell us what you did with  
22 [REDACTED] just what you did.

23 A I just gave him a hug, a kiss on the cheek and  
24 left the room.

25 Q And then what did you do?

1           A     As I left the room, I could see something move  
2 in my peripheral and it was black. And at that point I  
3 felt like I was in danger. I didn't know what was  
4 waiting at the end of that hallway considering the  
5 situation that I was in. So I approached with caution.  
6 And as I reached the end of the hallway, I put my hands  
7 up. And when I got to the end of the hallway, there was  
8 maybe 30 or more people in black clothing with weapons  
9 pointed at me and I surrendered. They tackled me to the  
10 floor and one of them punched me in the back of the head  
11 as he was cuffing me.

12                 MR. SARABIA: Objection, Judge, as to the  
13 relevance.

14                 THE COURT: Sustained. Unresponsive.

15                 Again, Mr. Matos, if you could answer the  
16 question that's asked. I don't believe any of that  
17 was asked.

18                 So stepped out and he was arrested. Let's  
19 move on.

20                 MR. VIZCARRA: Okay.

21           Q     (By Mr. Vizcarra) Did you give up peacefully?

22           A     Yes, I did.

23           Q     Let's talk very briefly -- hold on a second.

24                 MR. VIZCARRA: Can I have just a moment,  
25 Judge?

1 THE COURT: You may.

2 MR. VIZCARRA: Thank you.

3 Q (By Mr. Vizcarra) Just a few more questions.  
4 I'm not sure I got out all of that information about the  
5 bullets. I want to talk to you about that.

6 Two shots went off in yours and Megan's room.

7 A Yes.

8 Q You're not sure if that one bullet entered  
9 Nick or not, right?

10 MR. SARABIA: Objection, Judge. Leading.

11 THE COURT: Sustained.

12 Q (By Mr. Vizcarra) What happened to that  
13 bullet that went through the hall -- I'm sorry -- the  
14 wall of the door?

15 A It was found by the police in the driveway.

16 Q What happened to that other bullet, that  
17 second shot that you had? Did you find that?

18 A I found it behind the bed.

19 Q Okay. The two bullets where you shot Greg  
20 Brown in the master bedroom, did you find any of those  
21 bullets?

22 A I found one on the floor. I believe I threw  
23 it away.

24 Q Okay. The other one?

25 A I believe it was recovered with Gregory.



1 Q And then the one about Megan that hit the  
2 wall, did you ever recover that one?

3 A No.

4 Q The last thing I want to talk to you about is  
5 premeditation and planning.

6 Mr. Matos, did you plan that when you returned to  
7 7719 Hatteras Drive that Nicholas Leonard would be  
8 there?

9 A No.

10 Q Did you plan that he would have parked his car  
11 across the street?

12 A No.

13 Q That he would have armed himself with a  
14 Kel-Tec pistol?

15 A No.

16 Q Put a knife on the dresser?

17 A No.

18 Q How about the dogs barking when you got to the  
19 top of the stairs, was that planned?

20 A No.

21 Q Did you plan for him to be hiding, putting his  
22 hands on your throat?

23 A No.

24 Q Did you plan for him to try to shoot you?

25 A No.

1 Q Did you plan that you would fight for your  
2 life?

3 A No.

4 Q Did you plan that Greg Brown would point his  
5 Winchester rifle at you?

6 A No.

7 Q That the gun would jam?

8 A No.

9 Q Did you plan that he would go to his closet  
10 and get another rifle?

11 A No.

12 Q Did you plan that you would have Nicholas  
13 Leonard's gun to shoot him with?

14 A No.

15 Q Did you plan that you would shoot Megan in the  
16 master bedroom?

17 A No.

18 Q Did you plan on how you would feel after being  
19 attacked to your home?

20 A No.

21 Q Did you ever plan on killing Margaret Brown,  
22 [REDACTED] grandmother?

23 A No.

24 Q Was it part of your plan before August 28,  
25 2014 to sell all the stuff on Craigslist and order

1 pizzas?

2 A No.

3 Q Did you plan on having to buy a shovel at  
4 Wal-Mart to try to bury the bodies?

5 A No.

6 Q Did you plan on dropping Margaret Brown as you  
7 were loading her into the van?

8 A No.

9 Q Using zip ties to bind her arms so you could  
10 load her into the van?

11 A No.

12 Q Did you plan on finding and using some old  
13 rope to move the bodies?

14 A No.

15 Q Did you plan on the location where you  
16 eventually put the bodies?

17 A No.

18 Q Had you ever scouted that location before  
19 August 28, 2014?

20 A No.

21 Q Did you ever say, "This is where I want to  
22 bury them"?

23 A No.

24 Q Did you plan on trying to put the bodies so  
25 close to the house?

1           A     No.

2           Q     So close to the road?

3           A     No.

4           Q     Waiting a week until the deputies were  
5 knocking on your door to finally leave that house at  
6 7719 Hatteras Drive?

7           A     No.

8           Q     Taking a cab to the Floridan Hotel in Tampa  
9 before August 28, 2014?

10          A     No.

11          Q     Making that pit stop at the Circle K and  
12 getting food with your son [REDACTED]

13          A     No.

14          Q     Was any of that a big premeditated part of  
15 your plan?

16          A     No.

17          Q     Did you plan on this thing ending less than 50  
18 miles from where it began?

19          A     No.

20          Q     Did you plan on having to tell your son  
21 [REDACTED] good-bye at the Floridan Hotel and never seeing  
22 him again?

23                   MR. SARABIA:  Objection, Judge, relevance.

24                   THE COURT:  Counsel, I sustained that.

25                   Sustained.  Twice.

1 MR. VIZCARRA: No more questions.

2 THE COURT: All right.

3 I assume, ladies and gentlemen, you need to  
4 use the restroom because I do. So would you like  
5 to take lunch now for an hour or do you want to  
6 just take a short restroom break so they can do  
7 cross? It's up to you all.

8 THE JURY PANEL: (Responding.)

9 THE COURT: Restroom break. All right. We'll  
10 take them in the jury room.

11 Remember, it's not over yet. Knock when  
12 you're done and we'll continue as soon as you're  
13 ready. Okay?

14 (RECESS.)

15 (OPEN COURT.)

16 (Defendant present.)

17 (Jury absent.)

18 THE COURT: Are our jurors ready?

19 THE BAILIFF: Do you want me to knock?

20 THE COURT: No. No. They'll knock when  
21 they're ready. They're very well --

22 THE CLERK: Trained.

23 THE COURT: I didn't want to say that word.  
24 They understand the rules.

25 Did the defendant use the restroom?

1 THE BAILIFF: (Nodding head.)

2 THE COURT: Okay. All right. Are we ready to  
3 go?

4 Bring the jury back in.

5 THE BAILIFF: Jury is now entering the  
6 courtroom, Your Honor.

7 THE COURT: Thank you.

8 (Jury present.)

9 THE BAILIFF: Jurors all present and seated,  
10 Your Honor.

11 THE COURT: All right. Thank you.

12 State, cross.

13 MR. SARABIA: Thank, you Judge.

14 CROSS-EXAMINATION

15 BY MR. SARABIA:

16 Q Mr. Matos, you were taken into custody by the  
17 police on morning of September 5th, 2014, right?

18 A Yes.

19 Q And you knew you were in trouble then, right?

20 A Yes.

21 Q You knew there was a problem, right?

22 A Yes.

23 Q You knew that when you passed by with the taxi  
24 there was a whole lot of police cars at the residence  
25 that you had just left with -- where four people had

1 died, right?

2 A Yes.

3 Q And Detective Cougill and Detective Kennedy,  
4 they sat down with you, right?

5 A Yes.

6 Q And they were nice to you, right?

7 A Yes.

8 Q We saw the video. They were polite. They  
9 told you you didn't have to talk to them, right?

10 A Yes.

11 Q And so you used that opportunity to tell them  
12 all the stuff you just told this jury, right?

13 A Not quite.

14 Q No. Not at all, right?

15 A No.

16 Q You told them something completely different  
17 then what you told this jury right just now, right?

18 A Yes.

19 Q And then the Tampa Bay Times requested an  
20 interview of you, right?

21 A Yes, they did.

22 Q And you thought -- you decided you wanted to  
23 do that, right?

24 A Yes.

25 Q The newspaper can't make you talk to them,

1 right?

2 A No.

3 Q And you said, "Yeah. No. I want to take this  
4 opportunity to set the record straight," right?

5 A I don't believe that was my words, but I did  
6 speak to them.

7 Q Okay. You decided you wanted to go and speak  
8 to the reporters so that you could put your side of the  
9 story out there, right?

10 A Actually they approached me and I accepted to  
11 talk to them.

12 Q You accepted to talk to them. And you knew  
13 they were going to want to talk to you about this stuff,  
14 right?

15 A Yes.

16 Q And you had another opportunity with them to  
17 set the record straight there, right?

18 A Yes.

19 Q And so you told them all the things that you  
20 just told this jury right now, right?

21 A Not quite, no.

22 Q No. Not at all, right?

23 A No.

24 Q In fact, you even tried to bring in an  
25 ex-girlfriend of Nicholas Leonard's as a possible



1 suspect here, right?

2 A Possibly. Maybe.

3 Q Possibly. Maybe. Definitely, right?

4 MR. VIZCARRA: Objection, Judge.

5 A I don't remember my exact words.

6 THE COURT: Hold on. Do we need to approach?

7 (BENCH CONFERENCE.)

8 MR. VIZCARRA: Judge, there was no -- I didn't  
9 hear any mention of an ex-girlfriend, Michelle  
10 Stinson in the videotape. That's facts not in  
11 evidence. I move for a mistrial. I don't recall  
12 that being in any of the evidence so far in this  
13 case.

14 THE COURT: You mean the evidence that we  
15 scrubbed so that the State could put it in, that  
16 evidence? Is that what you're talking about? Or  
17 are you talking about the actual interview that he  
18 gave? Is it in the actual interview that he gave?

19 MR. VIZCARRA: It is in the actual interview  
20 but not on the redacted.

21 THE COURT: Right. Because the State put it  
22 in and they didn't want to bring that in and you  
23 didn't. Your client says on direct examination,  
24 once he took the witness stand, that he lied  
25 because he was scared that they were going to kill

1 him. What he exactly said was, "I was scared that  
2 they were going to kill me in the jail." So the  
3 State has a right to cross-examine that statement  
4 now that your client has taken the stand with any  
5 and all statements that he's made, whether they've  
6 been admitted or not.

7 They were nice enough to clean up the tape for  
8 the jury. I actually had to read them an  
9 instruction about redaction. Your client took the  
10 stand and made some statements about the reason he  
11 didn't tell the police is because he thought he was  
12 in danger. Danger. So this is cross. That's what  
13 you get when you take the witness stand. So  
14 overruled. Your mistrial is denied.

15 MR. VIZCARRA: Thank you.

16 (OPEN COURT.)

17 THE COURT: The objection is overruled. If  
18 you want to reask the question, you may.

19 Q (By Mr. Sarabia) Right, Mr. Matos, is  
20 definitely you tried to cast some suspicion on an  
21 ex-girlfriend of Nicholas Leonard, right?

22 A Possibly.

23 Q Possibly. Definitely? Right? Definitely?

24 MR. VIZCARRA: Objection. Argumentative.

25 THE COURT: Overruled.

1 THE DEFENDANT: I'd have to take a look the  
2 transcripts before I answer that question.

3 Q Okay.

4 THE COURT: Defense, do you have your own copy  
5 of that?

6 MR. MICHAELOS: I don't believe I do, Your  
7 Honor.

8 THE COURT: Okay.

9 MR. SARABIA: Judge, they have a copy of  
10 the --

11 THE COURT: I know they have a copy of the  
12 whole tape. I'm just wondering if they have the  
13 copy of what you're looking at.

14 Do you want to approach the witness?

15 MR. SARABIA: Yes, Judge. May I approach the  
16 witness?

17 THE COURT: You may.

18 Q (By Mr. Sarabia) So, Mr. Matos, would you  
19 agree with me that these are statements that you made to  
20 the Tampa Bay Times highlighted in red there?

21 A (Perusing documents.) It seems to be true  
22 what I said.

23 Q Okay. And, in fact, you were educating the  
24 Tampa Bay Times that this ex-girlfriend of Nick's was  
25 causing problems for Megan, right?

1           A     She was stalking her and leaving nasty  
2 messages.

3           Q     Causing problems. In fact, you told Megan she  
4 should call the police about that?

5           A     I believe that was Megan's idea to call the  
6 police.

7           Q     Well, let's see what you said to the Tampa Bay  
8 Times. Do you recall telling the Tampa Bay Times that  
9 you told Megan, you suggested that she should be calling  
10 law enforcement about that?

11          A     Possibly.

12               MR. MICHAELOS: Improper impeachment.

13               THE COURT: Overruled.

14               THE DEFENDANT: Let me see. (Perusing  
15 documents.)

16          Q     (By Mr. Sarabia) The statement in green,  
17 right there (indicating), did you make that?

18          A     Yes. I said -- I told her to take care of it;  
19 call the cops.

20          Q     Because you thought this ex-girlfriend of  
21 Nicholas Leonard was bothering Megan, right?

22          A     It appeared that she was.

23          Q     And so your recommendation to her, per your  
24 own statement, was, "You should call the cops," right?

25          A     Yes.

1 Q Because that's what you do when you there are  
2 problems, right?

3 A Right.

4 Q You call the police so that they can assist  
5 you and handle the situation, right?

6 A Most of the time, yes.

7 Q Most of the time. Okay.

8 Now, I believe you told this jury that you fled  
9 from 7719 Hatteras Drive when Deputy Silva knocked on  
10 the door because you were afraid he was going to kill  
11 you, right?

12 A Yes.

13 Q And that when you -- you also told the jury  
14 that when you spoke with Detective Cougill and Detective  
15 Kennedy and even the Tampa Bay Times you were afraid  
16 people were going to kill you, right?

17 A Yes.

18 Q And so you decided to tell a lie, a lot of  
19 lies to them because you thought people with were trying  
20 to kill you, right?

21 A Yes.

22 Q You understand we're trying to kill you,  
23 Mr. Matos? You understand that?

24 A Yes.

25 Q That's what we're doing here through this

1 trial process, right?

2 A Yes.

3 Q But you're telling this jury that now you're  
4 being honest?

5 MR. MICHAELOS: Objection, Your Honor.

6 MS. GARRETT: Objection, Your Honor.

7 MR. MICHAELOS: Improper.

8 THE COURT: Approach.

9 (BENCH CONFERENCE.)

10 MR. MICHAELOS: Is the State insinuating here  
11 that we're here to give him the death penalty.  
12 That's what it sounded like to me.

13 THE COURT: Well, we've death certified the  
14 jury. So most certainly if the jury finds him  
15 guilty and gives him death, he could die.

16 MR. MICHAELOS: Right.

17 THE COURT: So the point I believe the State  
18 is trying to make is that his prior testimony is  
19 that when he believed that his life was in danger  
20 he lied. So the point is is that his life could be  
21 in danger because we're here on a murder case that  
22 could lead to the death penalty but now he's  
23 telling the truth.

24 So when he believed that his life was in  
25 danger, he lied. But now his life may be in danger

1           legally, so to speak, and now he's telling the  
2           truth. So overruled.

3           (OPEN COURT.)

4           THE COURT: State, you may proceed.

5           Q       (By Mr. Sarabia) Right, Mr. Matos?

6           A       What was the question again?

7           Q       Now you're telling this jury now you're being  
8 honest with them, right?

9           A       Yes.

10          Q       All right. So let's go back to August 27,  
11 2014. Megan goes to work that day, you agree?

12          A       Yes.

13          Q       Megan's doing a shift for most of the day,  
14 until about 6:00, right?

15          A       (Nodding head.)

16          Q       You agree?

17          A       Yes.

18          Q       And then after that, she's going out with  
19 friends for a large part of the night, you agree?

20          A       Yes.

21          Q       And you're home. You have to watch your son  
22 all by yourself?

23          A       Yes.

24          Q       Right?

25               And during that time period you weren't too happy

1 about that, were you?

2 A I enjoyed watching my son.

3 Q You weren't too happy about Megan being out  
4 when you thought she should be home with your son,  
5 right?

6 A No.

7 Q That's not correct? What I said is not  
8 correct?

9 A I don't understand.

10 Q All right. So you weren't upset with Megan  
11 for being out and not watching your son?

12 A I was upset that she was out late. I had to  
13 work the next day.

14 Q Well, since you brought that up, let's bring  
15 that up. You actually hadn't gone to work since  
16 August 25th. You'd stopped going by August 25th to Get  
17 Hooked, right?

18 A I don't remember the exact day, but I know I  
19 took off while they were away on the KOA.

20 Q And by August 27th, you hadn't shown up. That  
21 job was already done, right? They had already told you  
22 not to come back.

23 A They never told me not to come back.

24 Q Okay. And you'd only been working there for a  
25 week and a half, two weeks?



1           A     I can't remember the exact time, but maybe  
2 close to a month.  Maybe.

3           Q     Okay.  But you didn't actually go to work at  
4 any time after August 25th, did you?

5           A     After August 25th?  I don't believe so.

6           Q     So August 28th, you didn't go to any shift at  
7 Get Hooked, did you?

8           A     No.

9           Q     And no one was stopping you, were they?

10          A     No.

11          Q     So August 27th, you sent Megan a number of  
12 text messages, didn't you?

13          A     Yes.

14          Q     And you tried to call her a number of times,  
15 didn't you?

16          A     Yes.

17          Q     Now, all those text messages you sent her you  
18 deleted from your phone before we could get to them,  
19 right?

20          A     Yes.

21          Q     So that we couldn't read them and see what  
22 they were, right?

23          A     I normally delete my texts when I'm done with  
24 them.

25          Q     Okay.  But you would agree with me that you

1 were calling her names, you were cursing at her and you  
2 were telling her she was a bad mother, right?

3 A I don't remember exactly what I said.

4 Q Okay. Well, let's fast-forward to after you  
5 came at her with a knife. We'll talk about that in a  
6 minute. After you came at her with a knife, you  
7 continued to text her, didn't you?

8 A I believe so.

9 Q I believe when you testified in front of this  
10 jury on direct, you said that after you left you slept  
11 and smoked?

12 A Yes.

13 Q But the fact of the matter is, after you left,  
14 it was -- for a couple of hours, you kept texting and  
15 trying to call Megan Brown, right?

16 A I believe so.

17 Q Now, do you remember what you were texting her  
18 at that point?

19 A No. I don't remember.

20 Q Well, would it refresh your recollection if  
21 you read a text that Megan wrote to Jimmy Sigler about  
22 what you were texting her? Would that refresh your  
23 recollection?

24 A I don't believe so. I don't know what she  
25 texted to him.

1 Q Well, you don't know -- would it help you to  
2 read the text to see what she said you were saying to  
3 help refresh your recollection?

4 MR. MICHAELOS: Judge, objection.

5 THE COURT: Hold on. What's the objection?

6 MR. MICHAELOS: The State is trying to refresh  
7 his memory with statements made by another person  
8 that could be inaccurate. I think that's improper.

9 THE COURT: It's not improper. You can  
10 refresh somebody's recollection with anything,  
11 whether they wrote it or not. If he can tell me it  
12 does not refresh his recollection, those statements  
13 will not be read to the jury.

14 So we're not going to read them out loud,  
15 correct? We're just going to let Mr. Matos read  
16 them to himself.

17 MR. SARABIA: We'll see.

18 THE COURT: Okay. Mr. Matos, if this  
19 refreshes your recollection of what you were  
20 texting to Megan, go ahead and read that. You  
21 don't have to read it out loud. Please read it to  
22 yourself.

23 Q Read that one and then read this one  
24 (indicating).

25 A (Perusing documents.) I would say that it

1 doesn't refresh my memory because it's not what  
2 happened.

3 Q So you're saying it doesn't refresh your  
4 memory at all?

5 A No.

6 Q That doesn't help you at all what Megan was  
7 telling Jimmy Sigler you were texting her?

8 MR. VIZCARRA: Objection. Asked and answered.

9 THE DEFENDANT: I don't know what she told  
10 him. I just read those text now, so I don't know  
11 how that's refreshing my memory.

12 THE COURT: Mr. Matos, hold on. Hold on one  
13 second.

14 When your lawyer objects, you have to stop and  
15 not answer. Okay? Then there's no reason for them  
16 to object. Okay?

17 THE DEFENDANT: Okay.

18 THE COURT: So when they object, you have to  
19 stop so I can rule on that. I know this is a  
20 little complicated, but -- so when they object,  
21 just don't answer the question. Okay?

22 THE DEFENDANT: Okay.

23 THE COURT: So that's sustained. And I would  
24 have stopped him, but he answered anyway. So move  
25 on.

1 Q (By Mr. Sarabia) And, Mr. Matos, I think you  
2 testified on direct that you didn't think Nick would be  
3 around anymore, right?

4 A When?

5 Q After the knife incident, you didn't think  
6 Nick would be around anymore, right?

7 A He told me that he was done with her.

8 Q Right. You had had a conversation with him,  
9 according to you because you're the only one left alive  
10 that can tell us about the conversation --

11 MR. MICHAELOS: Improper testifying, Judge.

12 THE COURT: Overruled. Go ahead.

13 Q (By Mr. Sarabia) At 2:00 in the morning where  
14 you claim Mr. Leonard told you he was done with Megan,  
15 right?

16 A Yes.

17 Q And so you didn't expect him to be a part of  
18 that anymore, right?

19 A Yes.

20 Q Except that you were calling him after the  
21 knife incident, weren't you?

22 A Yes.

23 Q You were trying to reach him about issues with  
24 Megan, right?

25 A I just wanted to make sure that he was done

1 with her because I was going to try to see if that me  
2 and Megan could work things out.

3 Q Oh, so you weren't sure that he was done with  
4 her yet? You wanted to call him and make sure?

5 A I just wanted to make sure that he was serious  
6 about what he said. And I was going to try to work  
7 things out with Megan.

8 Q Okay. Well, in terms of the first  
9 conversation you had with Nicholas Leonard at 2:00 in  
10 the morning, that was about him telling you stop  
11 bothering Megan and making her upset, right?

12 A He said that he was going to stop talking to  
13 her.

14 Q No. He wanted you to stop trying to contact  
15 her, right?

16 A That's not what he said, no.

17 Q Okay. So you guys had a 22-minute  
18 conversation where he was just telling you he was done  
19 with her?

20 A Yes.

21 Q Now, Megan gets home the morning of  
22 August 28th, right?

23 A (Nodding head.)

24 Q She walks into Tristen's room, fair?

25 A Yes.

1 Q And you were waiting for her there with a  
2 knife, weren't you?

3 A No.

4 Q You weren't?

5 A No.

6 Q You just started yelling and arguing?

7 A We started arguing first and that's when I  
8 pulled out a knife.

9 Q So that's when you pulled out a knife. You  
10 just pulled that out of your pocket and have the knife  
11 on you, right?

12 A I believe I got it from the kitchen first.

13 Q Oh, so you walk from [REDACTED] room while all  
14 this arguing was going on over to the kitchen to  
15 specifically get a knife so you could come back and  
16 threaten Megan Brown with it, right?

17 A I was just holding it in my hand. I just  
18 wanted her to tell me the truth. I wasn't planning to  
19 use it on her.

20 Q Were you making a sandwich with it?

21 A No.

22 Q Were you cutting cheese with it?

23 A No.

24 Q So you brought it up and pointed it at Megan  
25 Brown so that she would --

1           A     I just had it --

2           Q     -- answer your questions?

3           A     I justed it in my hand.

4           Q     You just had it in your hand?

5           A     Yes.

6           Q     So you specifically went over to the kitchen  
7 to get a knife that you weren't actually using for  
8 anything and came back so you just have it in your hand  
9 while you were confronting Megan Brown about things  
10 you're upset about, right?

11          A     Yes.

12          Q     That's your testimony?

13          A     (Nodding head.)

14          Q     Okay. And you're just holding it in your hand  
15 and she felt the need to grab the knife according to  
16 you, right?

17          A     Yes.

18          Q     You never once held it up to her?

19          A     No.

20          Q     You never once put it up to her throat?

21          A     No.

22          Q     You never pointed it at her?

23          A     No.

24          Q     You never told her you were using going to use  
25 it to hurt her?



1           A     No.

2           Q     You never threatened her in any way, according  
3 to you?

4           A     No.

5           Q     But then after you've been arguing, after you  
6 go get knife, after you come back, after you don't  
7 threaten her, after she grabs the knife then [REDACTED]  
8 with wakes up, right?

9           A     Yes.

10          Q     And then when [REDACTED] wakes up, that's when  
11 you leave, right?

12          A     Yes.

13          Q     And he was upset that his mother was upset; is  
14 that fair?

15                   MR. VIZCARRA: Objection. Speculative.

16                   THE COURT: Overruled.

17          Q     (By Mr. Sarabia) Is that fair?

18          A     I think he just woke up from the noises that  
19 we were talking loud so he woke up.

20          Q     And when he woke up, he was upset, right?

21          A     He didn't seem upset. He just seemed like he  
22 was tired and we had disrupted his sleep.

23          Q     Okay. And so then you leave?

24          A     Yes.

25          Q     You get on your bike, no shirt, right?

1           A     I had a shirt on.

2           Q     You had a shirt on?

3           A     Yes.

4           Q     Okay.  And then you leave and you go find a  
5 random house to stay in the back of, right?

6           A     I just wanted to go cool off and give her some  
7 space.

8           Q     So you wanted to go take some time and cool  
9 after; is that fair?

10          A     Yes.

11          Q     And you knew that law enforcement officers had  
12 come to the house?

13          A     I seen that they were going in that general  
14 direction.

15          Q     And you know -- you knew what that was about,  
16 right?

17          A     I figured that it was because of that incident  
18 that had occurred.

19          Q     Okay.  Even though, according to you, you just  
20 went and got the knife to have it, not to threaten  
21 anybody, you knew that it was about what just happened  
22 with you and Megan, fair?

23          A     I had a good feeling that it had something to  
24 do with that.

25          Q     Okay.  And you didn't go over there and say

1 like, "Hey. Hey. I just want to clear this up. I was  
2 just holding the knife." You didn't do that, did you?

3 A No.

4 Q You didn't make try and make contact with them  
5 and say, "You know, big misunderstanding or this is what  
6 really happened. This is my side of the story." None  
7 of that, right?

8 A No.

9 Q You just stayed over there in the back of the  
10 house hiding; is that fair?

11 A Yes.

12 Q And you also know that there's a good chance  
13 that law enforcement had been there whenever they do  
14 catch you or whenever they do catch up with you that  
15 they'll arrest you; is that fair?

16 A Possibly.

17 Q So you knew that if you went back to the house  
18 and Megan doesn't want you to be there, all she has to  
19 do is call law enforcement and they're probably going to  
20 arrest you, right?

21 A Possibly.

22 Q So you just ride your bike back over there?

23 A I waited until like around 6:00, 6:30 before I  
24 went back home.

25 Q And rode your bike?

1           A     Yes.

2           Q     Where did you park your bike?

3           A     I left it on the side of the house.

4           Q     You didn't go park it in the garage where you  
5 normally do?

6           A     No.

7           Q     You didn't park it in the driveway?

8           A     No.

9           Q     You drove it on to the grass?

10          A     Yes.

11          Q     Did you go through that fenced area that  
12 surrounded that door or did you fly over it?

13          A     I believe I stepped over the fence that was  
14 for the dogs. And the door was open, so I just walked  
15 in.

16          Q     Okay. And the door, according to you, was  
17 wide open?

18          A     It was wide open, yes.

19          Q     And walk me through how this happens next. So  
20 you go up the stairs?

21          A     Yes.

22          Q     And you don't see any people?

23          A     No. Just dogs.

24          Q     Just dogs. You go over towards the two  
25 bedrooms?

1           A     Towards --

2           Q     Is that fair?

3           A     Towards my bedroom that I shared with Megan.

4           Q     Okay. And you still don't see any people?

5           A     No.

6           Q     You didn't announce yourself?

7           A     Well, the dogs were barking, so I figured that  
8 they heard that I was there. My presence was known.

9           Q     You didn't announce yourself as, "Hey. I'm  
10 back"?

11          A     I usually don't announce my presence when I  
12 come into the house, so there was no need to.

13          Q     Well, you knew there was just a substantial  
14 incident that occurred in the morning that law  
15 enforcement was there for, right?

16          A     Most likely, yes.

17          Q     So you didn't feel the need to let everybody  
18 know, "Hey. I'm just getting my stuff. I'm just come  
19 in peacefully"?

20          A     Well, that's what I was trying to do.

21          Q     But did you say that?

22          A     No. I didn't see anyone. There was no one to  
23 tell.

24          Q     Did you to try and knock on the front door or  
25 anything like of that nature, like, "Hey, guys. I want

1 you to let you know I'm here. I just want to get my  
2 stuff and say bye"?

3 A No. I didn't knock on the door.

4 Q Okay. So -- and your testimony is that as  
5 you're walking to the southeast bedroom Megan comes out?

6 A Yes. With [REDACTED]

7 Q With [REDACTED] Is she holding [REDACTED]

8 A No.

9 Q [REDACTED] walking with her?

10 A Yes.

11 Q And did she say anything to you?

12 A She just left the room.

13 Q She didn't ask you why you were there?

14 A No.

15 Q You didn't ask her what was going on?

16 A No.

17 Q You didn't tell her, "Hey. I just want to get  
18 my stuff"?

19 A No. I didn't have time to.

20 Q You didn't say, "Hey. I just want to say  
21 goodbye to [REDACTED]

22 A No.

23 Q No? You just walked past her and went into  
24 the southeast bedroom?

25 A Yes.

1 Q Now, walk me through step by step what happens  
2 next.

3 So you walk in the southeast bedroom and where  
4 exactly is Nicholas Leonard?

5 A He came from the closet area.

6 Q Please indicate where you're talking about.

7 A This would be the closet area in the room that  
8 I entered (indicating).

9 Q Was he in the closet?

10 A I couldn't tell when I entered the room.  
11 Megan was just walking out with [REDACTED] so I was  
12 looking in her direction. And Nick came out of nowhere  
13 from that area.

14 Q Okay. And Nick say anything to you?

15 A No. He just grabbed me by the neck.

16 Q Now, how tall are you, Mr. Matos?

17 A I'm about 6'2".

18 Q And you're a fairly strong guy; is that fair?

19 A I would say so, yes.

20 Q And Nicholas Leonard's about 5'9"?

21 A I believe so.

22 Q And your testimony is that he grabbed you by  
23 the throat?

24 A Yes.

25 Q What hand did he use?

1           A     His left hand.

2           Q     He use only one hand?

3           A     Yes.

4           Q     And so he grabs you with you his left hand and  
5 then what happens to you?

6           A     His right hand goes into his right pocket and  
7 he pulls out his pistol.

8           Q     He still hasn't said anything to you yet?

9           A     No.

10          Q     Did you say anything to him?

11          A     No.

12          Q     You didn't ask him, "Hey.  What are you going  
13 doing here?"

14          A     I couldn't speak because his hand was cutting  
15 off the air from my throat so I couldn't speak.

16          Q     So where are you standing when this was  
17 happening?

18          A     I was standing by the closet area.

19          Q     So you're all the way over at the closet area  
20 now?

21          A     That's where -- when I walked in, he just came  
22 out of nowhere by the closet, so that's where he grabbed  
23 me by the throat.

24          Q     So did he come to you or did you go to him?

25          A     He came to me.



1 Q So he came to you, so you're more in the front  
2 of the door area, right?

3 A Yes.

4 Q Okay. So not by the closet area. You're over  
5 near the door?

6 A By the closet area near the door.

7 Q Okay. And he grabs you with his left hand and  
8 pulls something out of his pocket with his right hand?

9 A Yes.

10 Q Then what happens?

11 A He pointed the gun at me at my chest.

12 Q And what do you do?

13 A I grabbed his wrist and I pointed the gun  
14 downwards away from me so he wouldn't shoot me.

15 Q And where are you in the room?

16 A We were between the closet and the door.

17 Q And were you effective in moving the gun away  
18 from you?

19 A At the time I was able to point it towards the  
20 floor away from my body.

21 Q And then you told him like, "Hey. Hey. I  
22 just want to get my stuff and get out", right?

23 A I couldn't speak. Again, he was still holding  
24 my throat.

25 Q You couldn't say anything?

1           A     No.

2           Q     You were unable to breath?

3           A     Yes.

4           Q     So you were choking now?

5           A     Yes.

6           Q     You were -- were you losing consciousness?

7           A     Not at that moment, no.

8           Q     Okay.  So now he's got you, what do you do  
9 next?

10          A     We struggled.  We wrestled around the room and  
11 we ended up by the dresser where I saw a knife that I  
12 was able to use to defend myself and I stabbed him in  
13 his arm.

14          Q     Okay.  Where was the knife?

15          A     It was on top of the dresser.

16          Q     It was on top of the dresser.  And you're  
17 talking about the big, tall dresser that you had moved  
18 before law enforcement had got there, right?

19          A     I believe it was still in the same spot.  It's  
20 a fairly heavy dresser.

21                 MR. SARABIA:  I'm displaying State's 161.

22          Q     (By Mr. Sarabia)  You're talking about this  
23 big dresser over here, right (indicating)?

24          A     Yes.  Yes.

25          Q     So you guys are wrestling on the ground and

1 then you reach up an get the knife on top of that  
2 dresser?

3 A We weren't wrestling on the ground. We were  
4 just wrestling around --

5 MR. MICHAELOS: Mischaracterization --

6 THE COURT: Mr. Matos, remember that part  
7 where he objects and you don't keep talking.

8 THE DEFENDANT: Sorry.

9 Go ahead.

10 MR. MICHAELOS: The objection is, Judge,  
11 Counsel's mischaracterizing evidence. Mr. Matos  
12 has not testified he's on the ground at this point.

13 THE COURT: Okay. Overruled. Mr. Matos can  
14 speak for himself.

15 Mr. Matos, you want to rephrase the question  
16 (sic)? Go ahead.

17 State, you might want to rephrase the question  
18 so he'll know he can answer it.

19 Q (By Mr. Sarabia) So you're wrestling around  
20 with Nick and then you reach up on top of that  
21 five-and-a-half foot dresser and get a knife?

22 A We were wrestling around the room. We were  
23 still standing up. But when we ended up in that corner,  
24 I noticed there was a knife on top of the dresser.

25 Q What kind of a knife was it?

1           A     It seemed to be a hunting knife.

2           Q     One of the two knives that you threw in the  
3 canal?

4           A     Yes.

5           Q     One of Greg's special hunting knives?

6           A     Yes.

7           Q     It just happened to be on top of that dresser?

8           A     Yes.

9           Q     Now, which one?

10          A     I believe it was the one with the curved  
11 point -- curved tip.

12                   MR. SARABIA:   Displaying State's 222.

13          A     No.   Not that one.

14          Q     (By Mr. Sarabia)   You agree that one has a  
15 curved tip, right?

16          A     It's more like this (indicating).   Not a hook  
17 but like a curved edge.

18          Q     State's 224 (indicating)?

19          A     That would be it.

20          Q     The antique hunting knife?

21          A     (Nodding head.)

22          Q     Now, according to you, you spent a lot of time  
23 in that room before that?

24          A     I lived in that room with Megan.

25          Q     Had you ever seen that knife in that room

1 before?

2 A No.

3 Q It just happened to be there on this occasion?

4 A Yes.

5 Q So you grabbed the knife and what do you do  
6 with it?

7 A I used it to stab Nick in his left arm.

8 Q And then what?

9 A He released his grip on my throat and I  
10 dropped the knife and I continued to get the gun out of  
11 his hand.

12 Q Okay. Did you stab him any more times?

13 A No.

14 Q So only the one time to the arm?

15 A It was about three times to the arm.

16 Q Three times in the arm?

17 A Yeah.

18 Q It wasn't -- and it was all the left arm?

19 A Yes.

20 Q At this point you're able to get his gun,  
21 right?

22 A No.

23 Q What happens next then?

24 A We continued moving around the room and we  
25 ended up falling on the bed.

1 Q And the bed, that would be the bed that was up  
2 against that window, right?

3 A Yes.

4 Q The bed that would have been right adjacent to  
5 the dresser, right?

6 A Yes.

7 Q And you're on top of Nick; is that fair?

8 A He was on top of me.

9 Q He was on top of you?

10 A Yes.

11 Q So you're on the bed and he's on top of you?

12 A Yes.

13 Q And how is he on top of you?

14 A His -- he threw his body weight on top of me  
15 when we were standing up and we fell on the bed.

16 Q You fell on the bed. Now, is he face-to-face  
17 with you?

18 A Yes.

19 Q And where's the gun?

20 A It's still in his hand.

21 Q And where is his hand?

22 A His hand is right by my face and he's trying  
23 to point it towards me but I'm keeping his hand away  
24 from me face.

25 Q And to be clear, you guys are on a mattress on

1 the floor at this point?

2 A Yes.

3 Q And then what happens?

4 A He took his fingers and he put it inside my  
5 check and started to rip at the flesh from the inside  
6 out and he said, "I'm going to rip your face off."

7 Q While you were on the bed?

8 A Yes.

9 Q And when he says that, what do you do?

10 A At that point, Megan came in the room with  
11 Gregory and she said, "Shoot him, Dad. Shoot him."

12 Q She wasn't calling 911?

13 A No.

14 Q She wasn't trying to get law enforcement?

15 A No.

16 Q All she said was, "Shoot him"?

17 A "Shoot him."

18 Q She didn't say, "Shoot at him," did she?

19 A She said, "Shoot him, Dad. Shoot him."

20 Q Did she say, "Shoot at him?"

21 A I'm assuming that she was talking about me.

22 Q Okay. But she didn't he specify, did she?

23 A No. But I did tell Greg, "Greg. Please don't  
24 shoot me, Greg. Don't shoot me." She didn't say any  
25 different.

1 Q Okay. But you are underneath Nicholas Leonard  
2 at this point?

3 A Yes.

4 Q He's on top of you?

5 A He moved at that point. When they came in and  
6 she said that, he moved out of the way but he was still  
7 pinning me down, my lower body, and I was unable to  
8 move.

9 Q So you're down and he gets up.

10 A No. He just moved over a little built to  
11 reveal my chest to Greg.

12 Q Okay. And where's his firearm?

13 A Greg's or --

14 Q Nick's?

15 A Nick's? It's still in his hand.

16 Q And he has his firearm all to himself now?

17 A It was always still in his hand.

18 Q Okay. Do you have ahold of his hand?

19 A I'm still holding his wrist.

20 Q With your right hand?

21 A I believe it was my right hand.

22 Q Okay. And so you say, "Greg, please don't  
23 shoot me"?

24 A Yes.

25 Q This is the first thing that you've said since



1 you got there?

2 A Yes.

3 Q And you don't say, "I just want to get my  
4 stuff and go"?

5 A At that point I couldn't think of anything  
6 else but to ask Greg please not to shoot me.

7 Q You still have the knife in your hand?

8 A No. The knife was dropped on the floor after  
9 I stabbed him in the arm.

10 Q Where was it dropped on the floor?

11 A Somewhere on the rug next to the bed.

12 Q Okay. Because at that point there was a big  
13 rug on that wooden floor, right?

14 A Yes.

15 Q It's the rug that you later wrapped Nicholas  
16 Leonard in and took him downstairs then, right?

17 A Yes.

18 Q The big rug that we found behind the silver  
19 van in the east garage?

20 A Yes.

21 Q Okay. So the knife falls on the floor and you  
22 say Greg misfired not just once but twice?

23 A Yes.

24 Q And then he leaves?

25 A After the shot towards Nicholas, that's when

1 he left the room.

2 Q After Greg shot towards Nicholas?

3 A After I shot towards Nicholas, that's when  
4 Greg exited the room.

5 Q Okay. So you at some point get control of  
6 this firearm?

7 A Yes.

8 Q And you shoot at Nick?

9 A Yes.

10 Q Is that the first shot that goes off?

11 A No.

12 Q Okay. How does the first shot go off?

13 A As I was pulling the gun out of his hand, a  
14 shot went off towards the wall.

15 Q Okay. And you are still on the mattress at  
16 this point?

17 A Yes.

18 Q And Nick is still on the mattress right next  
19 to you at this point?

20 A He's still pinning me down.

21 Q Okay. And we agree that the mattress was  
22 against this wall (indicating)?

23 A Yes. Right in that corner here (indicating).

24 Q Running lengthwise?

25 A Yes.

1 Q So you now have the gun, shot has gone off,  
2 Nicholas Leonard is, according to you, wounded and kind  
3 of off to the side, right?

4 A Yes.

5 Q And then -- then what happens?

6 A Gregory and Megan ran to the master bedroom to  
7 the closet that he had weapons in.

8 Q Okay. So you're in the southeast bedroom?

9 A Yes.

10 Q They go off in a different direction?

11 A Yes.

12 Q Do you agree with me that while you're in the  
13 southeast bedroom you can't see where they went, right?

14 A I could see the direction that they ran to and  
15 it seemed that they were running to the master bedroom.

16 Q Okay. And according to you, you had just been  
17 attacked, right?

18 A Yes.

19 Q People had just tried to kill you, right?

20 A Yes.

21 Q So you took this opportunity to go and run out  
22 the front door, right?

23 A No.

24 Q Because the front door is closer than the  
25 master bedroom, right?

1           A     Yes.

2           Q     You took this opportunity to go and run down  
3 the stairs to get your bike and get out of there, right?

4           A     No.

5           Q     You had your phone on you the whole time,  
6 didn't you?

7           A     I believe my phone was somewhere -- I must  
8 have had it in my pocket.

9           Q     Okay. And you agree you could have taken your  
10 phone out and call 911 and say, "Hey. I have a big  
11 problem here. People are trying to kill me", right?

12          A     I believe my phone was dead at that time.

13          Q     Okay. Well, you still could have gone out of  
14 the front door; do you agree?

15          A     I could have.

16          Q     You could have said, "Wait. Wait. Guys,  
17 everything's fine. I'm leaving. I'm just getting my  
18 stuff and saying goodbye", right? You could have done  
19 that?

20          A     Possibly.

21          Q     You didn't do that though, did you?

22          A     No.

23          Q     You pursued Greg and Megan, right?

24          A     Yes.

25          Q     You pursued them into the master bedroom,

1 right?

2 A Yes.

3 Q And were they both in the master bedroom  
4 closet?

5 A Gregory was in the closet with another weapon  
6 in his hands and Megan was in the room.

7 Q It was a different weapon now?

8 A I don't -- I couldn't tell.

9 Q Okay. So you don't know if it was a different  
10 weapon or not?

11 A It could have been a same one or a different  
12 weapon. I'm not sure.

13 Q And you go in there and he's in the master  
14 bedroom closet. You actually have to go all the way  
15 over to that closet to know that he's in the master  
16 closet, right?

17 A Yes.

18 Q So you go all the way over there to the master  
19 closet to check and see if he's there, right?

20 A Yes.

21 Q You pursue him all the way to that closet,  
22 correct?

23 A Yes.

24 Q And then he's got his back to you and you  
25 shoot him in the back, right?

1           A     Yes.

2           Q     He wasn't even facing you, right?

3           A     Not at that moment, no.

4           Q     He was facing the wall in the corner of that  
5 closet; is that fair?

6           A     He was facing the wall opposite to the  
7 entrance of the closet.

8           Q     Okay. So he didn't even know that you were  
9 there, did he?

10          A     I believe he did.

11          Q     Okay. Did you announce yourself like, "Hey,  
12 Greg. I'm here. I just want to make sure you're not  
13 getting any weapons or anything"; did you say that?

14          A     He heard me come in the room.

15          Q     Were you yelling?

16          A     No, I was not.

17          Q     Were you screaming?

18          A     No.

19          Q     So you weren't making any noise, right?

20          A     Just movements of my feet hitting the floor  
21 entering the room.

22          Q     Okay. So you believed that Greg heard you  
23 running there and still had his back turned to you as  
24 you shot him in the back from the doorway of the master  
25 closet?

1           A     As I shot him in the back, he was going to  
2 turn with his weapon in his hands.

3           Q     Okay. He goes down to the ground?

4           A     He turned around with the weapon in his hand  
5 and that's when I shot him again.

6           Q     And you shot at him in the chest this time?

7           A     In the chest.

8           Q     Two shots?

9           A     One to the chest area; one to the back.

10          Q     All right. So now you're at the doorway of  
11 the master closet?

12          A     Yes.

13          Q     Fair?

14          A     Yes.

15          Q     And you turn around and you know Greg's not a  
16 problem, right?

17          A     At that point, no.

18          Q     Well, you know he's down and shot, right?

19          A     Yes.

20          Q     But you don't know that he's not a problem  
21 apparently, fair? That's what you just said?

22                 MR. VIZCARRA: Judge, objection.

23          A     When he had the weapon in his hand --

24                 THE COURT: Hold on. Hold on.

25                 THE DEFENDANT: Sorry.

1 THE COURT: The objection is what?

2 MR. VIZCARRA: He doesn't understand the  
3 question. It's a double negative. "You don't know  
4 that he is not a problem."

5 THE COURT: Counsel, overruled. If Mr. Matos  
6 doesn't understand the question, he's on many  
7 occasions said, "I don't understand the question.  
8 Please repeat it." He can handle himself.

9 If you don't understand the question, just  
10 say, "Please repeat the question." You've done a  
11 very good job up to now.

12 You may proceed.

13 Q (By Mr. Sarabia) So you weren't sure whether  
14 or not Greg was a problem down there in the master  
15 closet floor according to you, right?

16 A I wouldn't know. He went down, so I believe  
17 that he was either dead at that point or just  
18 unconscious.

19 Q Or just unconscious?

20 A I wasn't sure.

21 Q Okay. So then Megan's hiding over in the  
22 corner, right?

23 A Yes.

24 Q That little privacy wall?

25 A Yes.



1 Q And then you shot towards that direction?

2 A Yes.

3 Q Is that fair?

4 A Yes.

5 Q And then she actually came out because that  
6 shot didn't go through a corner and then enter her left  
7 eye, did it?

8 A Yes, it did.

9 Q Oh, you're claiming that you shot through a  
10 metal corner and that it still went in and penetrated  
11 her left eye without leaving any signs of the corner  
12 there, right?

13 A It hit the wall and then it went into her eye.

14 Q The bullet hit the wall and then went into her  
15 eye?

16 A Yes.

17 Q It ricochet off the wall and then went into  
18 her eye?

19 A Yes.

20 Q You didn't stand there with the gun pointed at  
21 her hand left eye while she was saying, "Please don't.  
22 Please don't"?

23 A No.

24 Q That never happened?

25 A No.

1 Q Okay. And so Megan goes down to the ground,  
2 right?

3 A Yes.

4 Q And did you go and check on her?

5 A Yes.

6 Q Did you go and check on Greg?

7 A Not at that moment, no. I went to Megan's  
8 side to check on her and that's when -- that's when I  
9 just lost it completely.

10 Q Okay. And then you go back to Nick?

11 A Yes.

12 Q And magically there's a hammer that appears?

13 A Well, there was tools in the room, like power  
14 drills and a hammer.

15 Q In the southeast bedroom?

16 A Yes.

17 Q Where in the southeast bedroom?

18 A It was near the closet area.

19 Q Okay. So there's tools and a hammer in the  
20 closet area. So you go in there and you grab the hammer  
21 and you start beating Nicholas Leonard in the head?

22 A Yes.

23 Q And he was still moving around a little bit at  
24 that point?

25 A No. He was unconscious at that point.

1 Q Okay. You didn't call law enforcement and let  
2 them know, "Hey. There are three people here who need  
3 assistance"?

4 A No.

5 Q You didn't say, "Hey, law enforcement. Three  
6 people just tried to kill me and they need your help  
7 right now", right?

8 A No.

9 Q You didn't try to get any medical attention  
10 for Megan, you didn't try to get any medical attention  
11 for Greg, and you didn't try to get any medical  
12 attention for Nicholas Leonard, right?

13 A No.

14 Q And [REDACTED] was in the master bedroom when  
15 this happened, wasn't he?

16 A No. He was in his bedroom.

17 Q He was in his bedroom?

18 A Yes.

19 Q By himself?

20 A Yes.

21 Q Was he locked in there?

22 A I believe Megan told him to close the door.

23 Q When did that happen?

24 A It must have happened while we were in the  
25 room.

1 Q "It must have happened", did you hear it  
2 happen?

3 A No. I didn't hear it happen. But she must  
4 have told him to lock himself in the room because when I  
5 came over to the room, he was locked in there. So he  
6 must of locked himself in there.

7 Q So you're just making stuff up now.

8 A I believe that she would try to protect him  
9 and tell him to lock himself in his room.

10 MR. MICHAELOS: Objection.

11 Q (By Mr. Sarabia) You believe Megan would have  
12 done that even though you didn't hear or see any of  
13 that, right?

14 A I would believe that she would want him to  
15 protect himself by locking himself in the room. It  
16 would be the logical thing to do.

17 Q Okay. You don't think Megan would have gone  
18 and grabbed him and kept him with her and gone into the  
19 master bedroom like what actually happened?

20 A No.

21 Q Okay. So now you're -- according to you,  
22 that's around 6:30, 7:00 in the afternoon?

23 A Sometime around there.

24 Q And according to you, there were only four  
25 shots actually fired -- or five shots actually fired?

1           A     Five shots.

2           Q     Okay.

3           THE COURT: Mr. Matos, you've got to keep your  
4 voice up.

5           THE DEFENDANT: Okay. Sorry.

6           THE COURT: It's going down and down and down.  
7 That's okay.

8           Q     (By Mr. Sarabia) They were all from the same  
9 firearm?

10          A     The same firearm, yes.

11          Q     The Kel-Tec 380?

12          A     Yes.

13          Q     So 6:30, 7:00 you're there by yourself with  
14 ██████████

15          A     Yes.

16          Q     You didn't call anybody to try and help anyone  
17 there, right?

18          A     No.

19          Q     You didn't call anybody to try and make sure  
20 that ██████████ was okay through this whole thing, did you?

21          A     ██████████ was fine, so there was no need to call  
22 for help.

23          Q     And I think you said on direct you went -- you  
24 got angry at Nick because you were upset that Nick  
25 brought a weapon into the house. Those were your words,

1 right?

2 A Yes.

3 Q But you were aware there was several weapons  
4 in the house already, right?

5 A Yes.

6 Q You were aware there was several weapons  
7 already in the master closet, right?

8 A Yes.

9 Q In fact, you were aware that there were  
10 kitchen knives over in the kitchen that you could  
11 potentially use as weapons, right?

12 A Possibly.

13 Q Because that's what you had done that morning,  
14 right?

15 A Yes.

16 Q So you lived in that house for a period of  
17 time?

18 A About two months.

19 Q Right. And you knew Margaret had a job at  
20 Wawa?

21 A Yes.

22 Q You knew she worked a shift generally from  
23 3:00 to 11:00, right?

24 A Her shift changed from time to time.

25 Q Okay. But you knew that that was one of her

1 shifts, right?

2 A I wasn't aware of her shift that week. But I  
3 knew that she did work certain days of the week, but I  
4 didn't know what times exactly.

5 Q Okay. And Margaret didn't get home until  
6 about 11:30 at night, right?

7 A Sometime around there.

8 Q And so you're in the house by yourself for  
9 four, four-and-a-half hours with [REDACTED] right?

10 A Some time, yeah.

11 Q And you knew -- you knew during that time that  
12 Margaret wasn't there?

13 A Yes.

14 Q You knew that the silver van wasn't there?

15 A Yes.

16 Q So you knew Margaret was out probably at work,  
17 right?

18 A Yes.

19 Q And so then 11:30 at night you know that's  
20 probably about the time I would expect Margaret back,  
21 right?

22 A Yes.

23 Q And so Margaret comes back, and according to  
24 you you're up in the bedroom when that happens?

25 A I don't remember where I was at that time.

1 Q You don't remember where you were when you  
2 heard Margaret coming back and you were afraid?

3 A I was somewhere in the upstairs area.

4 Q Somewhere in the upstairs area. You can't  
5 narrow it down for us at all?

6 A I can't remember. My memory's a little fuzzy,  
7 a little cloudy around that time.

8 Q Okay. It sounds like you remember all the  
9 things you want to remember really well, but then  
10 there's parts you don't want to remember like text  
11 messages you sent to Megan after the knife incident,  
12 right? Is that fair?

13 A Yes.

14 MR. VIZCARRA: Objection. Argumentative.

15 A It's been a long time.

16 MR. VIZCARRA: Compound question?

17 THE DEFENDANT: Sorry.

18 THE COURT: Sustained. Compound.

19 Q (By Mr. Sarabia) So Margaret gets home and  
20 she's just coming in from work, right?

21 A I believe so, yes.

22 Q She's just walking from her van to get into  
23 the house, right?

24 A Yes.

25 Q She doesn't know any of the terrible things



1 that you have already done, does she?

2 A No.

3 Q But you arm yourself with a hammer and you go  
4 down to greet her, right?

5 A Yes.

6 Q And you didn't say, "Hey, Margaret. Don't go  
7 upstairs," do you?

8 A No.

9 Q You didn't say, "Margaret, something really  
10 bad happened I need to tell you about"?

11 A No.

12 Q Did you?

13 A No.

14 Q You didn't say, "Margaret, I'm going to leave.  
15 Have at it upstairs," did you?

16 A No.

17 Q You just greeted her by beating her head in  
18 with that hammer, right?

19 A Yes.

20 Q You agree with that?

21 A Yes.

22 Q And you had already beat Nicholas Leonard's  
23 head in with a hammer, right?

24 A Yes.

25 Q So you knew at that point what a hammer does

1 to a head when you hit somebody. How many times did you  
2 hit Margaret?

3 A I can't remember. It was a few times.

4 Q More than five?

5 A Maybe.

6 Q And you knew based on what you already did to  
7 Nick Leonard what effect that would have on Margaret  
8 Brown, right?

9 A Yes.

10 Q Now, you would agree with me that this extra  
11 bullet that you say went off in the southeast bedroom  
12 and any shell casings that would help us determine where  
13 the firearm was shot, you agree that you got rid of all  
14 of that, right?

15 A Most of it.

16 Q You removed all of that so nobody could find  
17 out exactly what you did and how you did it, right?

18 A I didn't want [REDACTED] being exposed to  
19 anything that might, you know, just make him just  
20 mentally disturbed.

21 Q Well, you would agree that there's a door to  
22 Megan's room?

23 A Yes.

24 Q And there's a lock on that door --

25 A Yes.

1 Q -- that I believe you testified on direct he  
2 couldn't reach, right?

3 A Yes.

4 Q And I think you even testified on direct that  
5 you could close the doors to the master bedroom, right?

6 A Yes.

7 Q And let's be clear, you spent a lot of time  
8 cleaning those two rooms, right?

9 A Yes.

10 Q It was not an hour or hour-and-a-half thing?  
11 You spent a lot of time of in both of those rooms  
12 cleaning up, right?

13 A I don't know how long it was, but I did spend  
14 some time cleaning it up.

15 Q You moved a lot of items out of the southeast  
16 bedroom. You spent a lot of time mopping and cleaning  
17 up pieces of Megan's brain from the floor over the  
18 course of that week, right?

19 A I don't remember picking up any parts of  
20 brain, but I did clean up the blood.

21 Q Okay. Because there was a lot more blood in  
22 that master bedroom before law enforcement got there,  
23 fair?

24 A Yes.

25 Q And you agree that all took time to do?

1           A     Yes.

2           Q     And you had to make sure [REDACTED] wasn't able  
3 to get in to those rooms during that period of time,  
4 right?

5           A     Yes.

6           Q     And that's something you could do, right?

7           A     Yes.

8           Q     And you knew how to do that, right?

9           A     Yes.

10          Q     Simple lock on the door in one of the rooms'  
11 cases?

12          A     Yes.

13          Q     So keeping [REDACTED] out of the rooms and  
14 exposed to that wasn't going to be a problem for you,  
15 was it?

16          A     At the time I wasn't sure if he would try to  
17 find a way in, so I just wanted to clean it up just in  
18 case he did find a way in.

19          Q     All right. Instead of calling law enforcement  
20 to tell them, "Hey. All this terrible stuff just  
21 happened and people tried to kill me", right?

22          A     Yes.

23          Q     So back to Margaret. You indicated that --  
24 and fair to say, with Margaret, you only beat her in the  
25 head, right?

1           A     Yes.

2           Q     The only places you beat her was about her  
3 head and face, right?

4           A     Her head.

5           Q     Okay. And it's your testimony that you put  
6 the plastic bags on her head afterwards?

7           A     After she was dead.

8           Q     After she was dead?

9           A     Yes.

10          Q     And you didn't try and call for help for her  
11 after you realized, "Oh, I just killed Margaret"?

12          A     No.

13          Q     Or, "I just hurt Margaret"?

14          A     No.

15          Q     No. You just put a bag over her head because,  
16 in your words, you didn't want to make a bigger mess,  
17 right?

18          A     I didn't want the blood getting everywhere.

19          Q     Everywhere in the garage, right?

20          A     Yes.

21          Q     Now, you didn't put a bag over Nicholas  
22 Leonard's head, did you?

23          A     No.

24          Q     And that was messier, right?

25          A     It was a little messy, yes.

1 Q And you didn't pull put a bag over Megan's  
2 head, did you?

3 A No.

4 Q And do you agree, that was pretty messy too?

5 A Yes.

6 Q And I think you testified at some point that  
7 you drop Margaret and then blood went everywhere, right?

8 A I don't know if blood went everywhere, but I  
9 did drop her.

10 Q You dropped her and then that's how we result  
11 with a pile of the pool of blood behind the silver van,  
12 right?

13 A I don't think that's where the pool of blood  
14 came from, but she did fall when I was trying to put her  
15 in.

16 Q Okay. So when you said on direct that she  
17 fell and then we ended up with all of that blood on the  
18 floor, that wasn't what you meant?

19 A I didn't say that's where the blood came from,  
20 but I did drop her.

21 Q Okay. And you'd agree with me that Margaret  
22 coming in from work, she didn't have any weapons?

23 A No.

24 Q She didn't say anything to you about, "I'm  
25 going to kill you" or "I'm going to hurt you", did she?

1           A     No.

2           Q     She didn't -- she didn't even see it coming,  
3 did she?

4           A     No.

5           Q     And she actually -- she struggled? She tried  
6 to get into the doorway of the stairwell, right?

7           A     I believe so.

8           Q     And you pulled her back into the garage and  
9 ultimately into the east garage, right?

10          A     When we were in the west garage, that's where  
11 I hit her in the head.

12          Q     Okay. Let's look at some of that.

13                 State's 37. Do you agree with me, that back wall  
14 of that area that's where you started to attack  
15 Margaret?

16          A     Somewhere in that area.

17          Q     And she's putting her hands on her head trying  
18 to figure out what just happened, right?

19          A     I don't -- I don't know. It was dark when it  
20 happened. There was no lights working in that garage.

21          Q     State's 383. She fell against that wall right  
22 there (indicating). That's her handprint and her blood?

23          A     Possibly.

24          Q     Right?

25                 And then you hit her in the head while she was

1 struggling to stay up against that wall, right?

2 A Possibly. Yes.

3 Q Not "possibly". Definitely?

4 A Most likely.

5 Q And then she's trying to make her way into the  
6 residence, right?

7 A I believe so.

8 Q And as she's trying to make her way into the  
9 residence you're pursuing her, right?

10 A Yes.

11 Q You keep hitting her with the hammer, right?

12 A Quite a few times.

13 Q State's 112. And you agree with me she was  
14 grabbing onto this doorframe right there with her bloody  
15 hands trying to prevent you from pulling her back into  
16 the garage, right?

17 A No. I don't believe so.

18 Q Those aren't her finger marks?

19 A No.

20 Q Well, those aren't your finger marks, are  
21 they?

22 A They might have been.

23 Q They might have been your finger marks holding  
24 onto the doorframe?

25 A No. They might have been my fingerprints when



1 I was cleaning up. Maybe I got blood on my hands and  
2 touched the door. I don't believe those are hers.

3 Q You held on to the doorframe like that?

4 A Possibly when I was come in up the stairs.

5 Q Okay. Well, then you drag her into the east  
6 garage; do you agree?

7 A Yes.

8 Q And she -- that's her handprint right there on  
9 the wall as you go into the east garage, right  
10 (indicating)?

11 A I don't know.

12 Q Okay. Well --

13 A It was dark when this happened, so I can't  
14 really tell what happened.

15 Q Well, she was holding onto that wall trying to  
16 keep you from pushing her into that east garage, right?

17 A I can't -- I can't tell. I really say for  
18 sure.

19 Q She was struggling with you?

20 A We had a struggle in the dark when it  
21 happened. But I don't know what parts of the wall were  
22 touched because it was dark.

23 Q She was trying to stay alive, right?

24 A Yes.

25 Q But you had a different intention there,

1 right?

2 A Yes.

3 Q You wanted to make sure she was going to die,  
4 right?

5 A At that time I felt like my life was in danger  
6 and I was so out of it that I reacted without thinking.

7 Q You thought enough to bring the hammer with  
8 you though, didn't you?

9 A I brought a weapon to defend myself.

10 Q Now, after you kill everybody in the house,  
11 fair to say that you didn't have a whole lot of money of  
12 your own, right?

13 A No. No.

14 Q You had to start selling a bunch of stuff so  
15 that you could accumulate enough money so that you could  
16 eventually leave, right?

17 A Well, I had a check, but I didn't cash it yet  
18 so I didn't have any cash. So I figured if we could  
19 give the dogs a good home to live in, we would, you  
20 know, have some money for some food for [REDACTED]

21 Q Because that was your only concern was a good  
22 home for the dogs, right?

23 A Well, I wanted to get a good home for the  
24 dogs; I couldn't care for them. And I just wanted to  
25 get money for [REDACTED] so he could have something to eat.

1 Q Okay. So you started selling a TV?

2 A Yes.

3 Q Tried to sell the entertainment center?

4 A Yes.

5 Q Tried to set sell some of Margaret's jewelry?

6 A (Nodding head.)

7 Q You tried to sell -- or you did sell a number  
8 of the dogs, right?

9 A Yes.

10 Q And people would come up and you'd tell them  
11 lies about why you're selling the dogs, right?

12 A I don't remember what I said. But I think,  
13 you know, I said we were just, you know, trying to get  
14 rid of the dogs.

15 Q Okay. And you tried to sell the Bose speaker,  
16 right?

17 A Yes.

18 Q And all this is to try and generate some cash?

19 A Yes.

20 Q Okay. If you have enough cash, then you can  
21 go somewhere else, right?

22 A Well, I didn't know where I was going to go  
23 to, but for the time being, I just wanted to have enough  
24 to survive.

25 Q And in the meantime if you clean up the scene

1 and erase any trace of Nicholas Leonard being there,  
2 maybe no one will know what you did, right?

3 A Not exactly. I was just trying to clean it so  
4 [REDACTED] wouldn't be exposed to it.

5 Q But I think we've already established you  
6 could just shut the doors in order to keep him from  
7 being exposed to it, right?

8 A Right. Well, I knew it was a matter of time  
9 before law enforcement got involved. I was just trying  
10 to stay alive and keep [REDACTED] out of harm's way.

11 Q Now, you didn't want to drive the van around  
12 too much because you knew that was Margaret and Greg's  
13 vehicle, right?

14 A Right.

15 Q And if you happen to get pulled over in that  
16 vehicle, there would be questions about that?

17 A Yes.

18 Q You couldn't take Megan's vehicle because it  
19 happened to have a flat tire when you went and got it,  
20 right?

21 A Yes.

22 Q And did you try to get it Friday when it was  
23 blocked in or did you wait until Saturday morning?

24 A Try to get what?

25 Q Did you try and get Megan's vehicle on Friday

1 and were prevented from doing so because it was blocked  
2 in?

3 A I don't remember what day it was exactly, but  
4 I know it was sometime around that weekend and it was at  
5 nighttime. So there was no cars in that parking lot.  
6 It was empty.

7 Q Okay. Or maybe it be the morning daylight  
8 hours, right, between 8:30 and 9:30 in the morning?

9 A I didn't go -- I didn't go in the morning,  
10 daytime. I only went at nighttime when [REDACTED] was  
11 sleeping.

12 Q Okay. Because you wouldn't go between 8:30  
13 and 9:30 in the morning, right, because [REDACTED] would be  
14 awake?

15 A Well, I just happened to do it at nighttime  
16 and it seemed like an okay time to do it while [REDACTED]  
17 was sleeping.

18 Q Okay. And you would agree that you hung out  
19 with Ryan McCann and Alan McCann multiple days?

20 A A few times.

21 Q And you asked Ryan McCann about security  
22 videos, right?

23 A It got brought up when he told his brother  
24 that he made home porn videos with the cameras that he  
25 had hidden around the house.

1 Q I'm sorry. Did you say just say it came up  
2 when he told his brother he made home porn videos?

3 A Yes.

4 Q Okay. So according to you, Ryan McCann tells  
5 his brother he was making home porn and so you ask him  
6 if he has surveillance?

7 A Well, he said he had hidden cameras and I  
8 asked him about his home porn, but I thought it was a  
9 weird subject to bring up and I was just, you know,  
10 asking questions just being part of the conversation and  
11 he said he had home surveillance around the house.

12 Q Okay. And you just left it at that?

13 A We just left it at that.

14 Q You had no other interest in whether or not  
15 Mr. McCann had surveillance?

16 A No.

17 Q You had no interest in knowing whether or not  
18 Mr. McCann had surveillance cameras that might have  
19 caught you disposing of the murder weapons, right?

20 A I wasn't really thinking about that, no.

21 Q Okay. How about when Ryan McCann asked you  
22 about whether or not -- where the family was?

23 A I believe I told him that they were away on  
24 vacation or something along those lines.

25 Q So you never told him, like, "Yeah. There was

1 a big problem. They all tried to kill me. It was  
2 really bad," right?

3 A No. I didn't want to involve him in that and  
4 I didn't want him to be a threat to me as well if I was  
5 to tell them that. I didn't want to put [REDACTED] or  
6 myself in further danger.

7 Q So you decided to lie to him because he might  
8 be a threat to you?

9 A I felt he didn't need to know at that time.

10 Q Okay. So for no good reason then you just  
11 decided to tell him something that was completely false,  
12 right?

13 A Yes.

14 Q Okay. Now, on Tuesday, you agree, you had  
15 piled a lot of trash bags out at the curb, right?

16 A (Nodding head.) I don't know what day it was  
17 exactly, but I did put trash on the curb.

18 Q Well, you knew that the trash picked up on  
19 Tuesday, right?

20 A I believe so. That was the day, yeah.

21 Q And that's why you would put all the trash  
22 bags out on the curb because you knew the trash pickup  
23 was that day; is that fair?

24 A On Tuesday, I don't believe I got the trash  
25 out to the curb Tuesday.

1 Q Okay.

2 A Because it was in the garage, those bags.

3 Q So you didn't -- there were no bags that were  
4 taken by the trashman away from the house that --

5 A Not on -- not on -- I don't believe so. Not  
6 on that day. Because the bags that were in the garage  
7 never made it to the curb.

8 Q Okay. I agree with you. The bags in the  
9 garage, we can all agree, never made it to the curb.

10 A Right.

11 Q But prior to those bags, there were bags that  
12 made it to the curb?

13 A Yes.

14 Q You agree with that?

15 A Yes.

16 Q Okay. And you knew what day trash day was  
17 because you knew when to put all of those bags out?

18 A Correct.

19 Q And in those bags were a lot of the things  
20 that you had been cleaning up, right?

21 A Yes. Yes.

22 Q A lot of things that you were disposing of,  
23 right?

24 A Right.

25 Q You had to get rid of Margaret's shoes, right?



1           A     Anything that had blood on it I didn't want  
2     ██████ being exposed to it, so I just threw it away.

3           Q     So Margaret's shoes, she actually kicked her  
4     shoes off while you were trying to tie her feet  
5     together, right?

6           A     Most likely.

7           Q     Okay. So you agree with me on that?

8           A     Yes.

9           Q     Good. So she didn't have her shoes on anymore  
10    and you disposed of those, right?

11          A     Yes.

12          Q     Now, Friday you go and get the shovel. You  
13    did that because you were going to bury the bodies. You  
14    agree with that, right?

15          A     Yes.

16          Q     You were going to try to bury them out in the  
17    yard, right?

18          A     Yes.

19          Q     If you could hide the bodies and get rid of  
20    the evidence from the scene, maybe nobody knows what you  
21    did, right?

22          A     No.

23          Q     No?

24          A     No.

25          Q     That wasn't a consideration at all?

1           A     There was no hiding the fact of what happened  
2 or what I did.

3           Q     Okay. Well, you had everybody's phones after  
4 they died, right?

5           A     They were in the house, yes.

6           Q     You had Margaret's phone?

7           A     Yes.

8           Q     And you agree with me that Margaret's phone  
9 number is that 610-704-6583 number that you were calling  
10 on the 28th, right?

11          A     I believe so.

12          Q     Okay. And you had Greg's phone?

13          A     Yes.

14          Q     And you had Megan's phone?

15          A     Yes.

16          Q     And you had Nick's phone?

17          A     Yes.

18          Q     Now, Greg's phone actually had some family  
19 members trying and contact him on that phone, right?

20          A     Yes.

21          Q     And you responded to them by text message,  
22 didn't you?

23          A     I don't remember doing so.

24          Q     You don't remember doing that?

25          A     No.

1 Q You don't remember responding to his son that  
2 you love him?

3 A Possibly.

4 Q That possibly happened?

5 A Yes.

6 Q You agree with me that that actually did  
7 happen?

8 A Yes.

9 Q Okay. And you did that because you were  
10 trying to avoid detection from the things that you had  
11 done, right?

12 A Well, I was, you know, still out of my mind at  
13 the time that and I was in shock and I didn't want  
14 people coming to the house trying to kill me.

15 Q Well, that was -- that was days later that you  
16 sent that text with Greg's phone, right?

17 A Most likely.

18 Q That was like September 1st or September 2nd,  
19 right?

20 A Possibly. Yes.

21 Q Okay. And I think you just told this jury you  
22 didn't want people coming in the house because they  
23 might kill you, right?

24 A I didn't want people coming into the house.

25 Q That's what you just told them, right?

1           A     Yes.

2           Q     But you were freely having people to come to  
3 the house to sell stuff to them, right?

4           A     Yes.

5           Q     Okay. Just want to be clear on that.

6           And you agree you took the shovel out to Old Dixie  
7 Highway because it was your intention to try and bury  
8 the bodies out that way, right?

9           A     I didn't attempt to bury the bodies at that  
10 point. I just had the shovel in the van. I just  
11 happened to throw it in there.

12          Q     You just happened to throw the shovel in with  
13 four bodies that you were trying to dispose of?

14          A     Yes.

15          Q     Just happened to be there?

16          A     I threw it in there just in case, but I never  
17 used it to bury the bodies.

18          Q     Okay. It was hard work moving all of those  
19 bodies, right?

20          A     Yes.

21          Q     It was hard work dragging them all at to where  
22 you left them, right?

23          A     Yes.

24          Q     It would have been a lot more work to actually  
25 move them around more or bury them, right?

1           A     Yes.

2           Q     And you figured, "This is good enough.  It's a  
3 dead end.  Nobody can see it.  I'm going to leave them  
4 here an people won't be able to find them", right?

5           A     Yes.

6           Q     And you indicated you cut the top off -- the  
7 pillowcase top off the mattress, right?

8           A     Yes.

9           Q     And it was your intention that that stuff was  
10 going to go out in the trash?

11          A     I was going to attempt to put it out in the  
12 trash, but I never got to doing so.

13          Q     You didn't get that far because the next trash  
14 day wasn't until Friday, right?

15          A     I believe so.  Yes.

16          Q     Okay.  So you didn't have the opportunity to  
17 put all of that stuff out at the curb yet?

18          A     No.

19          Q     Right?

20          A     No.

21          Q     You hadn't gotten to the southeast bedroom by  
22 the time the first trash pick up had occurred, right?

23          A     No.

24          Q     So you cut off the pillow top mattress.  I  
25 believe your words on direct were you didn't want people

1 seeing blood, right?

2 A Yes.

3 Q Because you knew if people saw blood, they  
4 might find out what you did, right?

5 A Or they might try to hurt me. I don't know.

6 Q Oh, they might try and hurt you, but really it  
7 was because they would detect your crime, right?

8 A Well, I didn't want anybody seeing blood on a  
9 mattress so I just cut it off.

10 Q You didn't want anybody seeing blood on a  
11 mattress, right?

12 A No.

13 Q Because, again, it might until them the  
14 terrible things that you did to the people in that  
15 house, right?

16 A Possibly. Yes.

17 Q And you brought up as often as you could that  
18 [REDACTED] is all you have left. Those were your words,  
19 right?

20 A Yes.

21 Q You would agree with me you have a mother in  
22 California, right?

23 A Yes.

24 Q And at the time you had a brother and  
25 sister-in-law who were also in California, right?

1           A     Distant relatives, yes.

2           Q     Distant in distance, but people that you could  
3 talk to on a regular basis, right?

4           A     Yes.

5           Q     And, in fact, people who have continued to  
6 talk to you since this has happened, right?

7           A     Yes.

8           Q     They've continued to be there for you?

9           A     Yes.

10          Q     Okay. And, Mr. Matos, you indicated -- I  
11 remember you saying on direct, "The story the State is  
12 trying to hide from you." You remember using those  
13 words?

14          A     Yes.

15          Q     "The story that the State is trying to hide  
16 from you" were your words, right?

17          A     Yes.

18          Q     But you agree with me that the story you have  
19 just told this jury, you had have three years -- more  
20 than three years and the entire time of watching the  
21 evidence come by in this trial to come up with the story  
22 that you've told them, right?

23          A     It is the truth.

24          Q     Okay. But you've had all of that time to  
25 think about exactly what you were going to tell them,

1 right?

2 A Yes.

3 Q To be clear, this isn't something that you  
4 came and told us that we are trying to hide from anybody  
5 is it?

6 A I believe that you're trying to hide most of  
7 the facts that happened in this case as far as the  
8 truth.

9 Q Okay. But in terms of having your own  
10 opportunity to tell law enforcement and tell the news  
11 what happened, do you agree you hid what was happening,  
12 right?

13 A I did.

14 Q Okay. Now, it's your testimony on direct  
15 you're getting these phone calls in the Floridan Hotel  
16 room telling you you need to change rooms, right?

17 A Yes.

18 Q And according to you, you went and hugged your  
19 son goodbye before you went out into the hallway, right?

20 A Yes.

21 Q And you would agree with me that you walked  
22 out and you didn't know law enforcement was going to be  
23 there, did you?

24 A I had a feeling that they were.

25 Q You had a feeling that they were. So once



1 again, when you told the Tampa Bay Times reporter -- he  
2 asked you questions about the SWAT team, right?

3 A Yes.

4 Q When you told the Tampa Bay Times reporter  
5 that you were shocked that he were there, that was  
6 another lie?

7 A I was shocked to see them.

8 Q You were shocked to see them?

9 A Yes.

10 Q So which is it, Mr. Matos; were you shocked to  
11 see them or did you have a feeling they were going to be  
12 there?

13 A I had a feeling that something was going --  
14 strange going on when I got the call to change rooms,  
15 but I wasn't sure whether the cops were there until I  
16 actually saw the SWAT team. I was shocked to see a  
17 bunch of people in black attire and, you know, carrying  
18 weapons.

19 Q Okay. Now, in terms of moving the bodies, you  
20 would agree with me Margaret was possibly the lightest,  
21 right?

22 A She was a little heavier than Megan.

23 Q Okay. Well, Margaret is significantly shorter  
24 than Megan was, right?

25 A She was.

1 Q She was? Yes?

2 A She was shorter, yes.

3 Q Okay. And in terms of picking up and lifting,  
4 Margaret's probably going to be the easiest one to move,  
5 right?

6 A I wouldn't say so. She was a little meatier  
7 than Megan was.

8 Q Okay. And I believe it was your testimony  
9 that you used ropes on all the other three bodies after  
10 Margaret, right?

11 A Yes.

12 Q Okay.

13 MR. SARABIA: Judge, may I have a moment?

14 THE COURT: You may.

15 Q (By Mr. Sarabia) All right. Mr. Matos, we  
16 talked about the four cell phones, right?

17 A Yes.

18 Q You remember that?

19 A Yes.

20 Q So whose cell phone is the cell phone that you  
21 threw in the canal?

22 A I don't remember.

23 Q Okay. But you agree it was either Megan's or  
24 Nick's?

25 A Yes.

1 Q Fair to say it was probably Megan's, right?

2 A Probably.

3 Q Now, you didn't just throw that cell phone in  
4 the canal, did you?

5 A I don't believe so.

6 Q No. You actually -- did you take a hammer to  
7 it or did you stomp on it?

8 A I don't remember. I just remember crushing  
9 the screen.

10 Q Okay. You did a little bit better than  
11 crushing the screen, didn't you? Would you agree?

12 A I crushed the screen. That's all I can  
13 remember.

14 Q (Indicating.) I mean, you crushed the entire  
15 thing. You agree?

16 A Yes.

17 Q You weren't just disposing of this. You were  
18 trying to make sure no information could be recovered  
19 from this, right?

20 A Right.

21 Q You definitely wanted to make sure that a jury  
22 would never get to read the text messages that you sent  
23 to Megan on August 28, 2014?

24 A At the time -- at the time I was probably just  
25 upset and I just crushed it out of anger.

1 Q You were probably just upset and crushed it  
2 out of anger?

3 A Yes.

4 Q Was it trying to kill you?

5 A No.

6 Q Okay.

7 MR. SARABIA: I don't have any more questions,  
8 Judge.

9 THE COURT: Redirect?

10 MR. VIZCARRA: No more questions, Your Honor.

11 THE COURT: All right. Ladies and gentlemen  
12 of the jury, at this time, if you'll go ahead and  
13 put your papers away. I'll release you to go to  
14 lunch. I'll have you back into the jury pool room  
15 at 2:10. Okay?

16 Again, we're not done. We're almost there,  
17 but we're getting closer.

18 (Jury absent.)

19 THE BAILIFF: The jury's out of the presence  
20 of the Court, Your Honor.

21 THE COURT: All right. Mr. Matos, you can go  
22 back to your seat.

23 Defense, do you have any other witnesses?

24 MR. MICHAELOS: No, your Honor.

25 THE COURT: State, are you going to have any

1           rebuttal?

2           MR. LABRUZZO: Yes, judge.

3           MR. SARABIA: I believe so, Judge.

4           THE COURT: How many?

5           MR. LABRUZZO: We have at least one witness  
6 here ready to go.

7           THE COURT: As soon as we get back, the  
8 Defense will rest and then the State can put on  
9 rebuttal.

10           Someone raised their hand, not really  
11 necessary. Counsel, what would you like to tell  
12 me?

13           MR. VIZCARRA: I'm sorry, Judge. Before I  
14 forget, I'd like to proffer some questions and  
15 answers from Mr. Matos whenever.

16           THE COURT: We'll do that when the jury's  
17 out -- as soon as they get out, when they're  
18 deliberating, I'll have the court reporter stay and  
19 you can proffer anything you want. Okay?

20           MR. VIZCARRA: Thank you.

21           MR. MICHAÏLOS: Before I forget, I'm going to  
22 introduce two photographs.

23           THE COURT: When we get back, I'll ask if you  
24 have any other witnesses or evidence and then you  
25 can introduce the photographs and then we'll have

1 the State's case. So just be ready at 2:10 with  
2 your witnesses. Okay?

3 All right. We'll be in recess until 2:10.

4 (RECESS.)

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25 (Continued in Volume XV.)

## 1 CERTIFICATE OF REPORTER

2  
3 STATE OF FLORIDA )4 COUNTY OF PASCO )  
56  
7 I, Victoria L. Campbell, Registered  
8 Professional Reporter, certify that I was authorized  
9 to and did stenographically report the foregoing  
10 proceedings and that the transcript is a true  
11 record.12 DATED this 3rd day of July, 2018.  
1314 /S VICTORIA CAMPBELL  
15 Victoria Campbell  
16 Registered Professional Reporter  
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