

JUVENILE STATEMENT (Continuation)

My name is Daniel Villegas and I live at 5700 Wren with my parents. My mother is named Yolanda, and my father is named Priciano. Right now I am at the Youth Services Office on Delta drive where I am giving this statement to Det. Alfonso Marquez. Detective Marquez has given me nine rights when he picked me up at home. The same nine rights were read to me by another Detective here at the office on Delta. His name was Det. Ortega. I was then taken across to the Juvenile Detention where a guy asked me if I wanted to give this statement to the Police and I told him that I did. I was then taken to see a Judge and he read me some rights, and I told him that I wanted to talk to the Police. I have not been promised thing in return for this statement. Det. Ortega has given me a coke, and I am not drunk, or high on anything.

Det. Marquez the Police officer that I am giving this statement to has told me that I am under arrest for the shooting on Electric and Trans-Mountain road. This shooting happened on Saturday morning at around 12:15 AM.

I had been with Marcos Gonzales, who lives with me, Enrique (I don't know his last name) but we call him POPEYE, Fernie (I don't know his last name) but we call him DROOPY, and Rodney Williams, and we call him DOUGHBOY, and sometimes BUBBA. I am nicknamed DANNY BOY. The car belonged to POPEYE, and it was a white mid-size car. The car has limosine tinted windows, or 20% which is the darkest you can get them. We all made a beer run at the Diamond Shamrock, right there at Dyer near the Village Two Apartments. We took two 24 can boxes. I was the "HERO" in the beer run which means that I was the lookout for my freinds.

We then went to drink the beer and we drank about a case of beer.

We then decided to go crusing, and we drove down on Transmountain from the Freeway, and make a right turn going towards Dyer.

There is a bus stop or a place where the school buses get fixed on Trans Mountain. This is the when I saw "Moreno" (Dark Skin) whom I know as MANDO. He was with three other dudes. There was four all together. I then told the guys I was with "Look there is Moreno." MANDO I know as "MORENO"

Droopy then hollered out the window :QUE VARIO"

I did not hear what they hollered back.

We then turned around and came back, and I was given a gun by one of the guys.

I really don't remember who gave me the gun, or what kiind of gun it was. I do remember that it was a small black gun.

We then turned on a street off of Transmountain, and stopped the car. Mando then started to say "What 'up What's up", and then I wanted to scare them with the gun. I fired one time in the air, and then I leveled the gun at the four guys and began to fire.. They all started to run, and the guys started to ~~KNNY~~ yell and that one was getting away. I saw Mando running towards a house.

We chased then in the car, and we were trying to find them. Someone in the car yelled "He saw my face, He saw my face, Finish him off" They were talking about Mando. Someone did finish him off. There was about five or six shots fired.

I have been asked where we were all sitting in the car.

I was in the back seat on tthe passenger side, Rodney was in the middle, and Marcos was behind the drivers seat. Popeye was driving, and Droopy was in in the front passenger side.

I want to say that I'm sorry for what happened and give their families my regrets, and I would not of done it, but I wanted to scare them, and if there is anything that I can do for them, to forgive me.

(OVER)

Danny Villegas
(Affiant)

I HAVE READ THE ABOVE STATEMENT CONSISTING OF TWO PAGES AND EVEN THOUGH IT IS NOT IN MY EXACT WORDS I FIND IT TO BE TRUE AND CORRECT.

Signed Danny Callahan

Danny Ullman
 11:13pm 4/21/93
WARNING TO BE GIVEN BEFORE TAKING ANY ORAL OR WRITTEN CONFESSION

1. You have the right to remain silent.
2. You do not have to make any statement, oral or written, to anyone.
3. Any statements you make will be used in evidence against you.
4. You have the right to have a lawyer present, to advise you before and during any questioning.
5. If you are unable to employ a lawyer, you have the right to have a lawyer advise you before and during any questioning, which lawyer will be appointed by the court for you free of charge, now, or at any other time.
6. You have right to terminate the questioning at any time you want.
7. If you are fifteen years of age or older and you have committed a felony, the Juvenile Court may give up its jurisdiction over you and you may be tried as an adult in a criminal district court.
8. Additionally, you may be sentenced to commitment in the Institutional Division of the Texas Department of Criminal Justice for a term not to exceed 40 years if you are found to have engaged in delinquent conduct alleged in a petition approved by a grand jury alleges the commission of one or more of the following offenses, to wit: Murder, Capital Murder, Aggravated Kidnapping, Officer, Corrections Officer or Court Participant, or criminal attempt if the offense attempted was capital murder.
9. All of the rights that have been explained to you are continuing rights which can be used by you at any time.



ABM

STATUTORY WARNING OF JUVENILE BY MAGISTRATE
UNDER SECTION 51.09 OF THE TEXAS
FAMILY CODE AS AMENDED SEPTEMBER 1, 1991



On this day, DANNY VILLEGAS
(Race) W (Sex) M (Age) 16, personally appeared before
me in the custody of DETECTIVES AL MARQUEZ
(Peace Officer(s) of the EL PASO POLICE DEPARTMENT

Department and I gave the said arrested person the following warning:

DANNY VILLEGAS
(Defendant), you have been accused of the offense of CAPITAL MURDER

1. You may remain silent and not make any statement at all.
2. Any statement you make may be used in evidence against you.
3. You have the right to have an attorney present to advise you either prior to any questioning or during any questioning.
4. If you are unable to employ an attorney, you have the right to have an attorney to counsel with you prior to or during any interviews with peace officers or attorneys representing the state.
5. You have the right to terminate the interview at any time.
6. If you are 15 years of age or older at the time of the violation of a penal law of the grade of felony, the juvenile court may waive its jurisdiction, and you may be tried as an adult.
7. Additionally, you may be sentenced to commitment in the Texas Youth Commission with a transfer to the Institutional Division of the Texas Department of Criminal Justice for a term not to exceed 40 years if you are found to have engaged in delinquent conduct alleged in a petition approved by a grand jury which alleges the commission of one or more of the following offenses, to wit: Murder, Capital Murder, Aggravated Kidnapping, Aggravated Sexual Assault, Deadly Assault on a Law Enforcement Officer, Corrections Officer, or court participant, or criminal attempt if the offense attempted was Capital Murder.

I do not want to consult with a lawyer before I make this statement, and I do not want to remain silent, and I now freely and voluntarily waive my right to a lawyer and to remain silent and I now knowingly make the following voluntary statement.

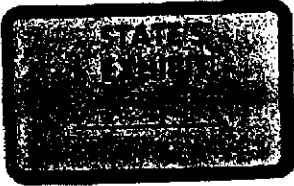
X Danny Villegas
(Affiant)

Above statutory warning given by JUDGE Carl B. Hornum
in Municipal Court # 2-15, El Paso County, Texas
(Court)

On the 22nd day of APR, 1993, at 12 53 A.M.

Remarks:

[Signature]
(Magistrate)



JUVENILE CONFESSION WARNING

DATE 4-22-93

TIME 1:20 AM

TIME Ended 2:26 A

Statement of DANNY VILLEGAS taken at
6314 DELTA (USA) El Paso County, Texas.
 On the 22 day of Apr., 1993 at 2:40 AM
 o'clock A. .m., I DANNY VILLEGAS
 was taken before CARL G. HORKOWITZ, El Paso County,
 Texas who informed me:

1. I may remain silent and not make any statement at all;
2. Any statement I make may be used in evidence against me;
3. I have the right to have an attorney present to advise me either prior to any questioning or during the questioning;
4. If I am unable to employ an attorney, I have the right to have an attorney to counsel with me prior to or during any interviews with peace officers or attorneys representing the state;
5. I have the right to terminate the interview at any time;
6. If I am 15 years of age or older at the time of the violation of penal law of the grade of felony, the juvenile court may waive its jurisdiction, and I may be tried as an adult.
7. Additionally, I may be sentenced to commitment in the Texas Youth Commission with a transfer to the Institutional Division of the Texas Department of Criminal Justice for term not to exceed 40 years if I am found to have engaged in delinquent conduct alleged in a petition approved by a grand jury which alleges the commission of one or more of the following offenses, to wit: murder, capital murder, aggravated kidnapping, aggravated sexual assault, deadly assault on a law enforcement officer, corrections officer, or court participant, or criminal attempt if the offense attempted was capital murder.

I do not want to consult with a lawyer before I make this statement, and I do not want to remain silent, and I now freely and voluntarily waive my right to a lawyer and to remain silent and I now knowingly make the following voluntary statement:

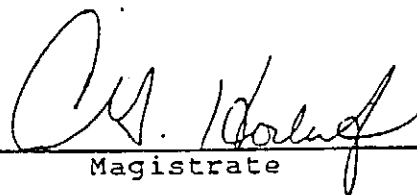
Danny Villegas
 (Affiant)

JUVENILE STATEMENT

(STATEMENT CONTINUED NEXT P.)

MAGISTRATES CERTIFICATION OF JUVENILE'S
COMPETENCY TO MAKE STATEMENT

On this day personally appeared DANNY VILLEGAS in the
custody of DET. AL MAQUEZ peace officers of
EL PASO POLICE, for the purpose of signing in
my presence, with no law enforcement officer or prosecuting attorney
present the preceding statement. I have examined, DANNY VILLEGAS
, independent of any law enforcement officer or
prosecuting attorney and have determined that the child understands the
nature and contents of his/~~her~~ statement and has knowingly,
intelligently and voluntarily waived those rights specified on page one of
this document. I am fully convinced that DANNY VILLEGAS
understands the nature and contents of his/~~her~~ statement and I am fully
convinced he/~~she~~ signed every page of his/~~her~~ statement voluntarily.


Magistrate

4-22-93

Date

9:25:45 A.M.
Time