

(10.)

BEFORE INVESTIGATOR GUTIERREZ WAS MURDERED, HE INTERVIEWED PENNY GIBA WHO STATED THAT HER SON TED GIBA, WHEN HE CAME HOME BETWEEN 2 TO 4 AM., CLOSED THE DOOR OF THE PONTIAC WHICH WAS PARKED IN THE DRIVEWAY AT THE CATALA HOUSE, AND SAW THAT THE CADILLAC WAS NOT THERE. BEFORE GUTIERREZ WAS MURDERED HE FILED A SWORN DECLARATION IN THE COURT. GUTIERREZ WAS HARASSED AND THREATENED BY JUDGE MAJOR IN ATTEMPTS TO FRIGHTEN HIM TO STOP ALL INVESTIGATIONS INTO THE MURDER OF CLAIRE PEERNOCK, WHICH WAS CARRIED-OUT CLOSE TO THE COURT, AND 24 MILES AWAY FROM THE CATALA HOUSE.

I. = Investigator Gutierrez who died a short time after interview.
G. = Witness Penny Giba.

- I. Mrs. Giba?
G. G-i-b-a
I. Oh, Giba, Giba
G. G-i-b-a
I. ---- I'm a private investigator, a private eye, Mrs. Giba, and I wanted to speak to your husband, and your son for a little bit if I may. I'm doing an investigation regarding Robert Peernock, and since I had a conversation with you son before ----
G. Yes, uh ha and you want to talk to him again?
I. I would like to. I would like to. I hate to inconvenience, of course, I wouldn't want to impose on you
G. None of them are here right now
I. Neither one of them are here?
G. No
I. Were you here on ----
G. I was here, yes

80.

I. You were?

G. I AM SO AMAZED WHY I DID NOT HEAR ANYTHING!

I. What is your first name?

I. Penny

I. Penny, Penny, ok

G. Because I usually HEAR EVERYTHING, I mean, this house over here, they use to fight over there, and I could hear everything that went on over there

I. You mean, you mean?

G. Yeah, this house

I. This corner house, there

G. They have been divorced now, for could be now

I. ----

G. I DON'T KNOW WHY I DIDN'T HEAR ANYTHING THAT NIGHT

I. Well either nothing happened, ah ah

G. Well I'll tell you what, my son came home late that night. He is the one, I think, you got his report down?

I. Ted Giba is your son?

G. Yes

I. Oh, I see ---

G. He came home late that night, about 4 o'clock in the morning, and he could tell you exactly what he did, because he saw her car with the lights on. The marron colored car, the Oldsmobile (sic Pontiac), in the driveway on the far side of the driveway with it's lights on INSIDE

I. With the lights on inside

G. Yeah, so he went over there

I. Uh ha

G. So he went over there, and I believe he shut the door, so the lights would go out. You know, what I mean, because by tomorrow morning that battery is gong to be dead

I. Yeah

G. So he went over there

I. ----

G. It was about 2 o'clock in the morning, and he said that car (Cadillac) was NOT there

I. The Fiat was parked by the "87" Pontiac, they were parked side by side, AND THE CADILLAC WAS NOT THERE

- I. Did the police officers, and any body come by to talk to you?
- G. Oh yes, there has been several investigtors here that we talked to
- I. The police investigators or private?
- G. Well I don't know. No, not private, they were
- I. Police officers?
- G. Police officers
- I. What did they do? What did they do? Ask you questions?
- G. Asked questions on what we heard, and what we seen a few days before and that's it
- I. Did you discuss anything with them, like your doing with me now ---
- G. Uh ha, only what I saw that night
- I. Yeah
- G. And heard, and what I read in the papers
- G. And mostly what I read on the papers. I didn't really associate that much with Claire, especially that last year. I didn't even know she wasn't working for the realestate company any more
- I. Oh
- G. When she went to work as a secretary, I really never saw her any more
- I. I see
- G. She didn't have time to be out in the yard, and that was the only time I ever saw her
- I. It's too bad about that house being run down like that, who ever took it over
- G. My husband went over there the other morning, and the front doors were wide open, and he went over to check it out, to close it. Some body had gone in there, and destroyed the whole thing. They broke in the back door, they broke out the windows in the back, and the place is a mess
- I. Probably the realty company caused that
- G. Well maybe they did
- I. Maybe they were handling that for Natasha
- G. I never seen any realty company over there
- G. Natasha after awhile had some really, really strange friends
- I. Oh really. What kind of strange friends?
- G. There was a couple, and I think there was a girl that lived in with them, and then towards the end when Natasha, I think when she was a senior in High School. I think that's what she was when this happened. I'm not sure. I think she just graduated. Any way there

was another girl that moved in with them, and they had some boys.
WILD LOOKING THAT WERE IN AND OUT OF THERE.

I. I see. Did you suspect that they were taking drugs, and things like that?

G. Probably. I think, probably they were. I don't know for sure.

I. Did you have the idea that they were punkers?

G. Oh yeah. Yeah. Oh the black, the black clothes and hairdos

I. Did you know that Natasha was coming in late at night?

G. Towards the end. YES!

I. Towards the end.

G. Yeah.

I. Well

G. I wish I knew what went on. With the window open, you would think I would know what was going on. Makes me mad that I don't

I. Especially when it happened just across the street from you, and no body hears nothing

G. Didn't even hear the dogs

I. Just incredible, that no body hear anything

G. What time of year was that? What month was that?

I. That was "87", the 22nd. So

G. Of what month? I keep all my windows open in the summer when it's hot

I. It was in the summer time

G. It was

I. July 22, 1987

G. July, oh definitely the windows were open. WHY DIDN'T I HEAR ANYTHING,

I. Between 3 AM. to 4 AM. You keep your doors open all night?

G. Yes, the slider to the back door

I. The slider to the back door, you keep open, so you would have to hear unless your a very heavy type sleeper. Are you a heavy sleeper?

G. No

I. Well the fact that every thing is quiet around here just about every little commotion could be heard

G. Yes

I. And there are dogs on the other side, and apparently they didn't ---

G. The dogs bark all the time if someone comes

I. They bark all the time and they have a greater sense of hearing than we human beings

- G. I don't have a clue as to what happened
- I. Alright, you have been a lot of help anyway. I still would like to talk to Ted again, if I may and if you would please give me a call so you could tell me what time. Another thing I could do, could you give me your phone number so I could call him and set-up an appointment, maybe.
- G. We have a new phone number
- I. Ok
- G. 297
- I. 297
- G. 5557
- I. 5557 and this is 805 right
- G. Yes, uh ha

I. This was Giba, that is Ted's mother, told what she knows, and I will now go on to the Rowes, next door. Dawna and Carl Rowe.

PENNY GIBA DID NOT HEAR ANYTHING BECAUSE NATASHA AND CLAIRE LEFT THE HOUSE AT 10:30 PM. AS NATASHA TOLD OFFICER WARSCHAW AT 5:00 AM. AFTER THE CRASH WHICH TOOK PLACE AT 3:30 AM. THE CRASH SCENE WAS 24 MILES FROM THE HOUSE. NATASHA ALSO TESTIFIED SHE LEFT THE HOUSE AT ABOUT 11:00 PM. IN THE CADILLAC. THE LIGHTS ON INSIDE THE PONTIAC AT ABOUT 3:30 AM. WAS DUE TO ROBERT PEERNOCK OPENING THE PONTIAC DOOR AND THEN GOING BACK INTO THE HOUSE TO FIND THE EXTRA PONTIAC KEYS, BECAUSE CLAIRE TOOK THE PONTIAC KEYS WHEN SHE LEFT WITH NATASHA IN THE CADILLAC AT 10:30 PM. They LEFT THE HOUSE 5 HOURS BEFORE THE CRASH, AND THE CRASH TOOK PLACE 24 MILES AWAY FROM THE HOUSE AT 3:30 AM. THE CRASH SCENE WAS JUST A FEW MINUTES FROM FISK'S OFFICE, AND WAS A LOCATION THAT FISK AND HIS BUDDY FOOTHILL COPS REPEATEDLY USED.

84.