

INVESTIGATOR GUTIERREZ INTERVIEWED CARL ROWE A SHORT TIME BEFORE GUTIERREZ WAS KILLED BY FISK. CARL STATED THAT HIS WIFE DAWNA HAD A NERVOUS BREAKDOWN SEVERAL MONTHS BEFORE TRIAL, AND AFTER SHE HAD REPEATEDLY TOLD INVESTIGATORS THAT THE FOOTHILL POLICE FABRICATED THE STATEMENT THEY FALSELY CLAIMED SHE TOLD THEM. RICHMAN, GREEN AND SCHWAB WITHHELD FROM THE JURY THAT DAWNA ROWE HAD A NERVOUS BREAKDOWN AFTER SHE SAID APPELLANT DID NOT MAKE THE STATEMENT, AND SHE WAS NEVER IN THE CATALA HOUSE WHEN APPELLANT WAS THERE, AND SHE WAS NOT EVEN IN THE CATALA HOUSE FOR OVER A YEAR BECAUSE CLAIRE WAS TRYING TO AVOID HER AND COULD NOT HAVE HEARD THE STATEMENT THE FOOTHILL DETECTIVES MADE-UP. (SEE THE TAPED INTERVIEW WITH INVESTIGATORS JUDD, AND COTA, ETC, AND THE DECLARATION BY GUTIERREZ FILED IN COURT BEFORE HIS DEATH).

- I. = Investigator Richard Gutierrez who died a short time after this interview.
 - C. = witness Carl Rowe.
 - D. = Witness Dawna Rowe.
-

- I. Mr. Carl Rowe?
- C. Yeah.
- I. My name is Richard Gutierrez, I'm a private eye and need to speak with you a little bit. I don't have to do it immediately. Maybe we can set-up a time when it is more convenient to you. It's regarding the Peernock case. I think someone talked to you before.
- C. Yes, it's a lot of bull. I don't want to deal with the whole

mess anymore.

- I. I understand
- C. I thought it would be all over by now.
- I. It's not over with. The man is still in jail. He hasn't been tried, and he hasn't been given the right to proper discovery. And ever since he has been taken in, and jailed he has been trying to defend himself along the way, and prove the fact, the fact that he didn't do it. DID POLICE OFFICERS COME BY AND TALK TO YOU AT ANYTIME?
- C. NO.

THE FOOTHILL DETECTIVES FABRICATED A FALSE STATEMENT, "WOULDN'T IT BE GREAT IF MOMMY GOT KILLED IN A CAR ACCIDENT", AND FALSELY CLAIMED THEY GOT THIS STATEMENT FROM DAWNA ROWE, ALTHOUGH DAWNA AND CARL REPEATEDLY SAID THEY DID NOT GIVE THIS STATEMENT TO THE POLICE, AND THAT THE POLICE FABRICATED THE STATEMENT WITHOUT EVEN TALKING TO THEM. MAKING-UP FALSE STATEMENTS IS STANDARD PRACTICE OF THE FOOTHILL COPS.

- I. I know you talked to someone, and they interviewed you regarding this. A private investigator ----- I have a tape that I would like to play for you, to kind of bring you back to what you said before
- C. I don't know. WE HAVE HAD A LOT OF PROBLEMS SINCE THEN. MY WIFE LOST HER SISTER, AND SHE HAD A NERVOUS BREAKDOWN, and everything else
- I. Is that right
- C. We shouldn't have gotten involved in the whole mess
- I. I understand. Yet, you know, here we have a situation where this man is still in jail, and he has been trying the hardest to defend himself, and the whole system has gone against him, and they just do not want to give him proper discovery rights, and stuff like that. And the lawyers that he has had, have sold him out. He is trying desperately to get discovery, at least so he could go to trial with some kind of knowledge of evidence of witnesses and whatever. So he has hired me and I've come around a couple of times, and done a lot of investigations, and I believe I have found quite a bit of

discrepancies in the, NOT the stories that were given by people, but the stories that are given by prosecuting attorneys, and stuff like that. Like ----- somebody has rigged-up a scam and suddenly jailed you ---

D. No body has rigged-up any scam. Come on in Carl.

I. And your in jail and your not given any rights to defend yourself.

I understand that you mentioned ----

D. Carl, why don't you come on in.

C. I will Dawna.

I. I understand Claire was acting strange for the past so many months or year

C. I don't know, you know she didn't, the woman, she was never home -----

I. Did you know Dennis Nelson that she was working for?

C. No

I. You didn't know Dennis Nelson?

C. No. After she got out of realestate I didn't know what she was doing?

I. Something about Dennis Nelson with the idea that he had taken out a couple of insurance policies on her.

C. She (Dawna), doesn't want to be involved any more

D. Carl come in here

C. She's fed-up with the whole thing

I. This is a fabrication, you know, to keep this man in jail. You see THIS MAN WAS WRITING A BOOK. I mean, I could understand that people would have, not you people around the neighbor, naturally, but people in other high places would have it against him, because he was WRITING A BOOK ABOUT CERTAIN POLICE OFFICIALS ALONG WITH DWP AND DWR, PEOPLE THAT HE HAD WORKED WITH THAT WERE TAKING MONEY UNDER FABRICATED -----

67.

- C. ---- if anybody should have heard anything it would be the people next door because they are right across the street
- I. She said she didn't. She said she didn't and she had her screen door open
- C. Her kid was out there late at night. They are always out there late at night
- I. Her kid Ted was the one who spoke about having to go over there, and close the door when he came in very late at night
- C. Oh
- I. He closed the door on the Pontiac, that was there open as if someone had just gone in. That door of the Pontiac.
- C. All I know is he had this car that he was restoring
- I. Yes
- C. It use to park up there on the dirt
- I. Yes
- C. It was always facing on direction
- I. Was he around a lot, working on that car, lately before -----
- C. Well, not for a while, he was working on it off and on
- I. Uh ha, but he did ----
- C. And for awhile it would just sit for a while
- I. Well from your knowledge from what you seen the man use to come in, every once in a while to work on that car
- C. Yeah, just occasionally
- I. Occasionally
- C. It was not as if he was there every day
- I. A couple of weeks every -----
- C. Some times he would be under it, because he was restoring it
- I. Yeah, he was restoring it, the Cadillac you mean?
- C. Yeah

- I. What year was that?
- C. I don't know, I didn't pay that much attention
- I. That evening?
- C. Well, I didn't exactly see it there
- I. Hmmm
- D. You don't have to talk to him.
- C. I know Dawna, but don't worry about it.
- I. Well, so, apparently it sounds, pretty well what you saw that evening
you didn't hear anything that say that -----
- C. No, we didn't know anything had happened
- I. Yes, alright, thanks a lot.
- C. Ok
- I. I appreciate that
- C. By

I. Ok you just heard Dan (sic Carl) Rowe's testimony, and you have heard in the back Dawna refusing to talk to me, and trying to pull Dan (sic Carl) away from me so he wouldn't talk to me. Totally belligerent.