

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

STATE OF FLORIDA,

Plaintiff,

v.

CASE NO.: 2014CF005586CFAXWS

ADAM MATOS,

Defendant.

PROCEEDINGS: JURY TRIAL - Excerpt
Testimony of: Adam Matos

DATE: November 15, 2017

BEFORE: THE HONORABLE MARY HANDSEL
Circuit Judge
Sixth Judicial Circuit
New Port Richey, Florida

PLACE: West Pasco Judicial Center
7530 Little Road
New Port Richey, FL

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APPEARING ON BEHALF OF
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APPEARING ON BEHALF OF
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I N D E XPAGEWITNESS CALLED BY THE DEFENSE:

ADAM MATOS

Direct by Mr. Vizcarra

4

Cross by Mr. Sarabia

82

P R O C E E D I N G S

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(Thereupon, proceedings were reported but not requested as part of this transcript.)

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

MR. VIZCARRA: The defense would call Adam Matos.

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

THEREUPON,

ADAM MATOS,
the defendant, herein was examined and testified as follows:

THE DEFENDANT: Yes, Your Honor.

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

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

D I R E C T E X A M I N A T I O N

BY MR. VIZCARRA:

Q Hello.

A Hi.

Q Please state your name.

A Adam Matos.

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

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

3 Leonard put his hands on your throat?

4 A Yes, he did.

5 Q Did he threaten your life with a gun?

6 A Yes, he did.

7 Q Did you get in a fight with him?

8 A Yes.

9 Q Did you defend yourself?

10 A Yes, I did.

11 Q Did you kill him?

12 A Yes.

13 Q Why?

14 A He tried to kill me.

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

16 Brown threaten your life --

17 A Yes, he did.

18 Q -- with a rifle?

19 Did he pull the trigger?

20 A Yes.

21 Q Did you get into a shootout with him?

22 A Yes, I did.

23 Q Did you defend yourself?

24 A Yes.

25 Q Did you kill him?

1 A Yes, I did.

2 Q Why?

3 A He tried to kill me.

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

7 A Yes, she was.

8 Q Was she with Gregory Brown when he threatened
9 your life with his rifle?

10 A Yes, she was.

11 Q Was she with Gregory Brown when he tried to
12 shoot you with his rifle?

13 A Yes.

14 Q Did she say anything as he was pointing his
15 rifle at you?

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

17 Q Did you defend yourself against them?

18 A Yes.

19 Q Did you kill her?

20 A Yes.

21 Q Why?

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

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

25 A Yes.

1 Q Did you fear for your life, though?

2 A Yes.

3 Q What were your feelings when you killed her?

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

8 Q Did you kill her?

9 A Yes.

10 Q Did you strike her with a hammer?

11 A Yes.

12 Q Was she bleeding a lot?

13 A Yes.

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

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

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

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

23 Q Was this after you had gotten into the
24 altercation with Nicholas Leonard upstairs?

25 A Yes, it was.

1 Q Was she dead or alive when you put the bag
2 over her head?

3 A She was dead.

4 Q Well, let's talk about the house at 7719
5 Hatteras Drive in Hudson, Florida back in August of
6 2014. Okay? How many bedrooms were being slept in?

7 A Three bedrooms.

8 Q And did the house face south?

9 A Yes.

10 Q Now, who slept in the master bedroom on the
11 west side of the house?

12 A Greg and Margaret.

13 Q Greg and Margaret Brown?

14 A Yes.

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

17 A Okay.

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

20 A Megan and I.

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

23 A Okay.

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

1 A About a few feet.

2 Q Just a few feet?

3 A Yes.

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

6 A [REDACTED]

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

8 A Yes.

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

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

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

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

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

20 A Yes.

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

24 A Yes.

25 Q Do you ever hear gunshots?

1 A Yes.

2 Q How often?

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

4 Q Just during the day or --

5 A Day and night.

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

8 A Yes.

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

12 A Approximately what time did Megan Brown get home on
13 August 28, 2014?

14 A Around 5:30 A.M.

15 Q Had she been out all night long?

16 A Yes.

17 Q Were you worried about her?

18 A Yes.

19 Q Were you angry?

20 A Yes.

21 Q Why?

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

1 MR. LABRUZZO: Objection, Judge, as to
2 hearsay.

3 THE COURT: Sustained.

4 MR. MICHAELLOS: Judge, if we can approach?

5 THE COURT: Certainly.

6 (BENCH CONFERENCE.)

7 MR. MICHAELLOS: Judge, this is a statement to
8 show the state of mind of the listener under 801.

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

11 MR. MICHAELLOS: Oh, not the whore.

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

14 MR. MICHAELLOS: I apologize.

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

19 MR. MICHAELLOS: I agree. I didn't see that
20 coming.

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

22 MR. MICHAELLOS: Okay.

23 (OPEN COURT.)

24 THE COURT: The objection is sustained.

25 Q (By Mr. Vizcarra) Without getting into those

1 type of details, you said you had talked to Nicholas
2 Leonard and he advised you what -- without getting into
3 things like that?

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

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

9 A Yes.

10 Q And did he seem still upset about that?

11 A He seemed upset that there was an incident
12 that occurred that night at the bar.

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

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

17 Q And tell us about what information he gave
18 you.

19 MR. SARABIA: Objection, Judge. Hearsay.

20 THE COURT: Sustained.

21 MR. VIZCARRA: Judge, if I may?

22 THE COURT: You want to approach?

23 MR. VIZCARRA: Please.

24 (BENCH CONFERENCE.)

25 MR. VIZCARRA: Two things, Judge.

1 THE COURT: First of all, Counsel, where are
2 you going with this?

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

10 THE COURT: Counsel, I understand the Rules of
11 Evidence.

12 MR. VIZCARRA: Okay.

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

18 MR. MICHAELLOS: I didn't talk about the
19 contents.

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

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

25 THE COURT: That's a complete --

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

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

5 MR. VIZCARRA: I'm sorry. My hearing is not
6 as good.

7 THE COURT: So she was flirting with a
8 bartender.

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

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

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

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

22 What happened at the bar, that she might have
23 flirted with somebody, that's irrelevant,
24 completely irrelevant and not necessary to lay the
25 foundation. You've already got in that he got in a

1 cab, said he was through with her and not
2 interested in her, mad at her. We're done.
3 Nothing else is coming in. I've already admit
4 that. That objection is not -- sustained.

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

11 (OPEN COURT.)

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

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

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

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

22 A From the way --

23 THE COURT: Mr. Matos, you've got to keep your
24 voice up just like everybody else. If you have to
25 move the chair up, that's fine, or the microphone.

1 There you go. I'm sorry. Go head.

2 THE DEFENDANT: It seemed like from after that
3 day, they wouldn't be together.

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

7 A Yes, we did.

8 Q What was the argument about?

9 A It was about the phone conversation that I had
10 with Nicholas Leonard.

11 Q And tell us what happened.

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

16 MR. LABRUZZO: Judge.

17 A -- Nicholas was stalking her and that he
18 followed her to the bar.

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

22 A Yes. She said there was nothing going on
23 between them.

24 Q Did you believe her a hundred percent?

25 A I didn't know what to believe.

1 Q Tell us what happened after that.

2 A I got upset. I pulled out a knife. And I
3 asked her --

4 Q Where did you get the knife from?

5 A From the kitchen.

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

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

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

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

14 A No.

15 Q Why did you pull the knife out?

16 A I just wanted the truth. I was upset. It was
17 just a stupid thing to do.

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

19 A No.

20 Q At no time did you scratch or hurt her throat
21 in any way?

22 A No.

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

24 A No.

25 Q You said that she grabbed the knife?

1 A Yes.

2 Q Did you expect her to do that?

3 A No.

4 Q Where did you go?

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

8 Q Were you riding a bicycle?

9 A Yes.

10 Q Why did you leave?

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

13 Q Were you able to cool off?

14 A Yes.

15 Q Did you see law enforcement arrive at the
16 house?

17 A I saw law enforcement driving in that general
18 direction towards the house.

19 Q Did they leave?

20 A I couldn't see from that angle.

21 Q What did you do?

22 A I stood there most of the day just sleeping,
23 chain smoking.

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

1 the morning?

2 A No. He was not.

3 Q Was he there when you left the house?

4 A No.

5 Q Was he there when you guys were arguing?

6 A No.

7 Q Did you decide to return to the house at 7719
8 Hatteras Drive?

9 A Yes.

10 Q What about what time was it?

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

12 Q Still light outside?

13 A Yes.

14 Q Why?

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

19 Q What time did you go inside, approximately?

20 A A little after 6:00.

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

22 A I believe the east entrance.

23 Q Okay. That one that goes into the east garage
24 area or the stairwell?

25 A Yes.

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

3 A Correct.

4 Q Okay. Was the door open?

5 A It was wide open, yes.

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

8 A Twenty dogs.

9 Q Describe them for me. Small dogs? Large
10 dogs?

11 A Small to tiny.

12 Q How often do these dogs bark?

13 A All the time.

14 Q How would you describe their barking?

15 A Loud. They were barky dogs.

16 Q Did you hear them bark as you went up the
17 stairs?

18 A Yes, I did.

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

20 A In the dining room area.

21 Q And is that downstairs or upstairs?

22 A That's upstairs.

23 Q Okay. How far from yours and Megan's bedroom,
24 approximately?

25 A About ten feet.

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

3 A No.

4 Q A knife?

5 A No.

6 Q A bat?

7 A No.

8 Q A hammer?

9 A No.

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

11 A Nothing at all.

12 Q Tell us again. What were you going to do
13 inside the house?

14 A I just wanted to get my things, just gather
15 the stuff that I had.

16 Q When you had left, did you bring things with
17 you?

18 A No.

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

20 A No.

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

23 A Yes.

24 Q Did you open it?

25 A Yes.

1 Q Did you step inside?

2 A Yes, I did.

3 Q Did you see Megan and [REDACTED]

4 A Yes. As I entered the room, they were just
5 coming out.

6 Q Did Nicholas Leonard come up to you?

7 A Yes.

8 Q Where did he come from?

9 A He came from the closet area.

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

12 A No. He just came out of nowhere.

13 Q Did he reach -- I'm sorry. Did he grab you
14 anywhere?

15 A He grabbed me by the throat.

16 Q And did he reach for a gun?

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

19 Q Did you grab his gun?

20 A Yes.

21 Q Or his hand?

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

24 Q Did he seem like he was trying to raise the
25 gun toward you?

1 A Yes.

2 Q Did you struggle to stop him from getting the
3 gun pointed at you?

4 A We did. We struggled.

5 Q Tell us what happened.

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

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

16 A It was just a mattress on the floor.

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

18 A Yes.

19 Q How many times did you stab him?

20 A About three times.

21 Q And you said that you guys fell on the bed.
22 Both of you?

23 A Yes.

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

1 A No.

2 Q Do you have hunting knives laying around when
3 you have this four year old walking around?

4 A No. I do not.

5 Q Are you the type of person to keep a knife on
6 the dresser?

7 A No.

8 Q How about under a mattress?

9 A No.

10 Q While you guys are struggling, did Nicholas do
11 anything to your face?

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

15 Q Did Megan come back?

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

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

19 A Megan, she screamed out, "Dad, shoot him.
20 Shoot him, Dad."

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

23 A A rifle in his hand.

24 Q And where was it pointed?

25 A At my chest.

1 Q Did Nick do anything when he saw that rifle
2 pointed at you?

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

6 Q Did you say anything to Greg?

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

9 Q Did Greg pull the trigger?

10 A Yes, he did.

11 Q What happened?

12 A It misfired.

13 Q What was going on after the gun misfired?

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

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

19 A He seemed to be weakening.

20 Q Was he bleeding a lot?

21 A There was a lot of blood. He was bleeding a
22 lot from his arm.

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

25 A Yes. He pulled the trigger again.

1 Q And what happened?

2 A It was a misfire again.

3 Q Tell us what happens between you and Nick
4 Leonard.

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

8 Q Did you or him shoot the gun?

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

10 Q While you guys were struggling for the gun?

11 A Yes.

12 Q And you said it went toward the wall?

13 A It went through the wall.

14 Q Okay. Did it put a bullet hole through the
15 wall?

16 A Yes.

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

18 A Yes. As I grabbed the gun, I shot it towards
19 Nicholas.

20 Q Okay. Was Nick still bleeding from the stab
21 wound?

22 A Yes, he was.

23 Q Did you later find that bullet from shooting
24 that gun a second time?

25 A Yes, I did.

1 Q What did you do with it?

2 A I threw it in the trash bag.

3 Q And was that the one that was found in the
4 garage, west garage?

5 A No. The one that I found that I thought that
6 hit Nicholas Leonard I found behind the bed.

7 Q Okay. And did that -- did you end up putting
8 that in the trash?

9 A Yes.

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

13 A Yes.

14 Q -- what happened with Greg and Megan?

15 A They ran back to his the bedroom, the master
16 bedroom.

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

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

19 Q Did you chase after him?

20 A Yes.

21 Q Why?

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

24 Q When you got to the master bedroom closet,
25 what was Greg doing?

1 A He was attempting to load another weapon.

2 Q What did you do?

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

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

6 A No. He had the weapon in his hand and I shot
7 him again.

8 Q Did he go down then?

9 A Yes.

10 Q As you leave the master bedroom closet, tell
11 us what happens next.

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

16 Q Where was she at?

17 A She was by the door around a corner.

18 Q And did she have something in her hand?

19 A Yes.

20 Q What was it?

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

22 Q How many times did you shoot her?

23 A One time.

24 Q And was it around where that bead was in the
25 master bedroom?

1 A Where the bullet hole was in the corner of the
2 wall.

3 Q What did you do then?

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

10 Q Were you angry at all?

11 A Yes. I was very angry.

12 Q Did you place that anger on any particular
13 individual?

14 A Nicholas Leonard.

15 Q Why?

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

19 Q What did you do?

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

25 Q How many times do you remember hitting him

1 with that hammer?

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

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

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

6 Q What did you do after this?

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

13 Q Was he?

14 A He was okay.

15 Q What did you tell him?

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

18 Q How did you feel in general after having this
19 entire incident?

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

24 Q Did you have any fear about the cops shooting
25 you?

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

3 Q How about [REDACTED]

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

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

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

13 Q Were you afraid that [REDACTED] might see those
14 bodies?

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

18 Q Yours and Megan's room, how did you lock that
19 door?

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

23 Q And the master bedroom?

24 A The master bedroom, the doorknob to the room
25 was missing so you couldn't just step into the room.

1 And you had to be a strong person to turn it because it
2 didn't have the knob there. It's just a piece of metal.
3 And I put a dog cage in front of the door to keep him
4 from getting in.

5 Q What did you and [REDACTED] do?

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

9 Q What happens when Margaret comes home from
10 work?

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

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

16 A Yes. I felt that she would try to kill me as
17 well.

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

19 A He was in his room sleeping.

20 Q So what did you do?

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

24 Q You ran down the stairs and met her down
25 there?

1 A Yes, I did.

2 Q How did you kill her?

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

4 Q How many times did you hit her?

5 A I can't remember. Maybe more than three
6 times.

7 Q Was it necessarily with the end of the hammer
8 that --

9 A I can't remember.

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

11 A Yes.

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

13 A The west garage hallway.

14 Q Was there only one hallway like that
15 downstairs?

16 A Yes.

17 Q Tell us about the blood.

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

22 Q What else did you do?

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

25 Q Looking back now, do you realize that she

1 probably wasn't out to kill you or harm you?

2 A I realize now that she probably wasn't trying
3 to kill me. I was just out of it and so paranoid and in
4 shock that I thought everyone was trying to kill me.

5 Q How do you feel about her death now?

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

11 Q Can you put into words what that day, August
12 28th, 2014, was like for you?

13 MR. LABRUZZO: Objection, Judge, as to
14 relevance.

15 THE COURT: Sustained.

16 MR. VIZCARRA: Approach, Judge?

17 THE COURT: Sure.

18 (BENCH CONFERENCE.)

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

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

25 MR. VIZCARRA: Okay.

1 THE COURT: That he -- he's opining back on
2 how he feels. If you want to talk about what he
3 did after he killed the people and why he threw
4 them in a pile and all of that, move on. We're not
5 going to wrap it up in his feelings while he opines
6 about what happened.

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

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

14 MR. VIZCARRA: Thank you.

15 THE COURT: Thank you.

16 (OPEN COURT.)

17 THE COURT: That is sustained.

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

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

22 Q You could go to Canada or Mexico.

23 A I could have.

24 Q Didn't you plan an escape once you killed
25 these four people?

1 A No.

2 Q What was your plan as far as your -- what you
3 were going to do with little [REDACTED] your son?

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

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

11 A When I came home?

12 Q Yeah.

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

16 Q There wasn't a blue truck parked in the
17 driveway?

18 A No.

19 Q Did you later see a blue truck parked
20 somewhere in the vicinity?

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

23 Q "Far across the street", in somebody else's
24 house?

25 A Somebody else's property.

1 Q Okay. Was there a house there?

2 A Yes.

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

5 A On someone's lawn across the street.

6 Q Okay. Did you move it?

7 A Yes.

8 Q Where?

9 A About half a mile away.

10 Q Where was [REDACTED] --

11 A [REDACTED] was --

12 Q -- when you moved the truck?

13 A [REDACTED] was at home sleeping.

14 Q What did you do with the bodies at least
15 initially?

16 A I moved them out of the bedrooms into the east
17 garage.

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

20 A It was parked in the west garage.

21 Q Did you move it?

22 A Yes.

23 Q Where did you move it to?

24 A To the east garage.

25 Q Did you use that van to move the bodies

1 eventually?

2 A Yes.

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

4 August 29, 2014, the next day, did you put an add
5 on Craigslist?

6 A Yes, I did.

7 Q Did you sell the dogs and the TV?

8 A Yes.

9 Q Why? Why did you do that?

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

12 Q Was any of this planned before August 28th of
13 2014?

14 A No, it wasn't.

15 Q Did you kill these people in order to sell
16 their things?

17 A No, I did not.

18 Q Did you use their credit cards? Did you kill
19 them to use their credit cards?

20 A No, I did not.

21 Q To sell or use their vehicles?

22 A No.

23 Q Why? Why did you kill them?

24 A They were trying to kill me.

25 Q In fact, tell us why you sold these dogs. You

1 said there was 20 dogs there, but you sold some of them.
2 Why only \$50 a piece?

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

7 Q Did you know you could have probably gotten
8 more for them?

9 A I realized later that they were worth a lot
10 more.

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

12 A About ten dogs.

13 Q Did you order some pizzas using Margaret's
14 credit card?

15 A Yes.

16 Q Why?

17 A I didn't have any cash and I just wanted to
18 feed [REDACTED]

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

21 A Yes.

22 Q Why so late?

23 A I waited until [REDACTED] was sleeping.

24 Q Did you buy a shovel?

25 A Yes.

1 Q Why did you buy a shovel?

2 A I wanted to move the bodies out of the house.
3 I didn't know what to do with them. And I didn't want
4 [REDACTED] being exposed to them, so I bought the shovel to
5 try to bury them in the yard.

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

8 A Yes.

9 Q Were you working in August of 2014?

10 A Yes, I was.

11 Q Did you have a job before you started working
12 at Get Hooked?

13 A Yes.

14 Q Where was that?

15 A At Denny's.

16 Q What is Get Hooked?

17 A It's a seafood restaurant.

18 Q What did you do there?

19 A I worked as a cook and a dishwasher.

20 Q How far was it from 7719 Hatteras Drive?

21 A About a mile.

22 Q How did you get to work?

23 A I rode my bike.

24 Q Did you have a car?

25 A No.

1 Q Tell us how you got the bicycle.

2 A One day when I was walking to work to
3 Denny's --

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

6 THE COURT: Sustained.

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

9 A Yes.

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

14 A Yes.

15 Q And crimes of dishonesty, you were convicted
16 of two?

17 A Yes.

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

20 A Yes, I did.

21 Q Did you make arrangements to pick up that
22 paycheck?

23 A Yes.

24 Q What arrangements did you make?

25 A I made arrangements with the boss to give it

1 to one of the guys that worked in the kitchen with me
2 and I was going to just pick it up from him.

3 Q Did you get your check?

4 A Yes, I did.

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

6 A No.

7 Q Winn Dixie?

8 A No.

9 Q How did you cash it?

10 A I later cashed it at Wells Fargo.

11 Q And how much about was that check for?

12 A I believe it was around 370.

13 Q Okay. Now, during these days after you're
14 attacked and before the deputies knocked on your door,
15 you and [REDACTED] were ordering pizzas?

16 A Yes.

17 Q Wings?

18 A Yes.

19 Q Soft drinks?

20 A Yes.

21 Q What were you doing when [REDACTED] was watching
22 TV or napping or asleep?

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

25 Q Did you take care of [REDACTED] in that house?

1 A Yes.

2 Q Was it difficult for you to mentally stay in
3 that house?

4 MR. LABRUZZO: Objection, Judge, relevance.

5 THE COURT: Sustained.

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

8 A Yes.

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

11 A Yes.

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

13 A Yes.

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

15 A About two miles.

16 Q How long were you guys there?

17 A A few hours.

18 Q Could it have been more?

19 A Possibly.

20 Q Where was [REDACTED]

21 A He was at home sleeping.

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

23 MR. LABRUZZO: Objection, Judge, relevance.

24 THE COURT: Sustained.

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

1 A Yes.

2 Q Why were you drinking?

3 A Just trying to escape the reality of what
4 happened.

5 Q Did you do that some while you were there at
6 the house?

7 A A little. I was just trying --

8 Q How about Ryan McCann's house nextdoor?

9 A A little bit.

10 Q When was it that you would do that?

11 A I really can't remember. I know that we
12 drank.

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

14 A I believe it was nighttime.

15 Q Where was [REDACTED] when you were trying to do
16 that?

17 A He was at home sleeping.

18 Q Why would you be out drinking nextdoor? At
19 Skinny's Bar?

20 A I don't know.

21 MR. LABRUZZO: Objection, Judge, relevance.

22 THE COURT: Sustained.

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

25 A Yes.

1 Q When was that?

2 A I believe it was the night that I bought the
3 shovel from Wal-Mart.

4 Q Did you first try to bury the bodies near the
5 house on Hatteras Drive?

6 A Yes.

7 Q Like how close to the house?

8 A Right outside on -- next to the house in the
9 grass.

10 Q How many feet?

11 A About a few feet from the house.

12 Q Using the shovel?

13 A Yes.

14 Q Digging a hole?

15 A Yes.

16 Q What happened?

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

19 Q What did you decide to do then?

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

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

1 A Yes.

2 Q How were you able to move them into the back
3 of the van?

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

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

9 A Yes.

10 Q And was there a problem moving her with an
11 extension cord?

12 A Yes. Her arms kept moving and it was hard to
13 move her.

14 Q Did you ever drop her loading her into the
15 van?

16 A Yes.

17 Q Explain that.

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

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

21 A Yes.

22 Q And did you try using zip ties?

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

1 Q Did you use one zip tie?

2 A I used three.

3 Q Was one not big enough?

4 A It was just to hold them together.

5 Q So each hand with a zip tie and one zip tie in
6 the middle?

7 A Yes.

8 Q And were those in front of her or behind her
9 back?

10 A Behind her back.

11 Q Did that seem to help?

12 A Yes.

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

14 A I used the rope.

15 Q And did that work better?

16 A Yes.

17 Q Did you use the dolly that was in the
18 photographs in some way?

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

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

22 A The backdoor.

23 Q Okay. So you put all -- what did you do with
24 the seats?

25 A I put the seats down.

1 Q And tell us -- you said you used the dolly as
2 an incline?

3 A Yes.

4 Q And you put the bodies on the dolly?

5 A Yes.

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

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

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

13 A I just used the rope and just pulled them onto
14 the dolly and just slide them up.

15 Q Where did you put the rope?

16 A The rope was around their midsection.

17 Q When you moved the bodies was [REDACTED] awake or
18 asleep?

19 A [REDACTED] was sleeping.

20 Q What time of day was this?

21 A It was late, two in the morning.

22 Q Why not bury the bodies?

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

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

1 A I didn't know where to go. I didn't know what
2 to do with them. So -- I didn't want to leave [REDACTED]
3 alone for a long period of time, so I just picked a
4 random spot.

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

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

11 Q Was it difficult moving the bodies?

12 A Yes.

13 Q Why?

14 A Just the experience of moving dead people and
15 they were --

16 MR. SARABIA: Objection, Judge, relevance.

17 MR. VIZCARRA: It just explains, Judge.

18 THE COURT: I'm sorry?

19 MR. VIZCARRA: Explains.

20 THE COURT: Explains what?

21 MR. VIZCARRA: Where he put them.

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

23 So I'll sustain the objection. You can reask the
24 question.

25 MR. VIZCARRA: Okay.

1 Q (By Mr. Vizcarra) Explain to me why you put
2 those bodies in a place so close to where you lived and
3 so close to the road.

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

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

9 A Yes.

10 Q -- and to move them long distances?

11 A Yes.

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

15 A No.

16 Q Did you ever use the zip ties on anyone that
17 was alive?

18 A No.

19 Q Did you ever cover anyone's face while they
20 were alive?

21 A No.

22 Q Did you ever use duct tape on anyone while
23 they were alive?

24 A No.

25 Q When you used the ropes, the zip ties, the

1 garbage bags or the duct tape, were the people dead or
2 alive?

3 A They were dead.

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

6 MR. SARABIA: Objection, Judge, relevance.

7 THE COURT: Sustained.

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

11 MR. SARABIA: Objection, Judge, relevance.

12 THE COURT: Sustained. Asked and answered.

13 He's already answered that question.

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

16 A I believe it was maybe Friday.

17 Q A couple days -- a day or two after this
18 incident --

19 A Yes.

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

21 A Yes.

22 Q And how did you do it?

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

1 Q Where was it, --

2 A I parked --

3 Q -- her vehicle?

4 A When I found it?

5 Q Yeah.

6 A It was at the Fisherman's Shack.

7 Q How far away is that from your home?

8 A About a mile.

9 Q Did you come back right away?

10 A Yes.

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

14 A Yes.

15 Q Did you move anything from upstairs to
16 downstairs?

17 A I moved a few items from the room to the
18 garage.

19 Q Was one of those the mattress?

20 A Yes.

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

23 A Yes.

24 Q Tell us what you did with that mattress.

25 A I moved it to the garage and I cut the topping

1 off because there was blood all over it and I didn't
2 want people seeing it when I put it on the curb.

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

5 A Yes.

6 Q Any other things?

7 A Just trash bags.

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

9 A Yes.

10 Q Why?

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

14 Q Did you try to clean up the bloody mess
15 upstairs?

16 A I tried to do the best I could.

17 Q Why?

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

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

22 A Yes.

23 Q Did they pick up some of the trash?

24 A Yes.

25 Q Why didn't you put all the trash on the curb?

1 Why was some of it still in the garage?

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

7 Q What kind of cigarettes do you smoke?

8 A Camel Menthol.

9 Q And how about Megan?

10 A Camel Menthol.

11 Q And how about Greg Brown?

12 A Marlboro Lights.

13 Q Mr. Matos, let's go back to how you met Megan
14 Brown and found out that you were [REDACTED]'s father.
15 Okay?

16 MR. SARABIA: Objection, Judge, relevance.

17 THE COURT: Approach.

18 (BENCH CONFERENCE.)

19 THE COURT: How is any of this relevant?

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

23 THE COURT: How is any of that relevant?

24 MR. VIZCARRA: I'm sorry?

25 THE COURT: How is any of that relevant?

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

2 THE COURT: I don't care what Mr. Michailos
3 said. It's not -- they didn't object to it. It's
4 not evidence. Why is it relevant? He's here.
5 He's already testified [REDACTED]s his child and he
6 had a relationship with Megan, that they came from
7 Pennsylvania. So anything other than that is not
8 relevant.

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

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

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

23 THE COURT: Right.

24 MR. VIZCARRA: He had a background with these
25 people. He helped them come down.

1 THE COURT: We've already heard --

2 MR. VIZCARRA: This is part of our theory that
3 destroys their motive. And it also sets up the
4 rest of the evidence as far as him not having a
5 premeditation to kill these people.

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

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

14 MR. VIZCARRA: We're entitled to put that on
15 too.

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

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

24 THE COURT: I understand. But you asked him
25 how -- in opening he went to 2009. We're not going

1 back there. If you want to ask, did you help them
2 move down, sure.

3 MR. VIZCARRA: I'll add that to my proffer,
4 Judge.

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

7 (OPEN COURT.)

8 THE COURT: That will be sustained.

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

12 MR. SARABIA: Objection, Judge. Relevance.

13 THE COURT: Sustained.

14 Q (By Mr. Vizcarra) Why is [REDACTED]'s name
15 [REDACTED]?

16 MR. SARABIA: Objection, Judge. Again,
17 relevance.

18 THE COURT: Sustained.

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

21 A Yes. We had a very close bond.

22 Q Describe that bond between the two of you.

23 MR. SARABIA: Objection, Judge. Relevance.

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

1 THE DEFENDANT: We have a wonderful bond
2 between father and son. It's the best experience
3 I've ever had.

4 Q (By Mr. Vizcarra) Tell us about your
5 relationship with Megan.

6 A We were happy.

7 Q Had she always treated you well?

8 A Not always.

9 Q Were there times when she would ask you to
10 watch [REDACTED]

11 A Yes.

12 Q Did you always make time to be a father to
13 him?

14 A Yes. I try to make as much time as possible
15 for [REDACTED]

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

18 A Yes.

19 MR. SARABIA: Objection, Judge. Relevance.

20 THE COURT: That's fine.

21 THE DEFENDANT: Yes.

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

24 A Yes.

25 Q Did she ask you to help move furniture because

1 of her dad's bad back?

2 A Yes.

3 Q And did your family and friends try to
4 discourage you?

5 A Yes.

6 Q Did you, in fact, try to convince her to stay
7 in Pennsylvania?

8 A Yes.

9 MR. SARABIA: Objection, Judge. Relevance.

10 THE COURT: Sustained.

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

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

16 THE COURT: Sure.

17 (BENCH CONFERENCE.)

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

22 THE COURT: That will be sustained.

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

25 THE COURT: Matter of fact, we sustained that

1 early on in this trial and I ruled it's irrelevant.
2 He was there. Obviously he had -- you keep calling
3 it visitation; he was living in the household.
4 There's no visitation agreement. They were all
5 living there. We're going to move on.

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

10 THE COURT: Yeah. We're not going into the
11 adoption.

12 MR. VIZCARRA: Okay.

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

23 MR. VIZCARRA: I appreciate -- I appreciate
24 you making that clear.

25 THE COURT: Premeditation and the murders, you

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

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

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

1 going to be able to go into.

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

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

17 (OPEN COURT.)

18 THE COURT: Counsel, move along.

19 MR. VIZCARRA: Thank you.

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

22 A To --

23 MR. SARABIA: Objection, Judge. Relevance.

24 THE COURT: I'll allow it.

25 THE DEFENDANT: She wanted to start going to

1 nursing school and we had plans of getting married.

2 Q (By Mr. Vizcarra) If [REDACTED] was not going to
3 Florida, would you have gone to Florida?

4 A No.

5 MR. SARABIA: Objection, Judge. Relevance.

6 THE COURT: Overruled.

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

9 A No.

10 Q Did you own one?

11 A No.

12 Q Ammunition?

13 A No.

14 Q A gun case?

15 A No.

16 Q How about when you got to Florida?

17 A No.

18 Q None of those?

19 A No.

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

22 A Yes.

23 Q How much?

24 A 740.

25 Q Before moving to Florida?

1 A Before, it was around 500.

2 Q Okay. Did it change after you moved down
3 here?

4 A Yes.

5 Q What was it?

6 MR. SARABIA: Objection, Judge, as to the
7 relevance.

8 THE COURT: Sustained.

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

11 A Yes.

12 MR. SARABIA: Objection, Judge. Relevance.

13 THE COURT: Overruled.

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

15 A Yes.

16 Q And did she ever tell you that she was going
17 to see other men?

18 A No.

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

20 A Yes.

21 MR. SARABIA: Objection, Judge.

22 THE COURT: Approach.

23 (BENCH CONFERENCE.)

24 MR. VIZCARRA: It goes to state of mind,
25 Judge.

1 THE COURT: To what?

2 MR. VIZCARRA: And the nature of their
3 relationship.

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

6 MR. VIZCARRA: When he came back --

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

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

16 THE COURT: All right. So it's not even not
17 relevant, it's --

18 MR. SARABIA: Hearsay too.

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

22 (OPEN COURT.)

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

25 Q (By Mr. Vizcarra) On August 28, 2014, before

1 5:30 A.M., how did you feel about Nicholas Leonard?

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

3 Q How about Megan Brown?

4 A I loved her.

5 Q How about Greg Brown?

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

7 Q How about Margaret Brown?

8 A I loved her like she was a mother.

9 Q How about [REDACTED]?

10 A I love him very much. He's my world. He's
11 all I have left.

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

16 A I felt like I was going to die.

17 Q How about when he reached for his gun in his
18 pocket?

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

20 Q Same questions for Gregory Brown.

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

22 Q How about Megan Brown in that master bedroom?

23 A I felt like she was --

24 MR. SARABIA: Objection, Judge. Asked and
25 answered.

1 THE COURT: Overruled. Go ahead.

2 THE DEFENDANT: I felt like she was going to
3 kill me as well.

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

6 A I felt like I was going to die.

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

9 A I felt like I was going to die.

10 Q How about when you realized it was Margaret
11 Brown?

12 A I later realized that she wasn't a threat to
13 me.

14 Q How did you feel then?

15 A I felt horrible. Just disgusted.

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

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

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

24 A I was in fear for my life. I was -- I was
25 scared. I was -- just I lost my mind.

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

3 A I felt like, you know, my life was still in
4 danger and I was scared that if I was to call the cops
5 that they might put [REDACTED] in harm's way.

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

9 A I didn't want to lose [REDACTED] I felt like
10 they wouldn't believe me.

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

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

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

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

24 Q Mr. Matos, let's talk about September 4, 2014.
25 You said it was August 28, 2014, when you were forced to

1 defend yourself at your house?

2 A Yes.

3 Q Now, the days rolled by. The 29th, Friday;
4 Saturday, the 30th; Sunday, the 31st; Monday, the 1st;
5 Tuesday, the second; Wednesday the 3rd; now September 4,
6 2014, a week later, had you be at 7719 Hatteras Drive
7 pretty much the whole time?

8 A Yes.

9 Q Had you booked a flight?

10 A No.

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

12 A No.

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

14 A Yes.

15 Q You had access to Megan's Blazer?

16 A Yes.

17 Q You had an RV in the driveway?

18 A Yes.

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

23 A Yes.

24 Q Are you home then?

25 A Yes, I was.

1 Q Do you see him?

2 A Yes. He was at the front door. I could see
3 him from [REDACTED]'s room where I was sleeping.

4 Q Did you hear him?

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

6 Q What did you see him do?

7 A He walked back down the steps and I believe he
8 went into the garage.

9 Q What did you tell your son [REDACTED]

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

11 Q What did you guys do?

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

14 Q Where did you guys go?

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

18 Q Were you walking close to the canal?

19 A Yes.

20 Q Why did you wait from August 28th to September
21 4th to leave your house?

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

1 Q And you waited until law enforcement knocked
2 on the door before you left?

3 A Yes.

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

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

1 walk us to the hotel. And we checked in at the hotel
2 and we got a room.

3 Q Did you have a reservation?

4 A No.

5 Q How did you pay?

6 A Cash.

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

9 A No.

10 Q You said you got rid of all the guns and
11 weapons.

12 A Yes.

13 Q The Kel-Tec pistol that Nick was trying to
14 shoot you with?

15 A I threw it in the canal.

16 Q The rifle that Greg tried you to shoot you
17 with?

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

19 Q That's the one that jammed?

20 A Yes.

21 Q How about the one he was trying to shoot you
22 with in the closet?

23 A I threw it in the canal.

24 Q All the other riffles and shotguns?

25 A All in the canal.

1 Q Ammo?

2 A In the canal.

3 Q Something about a crossbow or a compound bow?

4 A That went in as well.

5 Q How about the hammer?

6 A In the canal.

7 Q And a knife?

8 A The canal.

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

12 A No.

13 Q -- or in your property?

14 A No.

15 Q Did you end up eventually checking into the
16 Floridan Hotel?

17 A Yes.

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

21 A Yes, they did.

22 Q And tell me about that.

23 A I woke up --

24 MR. SARABIA: Objection to the relevance.

25 THE COURT: I'm sorry?

1 MR. SARABIA: Objection to the relevance.

2 THE COURT: Overruled.

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

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

17 MR. SARABIA: Objection to the relevance of
18 this, Judge.

19 THE COURT: Sustained. Unresponsive.

20 MR. SARABIA: Unresponsive.

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

23 Q (By Mr. Vizcarra) Tell us what you did with
24 [REDACTED], just what you did.

25 A I just gave him a hug, a kiss on the cheek and

1 left the room.

2 Q And then what did you do?

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

14 MR. SARABIA: Objection, Judge, as to the
15 relevance.

16 THE COURT: Sustained. Unresponsive.

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

20 So stepped out and he was arrested. Let's
21 move on.

22 MR. VIZCARRA: Okay.

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

24 A Yes, I did.

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

1 MR. VIZCARRA: Can I have just a moment,
2 Judge?

3 THE COURT: You may.

4 MR. VIZCARRA: Thank you.

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

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

9 A Yes.

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

12 MR. SARABIA: Objection, Judge. Leading.

13 THE COURT: Sustained.

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

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

18 Q What happened to that other bullet, that
19 second shot that you had? Did you find that?

20 A I found it behind the bed.

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

24 A I found one on the floor. I believe I threw
25 it away.

1 Q Okay. The other one?

2 A I believe it was recovered with Gregory.

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

5 A No.

6 Q The last thing I want to talk to you about is
7 premeditation and planning.

8 Mr. Matos, did you plan that when you returned to
9 7719 Hatteras Drive that Nicholas Leonard would be
10 there?

11 A No.

12 Q Did you plan that he would have parked his car
13 across the street?

14 A No.

15 Q That he would have armed himself with a
16 Kel-Tec pistol?

17 A No.

18 Q Put a knife on the dresser?

19 A No.

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

22 A No.

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

25 A No.

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

2 A No.

3 Q Did you plan that you would fight for your
4 life?

5 A No.

6 Q Did you plan that Greg Brown would point his
7 Winchester rifle at you?

8 A No.

9 Q That the gun would jam?

10 A No.

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

13 A No.

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

16 A No.

17 Q Did you plan that you would shoot Megan in the
18 master bedroom?

19 A No.

20 Q Did you plan on how you would feel after being
21 attacked to your home?

22 A No.

23 Q Did you ever plan on killing Margaret Brown,
24 [REDACTED]'s grandmother?

25 A No.

1 Q Was it part of your plan before August 28,
2 2014 to sell all the stuff on Craigslist and order
3 pizzas?

4 A No.

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

7 A No.

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

10 A No.

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

13 A No.

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

16 A No.

17 Q Did you plan on the location where you
18 eventually put the bodies?

19 A No.

20 Q Had you ever scouted that location before
21 August 28, 2014?

22 A No.

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

25 A No.

1 Q Did you plan on trying to put the bodies so
2 close to the house?

3 A No.

4 Q So close to the road?

5 A No.

6 Q Waiting a week until the deputies were
7 knocking on your door to finally leave that house at
8 7719 Hatteras Drive?

9 A No.

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

12 A No.

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

15 A No.

16 Q Was any of that a big premeditated part of
17 your plan?

18 A No.

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

21 A No.

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

25 MR. SARABIA: Objection, Judge, relevance.

1 THE COURT: Counsel, I sustained that.
2 Sustained. Twice.

3 MR. VIZCARRA: No more questions.

4 THE COURT: All right.

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

10 THE JURY PANEL: (Responding.)

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

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

16 (RECESS.)

17 (OPEN COURT.)

18 (Defendant present.)

19 (Jury absent.)

20 THE COURT: Are our jurors ready?

21 THE BAILIFF: Do you want me to knock?

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

24 THE CLERK: Trained.

25 THE COURT: I didn't want to say that word.

1 They understand the rules.

2 Did the defendant use the restroom?

3 THE BAILIFF: (Nodding head.)

4 THE COURT: Okay. All right. Are we ready to
5 go?

6 Bring the jury back in.

7 THE BAILIFF: Jury is now entering the
8 courtroom, Your Honor.

9 THE COURT: Thank you.

10 (Jury present.)

11 THE BAILIFF: Jurors all present and seated,
12 Your Honor.

13 THE COURT: All right. Thank you.
14 State, cross.

15 MR. SARABIA: Thank, you Judge.

16 CROSS-EXAMINATION

17 BY MR. SARABIA:

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

20 A Yes.

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

22 A Yes.

23 Q You knew there was a problem, right?

24 A Yes.

25 Q You knew that when you passed by with the taxi

1 there was a whole lot of police cars at the residence
2 that you had just left with -- where four people had
3 died, right?

4 A Yes.

5 Q And Detective Cougill and Detective Kennedy,
6 they sat down with you, right?

7 A Yes.

8 Q And they were nice to you, right?

9 A Yes.

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

12 A Yes.

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

15 A Not quite.

16 Q No. Not at all, right?

17 A No.

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

20 A Yes.

21 Q And then the Tampa Bay Times requested an
22 interview of you, right?

23 A Yes, they did.

24 Q And you thought -- you decided you wanted to
25 do that, right?

1 A Yes.

2 Q The newspaper can't make you talk to them,
3 right?

4 A No.

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

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

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

12 A Actually they approached me and I accepted to
13 talk to them.

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

17 A Yes.

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

20 A Yes.

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

23 A Not quite, no.

24 Q No. Not at all, right?

25 A No.

1 Q In fact, you even tried to bring in an
2 ex-girlfriend of Nicholas Leonard's as a possible
3 suspect here, right?

4 A Possibly. Maybe.

5 Q Possibly. Maybe. Definitely, right?

6 MR. VIZCARRA: Objection, Judge.

7 A I don't remember my exact words.

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

9 (BENCH CONFERENCE.)

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

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

21 MR. VIZCARRA: It is in the actual interview
22 but not on the redacted.

23 THE COURT: Right. Because the State put it
24 in and they didn't want to bring that in and you
25 didn't. Your client says on direct examination,

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

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

17 MR. VIZCARRA: Thank you.

18 (OPEN COURT.)

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

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

24 A Possibly.

25 Q Possibly. Definitely? Right? Definitely?

1 MR. VIZCARRA: Objection. Argumentative.

2 THE COURT: Overruled.

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

5 Q Okay.

6 THE COURT: Defense, do you have your own copy
7 of that?

8 MR. MICHAELLOS: I don't believe I do, Your
9 Honor.

10 THE COURT: Okay.

11 MR. SARABIA: Judge, they have a copy of
12 the --

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

16 Do you want to approach the witness?

17 MR. SARABIA: Yes, Judge. May I approach the
18 witness?

19 THE COURT: You may.

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

23 A (Perusing documents.) It seems to be true
24 what I said.

25 Q Okay. And, in fact, you were educating the

1 Tampa Bay Times that this ex-girlfriend of Nick's was
2 causing problems for Megan, right?

3 A She was stalking her and leaving nasty
4 messages.

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

7 A I believe that was Megan's idea to call the
8 police.

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

13 A Possibly.

14 MR. MICHAELLOS: Improper impeachment.

15 THE COURT: Overruled.

16 THE DEFENDANT: Let me see. (Perusing
17 documents.)

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

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

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

24 A It appeared that she was.

25 Q And so your recommendation to her, per your

1 own statement, was, "You should call the cops," right?

2 A Yes.

3 Q Because that's what you do when you there are
4 problems, right?

5 A Right.

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

8 A Most of the time, yes.

9 Q Most of the time. Okay.

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

14 A Yes.

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

19 A Yes.

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

23 A Yes.

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

1 A Yes.

2 Q That's what we're doing here through this
3 trial process, right?

4 A Yes.

5 Q But you're telling this jury that now you're
6 being honest?

7 MR. MICHAELOS: Objection, Your Honor.

8 MS. GARRETT: Objection, Your Honor.

9 MR. MICHAELOS: Improper.

10 THE COURT: Approach.

11 (BENCH CONFERENCE.)

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

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

18 MR. MICHAELOS: Right.

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

1 So when he believed that his life was in
2 danger, he lied. But now his life may be in danger
3 legally, so to speak, and now he's telling the
4 truth. So overruled.

5 (OPEN COURT.)

6 THE COURT: State, you may proceed.

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

8 A What was the question again?

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

11 A Yes.

12 Q All right. So let's go back to August 27,
13 2014. Megan goes to work that day, you agree?

14 A Yes.

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

17 A (Nodding head.)

18 Q You agree?

19 A Yes.

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

22 A Yes.

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

25 A Yes.

1 Q Right?

2 And during that time period you weren't too happy
3 about that, were you?

4 A I enjoyed watching my son.

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

8 A No.

9 Q That's not correct? What I said is not
10 correct?

11 A I don't understand.

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

14 A I was upset that she was out late. I had to
15 work the next day.

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

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

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

25 A They never told me not to come back.

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

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

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

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

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

10 A No.

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

12 A No.

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

15 A Yes.

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

18 A Yes.

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

22 A Yes.

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

25 A I normally delete my texts when I'm done with

1 them.

2 Q Okay. But you would agree with me that you
3 were calling her names, you were cursing at her and you
4 were telling her she was a bad mother, right?

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

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

10 A I believe so.

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

14 A Yes.

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

18 A I believe so.

19 Q Now, do you remember what you were texting her
20 at that point?

21 A No. I don't remember.

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

1 A I don't believe so. I don't know what she
2 texted to him.

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

6 MR. MICHAELLOS: Judge, objection.

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

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

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

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

19 MR. SARABIA: We'll see.

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

25 Q Read that one and then read this one

1 (indicating) .

2 A (Perusing documents.) I would say that it
3 doesn't refresh my memory because it's not what
4 happened.

5 Q So you're saying it doesn't refresh your
6 memory at all?

7 A No.

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

10 MR. VIZCARRA: Objection. Asked and answered.

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

14 THE COURT: Mr. Matos, hold on. Hold on one
15 second.

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

19 THE DEFENDANT: Okay.

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

24 THE DEFENDANT: Okay.

25 THE COURT: So that's sustained. And I would

1 have stopped him, but he answered anyway. So move
2 on.

3 Q (By Mr. Sarabia) And, Mr. Matos, I think you
4 testified on direct that you didn't think Nick would be
5 around anymore, right?

6 A When?

7 Q After the knife incident, you didn't think
8 Nick would be around anymore, right?

9 A He told me that he was done with her.

10 Q Right. You had had a conversation with him,
11 according to you because you're the only one left alive
12 that can tell us about the conversation --

13 MR. MICHAELOS: Improper testifying, Judge.

14 THE COURT: Overruled. Go ahead.

15 Q (By Mr. Sarabia) At 2:00 in the morning where
16 you claim Mr. Leonard told you he was done with Megan,
17 right?

18 A Yes.

19 Q And so you didn't expect him to be a part of
20 that anymore, right?

21 A Yes.

22 Q Except that you were calling him after the
23 knife incident, weren't you?

24 A Yes.

25 Q You were trying to reach him about issues with

1 Megan, right?

2 A I just wanted to make sure that he was done
3 with her because I was going to try to see if that me
4 and Megan could work things out.

5 Q Oh, so you weren't sure that he was done with
6 her yet? You wanted to call him and make sure?

7 A I just wanted to make sure that he was serious
8 about what he said. And I was going to try to work
9 things out with Megan.

10 Q Okay. Well, in terms of the first
11 conversation you had with Nicholas Leonard at 2:00 in
12 the morning, that was about him telling you stop
13 bothering Megan and making her upset, right?

14 A He said that he was going to stop talking to
15 her.

16 Q No. He wanted you to stop trying to contact
17 her, right?

18 A That's not what he said, no.

19 Q Okay. So you guys had a 22-minute
20 conversation where he was just telling you he was done
21 with her?

22 A Yes.

23 Q Now, Megan gets home the morning of
24 August 28th, right?

25 A (Nodding head.)

1 Q She walks into [REDACTED]'s room, fair?

2 A Yes.

3 Q And you were waiting for her there with a
4 knife, weren't you?

5 A No.

6 Q You weren't?

7 A No.

8 Q You just started yelling and arguing?

9 A We started arguing first and that's when I
10 pulled out a knife.

11 Q So that's when you pulled out a knife. You
12 just pulled that out of your pocket and have the knife
13 on you, right?

14 A I believe I got it from the kitchen first.

15 Q Oh, so you walk from [REDACTED]'s room while all
16 this arguing was going on over to the kitchen to
17 specifically get a knife so you could come back and
18 threaten Megan Brown with it, right?

19 A I was just holding it in my hand. I just
20 wanted her to tell me the truth. I wasn't planning to
21 use it on her.

22 Q Were you making a sandwich with it?

23 A No.

24 Q Were you cutting cheese with it?

25 A No.

1 Q So you brought it up and pointed it at Megan
2 Brown so that she would --

3 A I just had it --

4 Q -- answer your questions?

5 A I justed it in my hand.

6 Q You just had it in your hand?

7 A Yes.

8 Q So you specifically went over to the kitchen
9 to get a knife that you weren't actually using for
10 anything and came back so you just have it in your hand
11 while you were confronting Megan Brown about things
12 you're upset about, right?

13 A Yes.

14 Q That's your testimony?

15 A (Nodding head.)

16 Q Okay. And you're just holding it in your hand
17 and she felt the need to grab the knife according to
18 you, right?

19 A Yes.

20 Q You never once held it up to her?

21 A No.

22 Q You never once put it up to her throat?

23 A No.

24 Q You never pointed it at her?

25 A No.

1 Q You never told her you were using going to use
2 it to hurt her?

3 A No.

4 Q You never threatened her in any way, according
5 to you?

6 A No.

7 Q But then after you've been arguing, after you
8 go get knife, after you come back, after you don't
9 threaten her, after she grabs the knife then [REDACTED]
10 with wakes up, right?

11 A Yes.

12 Q And then when [REDACTED] wakes up, that's when
13 you leave, right?

14 A Yes.

15 Q And he was upset that his mother was upset; is
16 that fair?

17 MR. VIZCARRA: Objection. Speculative.

18 THE COURT: Overruled.

19 Q (By Mr. Sarabia) Is that fair?

20 A I think he just woke up from the noises that
21 we were talking loud so he woke up.

22 Q And when he woke up, he was upset, right?

23 A He didn't seem upset. He just seemed like he
24 was tired and we had disrupted his sleep.

25 Q Okay. And so then you leave?

1 A Yes.

2 Q You get on your bike, no shirt, right?

3 A I had a shirt on.

4 Q You had a shirt on?

5 A Yes.

6 Q Okay. And then you leave and you go find a
7 random house to stay in the back of, right?

8 A I just wanted to go cool off and give her some
9 space.

10 Q So you wanted to go take some time and cool
11 after; is that fair?

12 A Yes.

13 Q And you knew that law enforcement officers had
14 come to the house?

15 A I seen that they were going in that general
16 direction.

17 Q And you know -- you knew what that was about,
18 right?

19 A I figured that it was because of that incident
20 that had occurred.

21 Q Okay. Even though, according to you, you just
22 went and got the knife to have it, not to threaten
23 anybody, you knew that it was about what just happened
24 with you and Megan, fair?

25 A I had a good feeling that it had something to

1 do with that.

2 Q Okay. And you didn't go over there and say
3 like, "Hey. Hey. I just want to clear this up. I was
4 just holding the knife." You didn't do that, did you?

5 A No.

6 Q You didn't make try and make contact with them
7 and say, "You know, big misunderstanding or this is what
8 really happened. This is my side of the story." None
9 of that, right?

10 A No.

11 Q You just stayed over there in the back of the
12 house hiding; is that fair?

13 A Yes.

14 Q And you also know that there's a good chance
15 that law enforcement had been there whenever they do
16 catch you or whenever they do catch up with you that
17 they'll arrest you; is that fair?

18 A Possibly.

19 Q So you knew that if you went back to the house
20 and Megan doesn't want you to be there, all she has to
21 do is call law enforcement and they're probably going to
22 arrest you, right?

23 A Possibly.

24 Q So you just ride your bike back over there?

25 A I waited until like around 6:00, 6:30 before I

1 went back home.

2 Q And rode your bike?

3 A Yes.

4 Q Where did you park your bike?

5 A I left it on the side of the house.

6 Q You didn't go park it in the garage where you
7 normally do?

8 A No.

9 Q You didn't park it in the driveway?

10 A No.

11 Q You drove it on to the grass?

12 A Yes.

13 Q Did you go through that fenced area that
14 surrounded that door or did you fly over it?

15 A I believe I stepped over the fence that was
16 for the dogs. And the door was open, so I just walked
17 in.

18 Q Okay. And the door, according to you, was
19 wide open?

20 A It was wide open, yes.

21 Q And walk me through how this happens next. So
22 you go up the stairs?

23 A Yes.

24 Q And you don't see any people?

25 A No. Just dogs.

1 Q Just dogs. You go over towards the two
2 bedrooms?

3 A Towards --

4 Q Is that fair?

5 A Towards my bedroom that I shared with Megan.

6 Q Okay. And you still don't see any people?

7 A No.

8 Q You didn't announce yourself?

9 A Well, the dogs were barking, so I figured that
10 they heard that I was there. My presence was known.

11 Q You didn't announce yourself as, "Hey. I'm
12 back"?

13 A I usually don't announce my presence when I
14 come into the house, so there was no need to.

15 Q Well, you knew there was just a substantial
16 incident that occurred in the morning that law
17 enforcement was there for, right?

18 A Most likely, yes.

19 Q So you didn't feel the need to let everybody
20 know, "Hey. I'm just getting my stuff. I'm just come
21 in peacefully"?

22 A Well, that's what I was trying to do.

23 Q But did you say that?

24 A No. I didn't see anyone. There was no one to
25 tell.

1 Q Did you to try and knock on the front door or
2 anything like of that nature, like, "Hey, guys. I want
3 you to let you know I'm here. I just want to get my
4 stuff and say bye"?

5 A No. I didn't knock on the door.

6 Q Okay. So -- and your testimony is that as
7 you're walking to the southeast bedroom Megan comes out?

8 A Yes. With [REDACTED]

9 Q With [REDACTED] Is she holding [REDACTED]

10 A No.

11 Q [REDACTED] is walking with her?

12 A Yes.

13 Q And did she say anything to you?

14 A She just left the room.

15 Q She didn't ask you why you were there?

16 A No.

17 Q You didn't ask her what was going on?

18 A No.

19 Q You didn't tell her, "Hey. I just want to get
20 my stuff"?

21 A No. I didn't have time to.

22 Q You didn't say, "Hey. I just want to say
23 goodbye to [REDACTED]?"

24 A No.

25 Q No? You just walked past her and went into

1 the southeast bedroom?

2 A Yes.

3 Q Now, walk me through step by step what happens
4 next.

5 So you walk in the southeast bedroom and where
6 exactly is Nicholas Leonard?

7 A He came from the closet area.

8 Q Please indicate where you're talking about.

9 A This would be the closet area in the room that
10 I entered (indicating).

11 Q Was he in the closet?

12 A I couldn't tell when I entered the room.
13 Megan was just walking out with [REDACTED] so I was
14 looking in her direction. And Nick came out of nowhere
15 from that area.

16 Q Okay. And Nick say anything to you?

17 A No. He just grabbed me by the neck.

18 Q Now, how tall are you, Mr. Matos?

19 A I'm about 6'2".

20 Q And you're a fairly strong guy; is that fair?

21 A I would say so, yes.

22 Q And Nicholas Leonard's about 5'9"?

23 A I believe so.

24 Q And your testimony is that he grabbed you by
25 the throat?

1 A Yes.

2 Q What hand did he use?

3 A His left hand.

4 Q He use only one hand?

5 A Yes.

6 Q And so he grabs you with you his left hand and
7 then what happens to you?

8 A His right hand goes into his right pocket and
9 he pulls out his pistol.

10 Q He still hasn't said anything to you yet?

11 A No.

12 Q Did you say anything to him?

13 A No.

14 Q You didn't ask him, "Hey. What are you going
15 doing here?"

16 A I couldn't speak because his hand was cutting
17 off the air from my throat so I couldn't speak.

18 Q So where are you standing when this was
19 happening?

20 A I was standing by the closet area.

21 Q So you're all the way over at the closet area
22 now?

23 A That's where -- when I walked in, he just came
24 out of nowhere by the closet, so that's where he grabbed
25 me by the throat.

1 Q So did he come to you or did you go to him?

2 A He came to me.

3 Q So he came to you, so you're more in the front
4 of the door area, right?

5 A Yes.

6 Q Okay. So not by the closet area. You're over
7 near the door?

8 A By the closet area near the door.

9 Q Okay. And he grabs you with his left hand and
10 pulls something out of his pocket with his right hand?

11 A Yes.

12 Q Then what happens?

13 A He pointed the gun at me at my chest.

14 Q And what do you do?

15 A I grabbed his wrist and I pointed the gun
16 downwards away from me so he wouldn't shoot me.

17 Q And where are you in the room?

18 A We were between the closet and the door.

19 Q And were you effective in moving the gun away
20 from you?

21 A At the time I was able to point it towards the
22 floor away from my body.

23 Q And then you told him like, "Hey. Hey. I
24 just want to get my stuff and get out", right?

25 A I couldn't speak. Again, he was still holding

1 my throat.

2 Q You couldn't say anything?

3 A No.

4 Q You were unable to breath?

5 A Yes.

6 Q So you were choking now?

7 A Yes.

8 Q You were -- were you losing consciousness?

9 A Not at that moment, no.

10 Q Okay. So now he's got you, what do you do
11 next?

12 A We struggled. We wrestled around the room and
13 we ended up by the dresser where I saw a knife that I
14 was able to use to defend myself and I stabbed him in
15 his arm.

16 Q Okay. Where was the knife?

17 A It was on top of the dresser.

18 Q It was on top of the dresser. And you're
19 talking about the big, tall dresser that you had moved
20 before law enforcement had got there, right?

21 A I believe it was still in the same spot. It's
22 a fairly heavy dresser.

23 MR. SARABIA: I'm displaying State's 161.

24 Q (By Mr. Sarabia) You're talking about this
25 big dresser over here, right (indicating)?

1 A Yes. Yes.

2 Q So you guys are wrestling on the ground and
3 then you reach up an get the knife on top of that
4 dresser?

5 A We weren't wrestling on the ground. We were
6 just wrestling around --

7 MR. MICHAELLOS: Mischaracterization --

8 THE COURT: Mr. Matos, remember that part
9 where he objects and you don't keep talking.

10 THE DEFENDANT: Sorry.

11 Go ahead.

12 MR. MICHAELLOS: The objection is, Judge,
13 Counsel's mischaracterizing evidence. Mr. Matos
14 has not testified he's on the ground at this point.

15 THE COURT: Okay. Overruled. Mr. Matos can
16 speak for himself.

17 Mr. Matos, you want to rephrase the question
18 (sic)? Go ahead.

19 State, you might want to rephrase the question
20 so he'll know he can answer it.

21 Q (By Mr. Sarabia) So you're wrestling around
22 with Nick and then you reach up on top of that
23 five-and-a-half foot dresser and get a knife?

24 A We were wrestling around the room. We were
25 still standing up. But when we ended up in that corner,

1 I noticed there was a knife on top of the dresser.

2 Q What kind of a knife was it?

3 A It seemed to be a hunting knife.

4 Q One of the two knives that you threw in the
5 canal?

6 A Yes.

7 Q One of Greg's special hunting knives?

8 A Yes.

9 Q It just happened to be on top of that dresser?

10 A Yes.

11 Q Now, which one?

12 A I believe it was the one with the curved
13 point -- curved tip.

14 MR. SARABIA: Displaying State's 222.

15 A No. Not that one.

16 Q (By Mr. Sarabia) You agree that one has a
17 curved tip, right?

18 A It's more like this (indicating). Not a hook
19 but like a curved edge.

20 Q State's 224 (indicating)?

21 A That would be it.

22 Q The antique hunting knife?

23 A (Nodding head.)

24 Q Now, according to you, you spent a lot of time
25 in that room before that?

1 A I lived in that room with Megan.

2 Q Had you ever seen that knife in that room
3 before?

4 A No.

5 Q It just happened to be there on this occasion?

6 A Yes.

7 Q So you grabbed the knife and what do you do
8 with it?

9 A I used it to stab Nick in his left arm.

10 Q And then what?

11 A He released his grip on my throat and I
12 dropped the knife and I continued to get the gun out of
13 his hand.

14 Q Okay. Did you stab him any more times?

15 A No.

16 Q So only the one time to the arm?

17 A It was about three times to the arm.

18 Q Three times in the arm?

19 A Yeah.

20 Q It wasn't -- and it was all the left arm?

21 A Yes.

22 Q At this point you're able to get his gun,
23 right?

24 A No.

25 Q What happens next then?

1 A We continued moving around the room and we
2 ended up falling on the bed.

3 Q And the bed, that would be the bed that was up
4 against that window, right?

5 A Yes.

6 Q The bed that would have been right adjacent to
7 the dresser, right?

8 A Yes.

9 Q And you're on top of Nick; is that fair?

10 A He was on top of me.

11 Q He was on top of you?

12 A Yes.

13 Q So you're on the bed and he's on top of you?

14 A Yes.

15 Q And how is he on top of you?

16 A His -- he threw his body weight on top of me
17 when we were standing up and we fell on the bed.

18 Q You fell on the bed. Now, is he face-to-face
19 with you?

20 A Yes.

21 Q And where's the gun?

22 A It's still in his hand.

23 Q And where is his hand?

24 A His hand is right by my face and he's trying
25 to point it towards me but I'm keeping his hand away

1 from me face.

2 Q And to be clear, you guys are on a mattress on
3 the floor at this point?

4 A Yes.

5 Q And then what happens?

6 A He took his fingers and he put it inside my
7 check and started to rip at the flesh from the inside
8 out and he said, "I'm going to rip your face off."

9 Q While you were on the bed?

10 A Yes.

11 Q And when he says that, what do you do?

12 A At that point, Megan came in the room with
13 Gregory and she said, "Shoot him, Dad. Shoot him."

14 Q She wasn't calling 911?

15 A No.

16 Q She wasn't trying to get law enforcement?

17 A No.

18 Q All she said was, "Shoot him"?

19 A "Shoot him."

20 Q She didn't say, "Shoot at him," did she?

21 A She said, "Shoot him, Dad. Shoot him."

22 Q Did she say, "Shoot at him?"

23 A I'm assuming that she was talking about me.

24 Q Okay. But she didn't he specify, did she?

25 A No. But I did tell Greg, "Greg. Please don't

1 shoot me, Greg. Don't shoot me." She didn't say any
2 different.

3 Q Okay. But you are underneath Nicholas Leonard
4 at this point?

5 A Yes.

6 Q He's on top of you?

7 A He moved at that point. When they came in and
8 she said that, he moved out of the way but he was still
9 pinning me down, my lower body, and I was unable to
10 move.

11 Q So you're down and he gets up.

12 A No. He just moved over a little built to
13 reveal my chest to Greg.

14 Q Okay. And where's his firearm?

15 A Greg's or --

16 Q Nick's?

17 A Nick's? It's still in his hand.

18 Q And he has his firearm all to himself now?

19 A It was always still in his hand.

20 Q Okay. Do you have ahold of his hand?

21 A I'm still holding his wrist.

22 Q With your right hand?

23 A I believe it was my right hand.

24 Q Okay. And so you say, "Greg, please don't
25 shoot me"?

1 A Yes.

2 Q This is the first thing that you've said since
3 you got there?

4 A Yes.

5 Q And you don't say, "I just want to get my
6 stuff and go"?

7 A At that point I couldn't think of anything
8 else but to ask Greg please not to shoot me.

9 Q You still have the knife in your hand?

10 A No. The knife was dropped on the floor after
11 I stabbed him in the arm.

12 Q Where was it dropped on the floor?

13 A Somewhere on the rug next to the bed.

14 Q Okay. Because at that point there was a big
15 rug on that wooden floor, right?

16 A Yes.

17 Q It's the rug that you later wrapped Nicholas
18 Leonard in and took him downstairs then, right?

19 A Yes.

20 Q The big rug that we found behind the silver
21 van in the east garage?

22 A Yes.

23 Q Okay. So the knife falls on the floor and you
24 say Greg misfired not just once but twice?

25 A Yes.

1 Q And then he leaves?

2 A After the shot towards Nicholas, that's when
3 he left the room.

4 Q After Greg shot towards Nicholas?

5 A After I shot towards Nicholas, that's when
6 Greg exited the room.

7 Q Okay. So you at some point get control of
8 this firearm?

9 A Yes.

10 Q And you shoot at Nick?

11 A Yes.

12 Q Is that the first shot that goes off?

13 A No.

14 Q Okay. How does the first shot go off?

15 A As I was pulling the gun out of his hand, a
16 shot went off towards the wall.

17 Q Okay. And you are still on the mattress at
18 this point?

19 A Yes.

20 Q And Nick is still on the mattress right next
21 to you at this point?

22 A He's still pinning me down.

23 Q Okay. And we agree that the mattress was
24 against this wall (indicating)?

25 A Yes. Right in that corner here (indicating).

1 Q Running lengthwise?

2 A Yes.

3 Q So you now have the gun, shot has gone off,
4 Nicholas Leonard is, according to you, wounded and kind
5 of off to the side, right?

6 A Yes.

7 Q And then -- then what happens?

8 A Gregory and Megan ran to the master bedroom to
9 the closet that he had weapons in.

10 Q Okay. So you're in the southeast bedroom?

11 A Yes.

12 Q They go off in a different direction?

13 A Yes.

14 Q Do you agree with me that while you're in the
15 southeast bedroom you can't see where they went, right?

16 A I could see the direction that they ran to and
17 it seemed that they were running to the master bedroom.

18 Q Okay. And according to you, you had just been
19 attacked, right?

20 A Yes.

21 Q People had just tried to kill you, right?

22 A Yes.

23 Q So you took this opportunity to go and run out
24 the front door, right?

25 A No.

1 Q Because the front door is closer than the
2 master bedroom, right?

3 A Yes.

4 Q You took this opportunity to go and run down
5 the stairs to get your bike and get out of there, right?

6 A No.

7 Q You had your phone on you the whole time,
8 didn't you?

9 A I believe my phone was somewhere -- I must
10 have had it in my pocket.

11 Q Okay. And you agree you could have taken your
12 phone out and call 911 and say, "Hey. I have a big
13 problem here. People are trying to kill me", right?

14 A I believe my phone was dead at that time.

15 Q Okay. Well, you still could have gone out of
16 the front door; do you agree?

17 A I could have.

18 Q You could have said, "Wait. Wait. Guys,
19 everything's fine. I'm leaving. I'm just getting my
20 stuff and saying goodbye", right? You could have done
21 that?

22 A Possibly.

23 Q You didn't do that though, did you?

24 A No.

25 Q You pursued Greg and Megan, right?

1 A Yes.

2 Q You pursued them into the master bedroom,
3 right?

4 A Yes.

5 Q And were they both in the master bedroom
6 closet?

7 A Gregory was in the closet with another weapon
8 in his hands and Megan was in the room.

9 Q It was a different weapon now?

10 A I don't -- I couldn't tell.

11 Q Okay. So you don't know if it was a different
12 weapon or not?

13 A It could have been a same one or a different
14 weapon. I'm not sure.

15 Q And you go in there and he's in the master
16 bedroom closet. You actually have to go all the way
17 over to that closet to know that he's in the master
18 closet, right?

19 A Yes.

20 Q So you go all the way over there to the master
21 closet to check and see if he's there, right?

22 A Yes.

23 Q You pursue him all the way to that closet,
24 correct?

25 A Yes.

1 Q And then he's got his back to you and you
2 shoot him in the back, right?

3 A Yes.

4 Q He wasn't even facing you, right?

5 A Not at that moment, no.

6 Q He was facing the wall in the corner of that
7 closet; is that fair?

8 A He was facing the wall opposite to the
9 entrance of the closet.

10 Q Okay. So he didn't even know that you were
11 there, did he?

12 A I believe he did.

13 Q Okay. Did you announce yourself like, "Hey,
14 Greg. I'm here. I just want to make sure you're not
15 getting any weapons or anything"; did you say that?

16 A He heard me come in the room.

17 Q Were you yelling?

18 A No, I was not.

19 Q Were you screaming?

20 A No.

21 Q So you weren't making any noise, right?

22 A Just movements of my feet hitting the floor
23 entering the room.

24 Q Okay. So you believed that Greg heard you
25 running there and still had his back turned to you as

1 you shot him in the back from the doorway of the master
2 closet?

3 A As I shot him in the back, he was going to
4 turn with his weapon in his hands.

5 Q Okay. He goes down to the ground?

6 A He turned around with the weapon in his hand
7 and that's when I shot him again.

8 Q And you shot at him in the chest this time?

9 A In the chest.

10 Q Two shots?

11 A One to the chest area; one to the back.

12 Q All right. So now you're at the doorway of
13 the master closet?

14 A Yes.

15 Q Fair?

16 A Yes.

17 Q And you turn around and you know Greg's not a
18 problem, right?

19 A At that point, no.

20 Q Well, you know he's down and shot, right?

21 A Yes.

22 Q But you don't know that he's not a problem
23 apparently, fair? That's what you just said?

24 MR. VIZCARRA: Judge, objection.

25 A When he had the weapon in his hand --

1 THE COURT: Hold on. Hold on.

2 THE DEFENDANT: Sorry.

3 THE COURT: The objection is what?

4 MR. VIZCARRA: He doesn't understand the
5 question. It's a double negative. "You don't know
6 that he is not a problem."

7 THE COURT: Counsel, overruled. If Mr. Matos
8 doesn't understand the question, he's on many
9 occasions said, "I don't understand the question.
10 Please repeat it." He can handle himself.

11 If you don't understand the question, just
12 say, "Please repeat the question." You've done a
13 very good job up to now.

14 You may proceed.

15 Q (By Mr. Sarabia) So you weren't sure whether
16 or not Greg was a problem down there in the master
17 closet floor according to you, right?

18 A I wouldn't know. He went down, so I believe
19 that he was either dead at that point or just
20 unconscious.

21 Q Or just unconscious?

22 A I wasn't sure.

23 Q Okay. So then Megan's hiding over in the
24 corner, right?

25 A Yes.

1 Q That little privacy wall?

2 A Yes.

3 Q And then you shot towards that direction?

4 A Yes.

5 Q Is that fair?

6 A Yes.

7 Q And then she actually came out because that
8 shot didn't go through a corner and then enter her left
9 eye, did it?

10 A Yes, it did.

11 Q Oh, you're claiming that you shot through a
12 metal corner and that it still went in and penetrated
13 her left eye without leaving any signs of the corner
14 there, right?

15 A It hit the wall and then it went into her eye.

16 Q The bullet hit the wall and then went into her
17 eye?

18 A Yes.

19 Q It ricochet off the wall and then went into
20 her eye?

21 A Yes.

22 Q You didn't stand there with the gun pointed at
23 her hand left eye while she was saying, "Please don't.
24 Please don't"?

25 A No.

1 Q That never happened?

2 A No.

3 Q Okay. And so Megan goes down to the ground,
4 right?

5 A Yes.

6 Q And did you go and check on her?

7 A Yes.

8 Q Did you go and check on Greg?

9 A Not at that moment, no. I went to Megan's
10 side to check on her and that's when -- that's when I
11 just lost it completely.

12 Q Okay. And then you go back to Nick?

13 A Yes.

14 Q And magically there's a hammer that appears?

15 A Well, there was tools in the room, like power
16 drills and a hammer.

17 Q In the southeast bedroom?

18 A Yes.

19 Q Where in the southeast bedroom?

20 A It was near the closet area.

21 Q Okay. So there's tools and a hammer in the
22 closet area. So you go in there and you grab the hammer
23 and you start beating Nicholas Leonard in the head?

24 A Yes.

25 Q And he was still moving around a little bit at

1 that point?

2 A No. He was unconscious at that point.

3 Q Okay. You didn't call law enforcement and let
4 them know, "Hey. There are three people here who need
5 assistance"?

6 A No.

7 Q You didn't say, "Hey, law enforcement. Three
8 people just tried to kill me and they need your help
9 right now", right?

10 A No.

11 Q You didn't try to get any medical attention
12 for Megan, you didn't try to get any medical attention
13 for Greg, and you didn't try to get any medical
14 attention for Nicholas Leonard, right?

15 A No.

16 Q And [REDACTED] was in the master bedroom when
17 this happened, wasn't he?

18 A No. He was in his bedroom.

19 Q He was in his bedroom?

20 A Yes.

21 Q By himself?

22 A Yes.

23 Q Was he locked in there?

24 A I believe Megan told him to close the door.

25 Q When did that happen?

1 A It must have happened while we were in the
2 room.

3 Q "It must have happened", did you hear it
4 happen?

5 A No. I didn't hear it happen. But she must
6 have told him to lock himself in the room because when I
7 came over to the room, he was locked in there. So he
8 must of locked himself in there.

9 Q So you're just making stuff up now.

10 A I believe that she would try to protect him
11 and tell him to lock himself in his room.

12 MR. MICHAELOS: Objection.

13 Q (By Mr. Sarabia) You believe Megan would have
14 done that even though you didn't hear or see any of
15 that, right?

16 A I would believe that she would want him to
17 protect himself by locking himself in the room. It
18 would be the logical thing to do.

19 Q Okay. You don't think Megan would have gone
20 and grabbed him and kept him with her and gone into the
21 master bedroom like what actually happened?

22 A No.

23 Q Okay. So now you're -- according to you,
24 that's around 6:30, 7:00 in the afternoon?

25 A Sometime around there.

1 Q And according to you, there were only four
2 shots actually fired -- or five shots actually fired?

3 A Five shots.

4 Q Okay.

5 THE COURT: Mr. Matos, you've got to keep your
6 voice up.

7 THE DEFENDANT: Okay. Sorry.

8 THE COURT: It's going down and down and down.
9 That's okay.

10 Q (By Mr. Sarabia) They were all from the same
11 firearm?

12 A The same firearm, yes.

13 Q The Kel-Tec 380?

14 A Yes.

15 Q So 6:30, 7:00 you're there by yourself with
16 [REDACTED]

17 A Yes.

18 Q You didn't call anybody to try and help anyone
19 there, right?

20 A No.

21 Q You didn't call anybody to try and make sure
22 that [REDACTED] was okay through this whole thing, did you?

23 A [REDACTED] was fine, so there was no need to call
24 for help.

25 Q And I think you said on direct you went -- you

1 got angry at Nick because you were upset that Nick
2 brought a weapon into the house. Those were your words,
3 right?

4 A Yes.

5 Q But you were aware there was several weapons
6 in the house already, right?

7 A Yes.

8 Q You were aware there was several weapons
9 already in the master closet, right?

10 A Yes.

11 Q In fact, you were aware that there were
12 kitchen knives over in the kitchen that you could
13 potentially use as weapons, right?

14 A Possibly.

15 Q Because that's what you had done that morning,
16 right?

17 A Yes.

18 Q So you lived in that house for a period of
19 time?

20 A About two months.

21 Q Right. And you knew Margaret had a job at
22 Wawa?

23 A Yes.

24 Q You knew she worked a shift generally from
25 3:00 to 11:00, right?

1 A Her shift changed from time to time.

2 Q Okay. But you knew that that was one of her
3 shifts, right?

4 A I wasn't aware of her shift that week. But I
5 knew that she did work certain days of the week, but I
6 didn't know what times exactly.

7 Q Okay. And Margaret didn't get home until
8 about 11:30 at night, right?

9 A Sometime around there.

10 Q And so you're in the house by yourself for
11 four, four-and-a-half hours with [REDACTED] right?

12 A Some time, yeah.

13 Q And you knew -- you knew during that time that
14 Margaret wasn't there?

15 A Yes.

16 Q You knew that the silver van wasn't there?

17 A Yes.

18 Q So you knew Margaret was out probably at work,
19 right?

20 A Yes.

21 Q And so then 11:30 at night you know that's
22 probably about the time I would expect Margaret back,
23 right?

24 A Yes.

25 Q And so Margaret comes back, and according to

1 you you're up in the bedroom when that happens?

2 A I don't remember where I was at that time.

3 Q You don't remember where you were when you
4 heard Margaret coming back and you were afraid?

5 A I was somewhere in the upstairs area.

6 Q Somewhere in the upstairs area. You can't
7 narrow it down for us at all?

8 A I can't remember. My memory's a little fuzzy,
9 a little cloudy around that time.

10 Q Okay. It sounds like you remember all the
11 things you want to remember really well, but then
12 there's parts you don't want to remember like text
13 messages you sent to Megan after the knife incident,
14 right? Is that fair?

15 A Yes.

16 MR. VIZCARRA: Objection. Argumentative.

17 A It's been a long time.

18 MR. VIZCARRA: Compound question?

19 THE DEFENDANT: Sorry.

20 THE COURT: Sustained. Compound.

21 Q (By Mr. Sarabia) So Margaret gets home and
22 she's just coming in from work, right?

23 A I believe so, yes.

24 Q She's just walking from her van to get into
25 the house, right?

1 A Yes.

2 Q She doesn't know any of the terrible things
3 that you have already done, does she?

4 A No.

5 Q But you arm yourself with a hammer and you go
6 down to greet her, right?

7 A Yes.

8 Q And you didn't say, "Hey, Margaret. Don't go
9 upstairs," do you?

10 A No.

11 Q You didn't say, "Margaret, something really
12 bad happened I need to tell you about"?

13 A No.

14 Q Did you?

15 A No.

16 Q You didn't say, "Margaret, I'm going to leave.
17 Have at it upstairs," did you?

18 A No.

19 Q You just greeted her by beating her head in
20 with that hammer, right?

21 A Yes.

22 Q You agree with that?

23 A Yes.

24 Q And you had already beat Nicholas Leonard's
25 head in with a hammer, right?

1 A Yes.

2 Q So you knew at that point what a hammer does
3 to a head when you hit somebody. How many times did you
4 hit Margaret?

5 A I can't remember. It was a few times.

6 Q More than five?

7 A Maybe.

8 Q And you knew based on what you already did to
9 Nick Leonard what effect that would have on Margaret
10 Brown, right?

11 A Yes.

12 Q Now, you would agree with me that this extra
13 bullet that you say went off in the southeast bedroom
14 and any shell casings that would help us determine where
15 the firearm was shot, you agree that you got rid of all
16 of that, right?

17 A Most of it.

18 Q You removed all of that so nobody could find
19 out exactly what you did and how you did it, right?

20 A I didn't want [REDACTED] being exposed to
21 anything that might, you know, just make him just
22 mentally disturbed.

23 Q Well, you would agree that there's a door to
24 Megan's room?

25 A Yes.

1 Q And there's a lock on that door --

2 A Yes.

3 Q -- that I believe you testified on direct he
4 couldn't reach, right?

5 A Yes.

6 Q And I think you even testified on direct that
7 you could close the doors to the master bedroom, right?

8 A Yes.

9 Q And let's be clear, you spent a lot of time
10 cleaning those two rooms, right?

11 A Yes.

12 Q It was not an hour or hour-and-a-half thing?
13 You spent a lot of time of in both of those rooms
14 cleaning up, right?

15 A I don't know how long it was, but I did spend
16 some time cleaning it up.

17 Q You moved a lot of items out of the southeast
18 bedroom. You spent a lot of time mopping and cleaning
19 up pieces of Megan's brain from the floor over the
20 course of that week, right?

21 A I don't remember picking up any parts of
22 brain, but I did clean up the blood.

23 Q Okay. Because there was a lot more blood in
24 that master bedroom before law enforcement got there,
25 fair?

1 A Yes.

2 Q And you agree that all took time to do?

3 A Yes.

4 Q And you had to make sure [REDACTED] wasn't able
5 to get in to those rooms during that period of time,
6 right?

7 A Yes.

8 Q And that's something you could do, right?

9 A Yes.

10 Q And you knew how to do that, right?

11 A Yes.

12 Q Simple lock on the door in one of the rooms'
13 cases?

14 A Yes.

15 Q So keeping [REDACTED] out of the rooms and
16 exposed to that wasn't going to be a problem for you,
17 was it?

18 A At the time I wasn't sure if he would try to
19 find a way in, so I just wanted to clean it up just in
20 case he did find a way in.

21 Q All right. Instead of calling law enforcement
22 to tell them, "Hey. All this terrible stuff just
23 happened and people tried to kill me", right?

24 A Yes.

25 Q So back to Margaret. You indicated that --

1 and fair to say, with Margaret, you only beat her in the
2 head, right?

3 A Yes.

4 Q The only places you beat her was about her
5 head and face, right?

6 A Her head.

7 Q Okay. And it's your testimony that you put
8 the plastic bags on her head afterwards?

9 A After she was dead.

10 Q After she was dead?

11 A Yes.

12 Q And you didn't try and call for help for her
13 after you realized, "Oh, I just killed Margaret"?

14 A No.

15 Q Or, "I just hurt Margaret"?

16 A No.

17 Q No. You just put a bag over her head because,
18 in your words, you didn't want to make a bigger mess,
19 right?

20 A I didn't want the blood getting everywhere.

21 Q Everywhere in the garage, right?

22 A Yes.

23 Q Now, you didn't put a bag over Nicholas
24 Leonard's head, did you?

25 A No.

1 Q And that was messier, right?

2 A It was a little messy, yes.

3 Q And you didn't pull put a bag over Megan's
4 head, did you?

5 A No.

6 Q And do you agree, that was pretty messy too?

7 A Yes.

8 Q And I think you testified at some point that
9 you drop Margaret and then blood went everywhere, right?

10 A I don't know if blood went everywhere, but I
11 did drop her.

12 Q You dropped her and then that's how we result
13 with a pile of the pool of blood behind the silver van,
14 right?

15 A I don't think that's where the pool of blood
16 came from, but she did fall when I was trying to put her
17 in.

18 Q Okay. So when you said on direct that she
19 fell and then we ended up with all of that blood on the
20 floor, that wasn't what you meant?

21 A I didn't say that's where the blood came from,
22 but I did drop her.

23 Q Okay. And you'd agree with me that Margaret
24 coming in from work, she didn't have any weapons?

25 A No.

1 Q She didn't say anything to you about, "I'm
2 going to kill you" or "I'm going to hurt you", did she?

3 A No.

4 Q She didn't -- she didn't even see it coming,
5 did she?

6 A No.

7 Q And she actually -- she struggled? She tried
8 to get into the doorway of the stairwell, right?

9 A I believe so.

10 Q And you pulled her back into the garage and
11 ultimately into the east garage, right?

12 A When we were in the west garage, that's where
13 I hit her in the head.

14 Q Okay. Let's look at some of that.

15 State's 37. Do you agree with me, that back wall
16 of that area that's where you started to attack
17 Margaret?

18 A Somewhere in that area.

19 Q And she's putting her hands on her head trying
20 to figure out what just happened, right?

21 A I don't -- I don't know. It was dark when it
22 happened. There was no lights working in that garage.

23 Q State's 383. She fell against that wall right
24 there (indicating). That's her handprint and her blood?

25 A Possibly.

1 Q Right?

2 And then you hit her in the head while she was
3 struggling to stay up against that wall, right?

4 A Possibly. Yes.

5 Q Not "possibly". Definitely?

6 A Most likely.

7 Q And then she's trying to make her way into the
8 residence, right?

9 A I believe so.

10 Q And as she's trying to make her way into the
11 residence you're pursuing her, right?

12 A Yes.

13 Q You keep hitting her with the hammer, right?

14 A Quite a few times.

15 Q State's 112. And you agree with me she was
16 grabbing onto this doorframe right there with her bloody
17 hands trying to prevent you from pulling her back into
18 the garage, right?

19 A No. I don't believe so.

20 Q Those aren't her finger marks?

21 A No.

22 Q Well, those aren't your finger marks, are
23 they?

24 A They might have been.

25 Q They might have been your finger marks holding

1 onto the doorframe?

2 A No. They might have been my fingerprints when
3 I was cleaning up. Maybe I got blood on my hands and
4 touched the door. I don't believe those are hers.

5 Q You held on to the doorframe like that?

6 A Possibly when I was come in up the stairs.

7 Q Okay. Well, then you drag her into the east
8 garage; do you agree?

9 A Yes.

10 Q And she -- that's her handprint right there on
11 the wall as you go into the east garage, right
12 (indicating)?

13 A I don't know.

14 Q Okay. Well --

15 A It was dark when this happened, so I can't
16 really tell what happened.

17 Q Well, she was holding onto that wall trying to
18 keep you from pushing her into that east garage, right?

19 A I can't -- I can't tell. I really say for
20 sure.

21 Q She was struggling with you?

22 A We had a struggle in the dark when it
23 happened. But I don't know what parts of the wall were
24 touched because it was dark.

25 Q She was trying to stay alive, right?

1 A Yes.

2 Q But you had a different intention there,
3 right?

4 A Yes.

5 Q You wanted to make sure she was going to die,
6 right?

7 A At that time I felt like my life was in danger
8 and I was so out of it that I reacted without thinking.

9 Q You thought enough to bring the hammer with
10 you though, didn't you?

11 A I brought a weapon to defend myself.

12 Q Now, after you kill everybody in the house,
13 fair to say that you didn't have a whole lot of money of
14 your own, right?

15 A No. No.

16 Q You had to start selling a bunch of stuff so
17 that you could accumulate enough money so that you could
18 eventually leave, right?

19 A Well, I had a check, but I didn't cash it yet
20 so I didn't have any cash. So I figured if we could
21 give the dogs a good home to live in, we would, you
22 know, have some money for some food for [REDACTED]

23 Q Because that was your only concern was a good
24 home for the dogs, right?

25 A Well, I wanted to get a good home for the

1 dogs; I couldn't care for them. And I just wanted to
2 get money for [REDACTED] so he could have something to eat.

3 Q Okay. So you started selling a TV?

4 A Yes.

5 Q Tried to sell the entertainment center?

6 A Yes.

7 Q Tried to set sell some of Margaret's jewelry?

8 A (Nodding head.)

9 Q You tried to sell -- or you did sell a number
10 of the dogs, right?

11 A Yes.

12 Q And people would come up and you'd tell them
13 lies about why you're selling the dogs, right?

14 A I don't remember what I said. But I think,
15 you know, I said we were just, you know, trying to get
16 rid of the dogs.

17 Q Okay. And you tried to sell the Bose speaker,
18 right?

19 A Yes.

20 Q And all this is to try and generate some cash?

21 A Yes.

22 Q Okay. If you have enough cash, then you can
23 go somewhere else, right?

24 A Well, I didn't know where I was going to go
25 to, but for the time being, I just wanted to have enough

1 to survive.

2 Q And in the meantime if you clean up the scene
3 and erase any trace of Nicholas Leonard being there,
4 maybe no one will know what you did, right?

5 A Not exactly. I was just trying to clean it so
6 [REDACTED] wouldn't be exposed to it.

7 Q But I think we've already established you
8 could just shut the doors in order to keep him from
9 being exposed to it, right?

10 A Right. Well, I knew it was a matter of time
11 before law enforcement got involved. I was just trying
12 to stay alive and keep [REDACTED] out of harm's way.

13 Q Now, you didn't want to drive the van around
14 too much because you knew that was Margaret and Greg's
15 vehicle, right?

16 A Right.

17 Q And if you happen to get pulled over in that
18 vehicle, there would be questions about that?

19 A Yes.

20 Q You couldn't take Megan's vehicle because it
21 happened to have a flat tire when you went and got it,
22 right?

23 A Yes.

24 Q And did you try to get it Friday when it was
25 blocked in or did you wait until Saturday morning?

1 A Try to get what?

2 Q Did you try and get Megan's vehicle on Friday
3 and were prevented from doing so because it was blocked
4 in?

5 A I don't remember what day it was exactly, but
6 I know it was sometime around that weekend and it was at
7 nighttime. So there was no cars in that parking lot.
8 It was empty.

9 Q Okay. Or maybe it be the morning daylight
10 hours, right, between 8:30 and 9:30 in the morning?

11 A I didn't go -- I didn't go in the morning,
12 daytime. I only went at nighttime when [REDACTED] was
13 sleeping.

14 Q Okay. Because you wouldn't go between 8:30
15 and 9:30 in the morning, right, because [REDACTED] would be
16 awake?

17 A Well, I just happened to do it at nighttime
18 and it seemed like an okay time to do it while [REDACTED]
19 was sleeping.

20 Q Okay. And you would agree that you hung out
21 with Ryan McCann and Alan McCann multiple days?

22 A A few times.

23 Q And you asked Ryan McCann about security
24 videos, right?

25 A It got brought up when he told his brother

1 that he made home porn videos with the cameras that he
2 had hidden around the house.

3 Q I'm sorry. Did you say just say it came up
4 when he told his brother he made home porn videos?

5 A Yes.

6 Q Okay. So according to you, Ryan McCann tells
7 his brother he was making home porn and so you ask him
8 if he has surveillance?

9 A Well, he said he had hidden cameras and I
10 asked him about his home porn, but I thought it was a
11 weird subject to bring up and I was just, you know,
12 asking questions just being part of the conversation and
13 he said he had home surveillance around the house.

14 Q Okay. And you just left it at that?

15 A We just left it at that.

16 Q You had no other interest in whether or not
17 Mr. McCann had surveillance?

18 A No.

19 Q You had no interest in knowing whether or not
20 Mr. McCann had surveillance cameras that might have
21 caught you disposing of the murder weapons, right?

22 A I wasn't really thinking about that, no.

23 Q Okay. How about when Ryan McCann asked you
24 about whether or not -- where the family was?

25 A I believe I told him that they were away on

1 vacation or something along those lines.

2 Q So you never told him, like, "Yeah. There was
3 a big problem. They all tried to kill me. It was
4 really bad," right?

5 A No. I didn't want to involve him in that and
6 I didn't want him to be a threat to me as well if I was
7 to tell them that. I didn't want to put [REDACTED] or
8 myself in further danger.

9 Q So you decided to lie to him because he might
10 be a threat to you?

11 A I felt he didn't need to know at that time.

12 Q Okay. So for no good reason then you just
13 decided to tell him something that was completely false,
14 right?

15 A Yes.

16 Q Okay. Now, on Tuesday, you agree, you had
17 piled a lot of trash bags out at the curb, right?

18 A (Nodding head.) I don't know what day it was
19 exactly, but I did put trash on the curb.

20 Q Well, you knew that the trash picked up on
21 Tuesday, right?

22 A I believe so. That was the day, yeah.

23 Q And that's why you would put all the trash
24 bags out on the curb because you knew the trash pickup
25 was that day; is that fair?

1 A On Tuesday, I don't believe I got the trash
2 out to the curb Tuesday.

3 Q Okay.

4 A Because it was in the garage, those bags.

5 Q So you didn't -- there were no bags that were
6 taken by the trashman away from the house that --

7 A Not on -- not on -- I don't believe so. Not
8 on that day. Because the bags that were in the garage
9 never made it to the curb.

10 Q Okay. I agree with you. The bags in the
11 garage, we can all agree, never made it to the curb.

12 A Right.

13 Q But prior to those bags, there were bags that
14 made it to the curb?

15 A Yes.

16 Q You agree with that?

17 A Yes.

18 Q Okay. And you knew what day trash day was
19 because you knew when to put all of those bags out?

20 A Correct.

21 Q And in those bags were a lot of the things
22 that you had been cleaning up, right?

23 A Yes. Yes.

24 Q A lot of things that you were disposing of,
25 right?

1 A Right.

2 Q You had to get rid of Margaret's shoes, right?

3 A Anything that had blood on it I didn't want

4 [REDACTED] being exposed to it, so I just threw it away.

5 Q So Margaret's shoes, she actually kicked her

6 shoes off while you were trying to tie her feet

7 together, right?

8 A Most likely.

9 Q Okay. So you agree with me on that?

10 A Yes.

11 Q Good. So she didn't have her shoes on anymore

12 and you disposed of those, right?

13 A Yes.

14 Q Now, Friday you go and get the shovel. You

15 did that because you were going to bury the bodies. You

16 agree with that, right?

17 A Yes.

18 Q You were going to try to bury them out in the

19 yard, right?

20 A Yes.

21 Q If you could hide the bodies and get rid of

22 the evidence from the scene, maybe nobody knows what you

23 did, right?

24 A No.

25 Q No?

1 A No.

2 Q That wasn't a consideration at all?

3 A There was no hiding the fact of what happened
4 or what I did.

5 Q Okay. Well, you had everybody's phones after
6 they died, right?

7 A They were in the house, yes.

8 Q You had Margaret's phone?

9 A Yes.

10 Q And you agree with me that Margaret's phone
11 number is that [REDACTED] number that you were calling
12 on the 28th, right?

13 A I believe so.

14 Q Okay. And you had Greg's phone?

15 A Yes.

16 Q And you had Megan's phone?

17 A Yes.

18 Q And you had Nick's phone?

19 A Yes.

20 Q Now, Greg's phone actually had some family
21 members trying and contact him on that phone, right?

22 A Yes.

23 Q And you responded to them by text message,
24 didn't you?

25 A I don't remember doing so.

1 Q You don't remember doing that?

2 A No.

3 Q You don't remember responding to his son that
4 you love him?

5 A Possibly.

6 Q That possibly happened?

7 A Yes.

8 Q You agree with me that that actually did
9 happen?

10 A Yes.

11 Q Okay. And you did that because you were
12 trying to avoid detection from the things that you had
13 done, right?

14 A Well, I was, you know, still out of my mind at
15 the time that and I was in shock and I didn't want
16 people coming to the house trying to kill me.

17 Q Well, that was -- that was days later that you
18 sent that text with Greg's phone, right?

19 A Most likely.

20 Q That was like September 1st or September 2nd,
21 right?

22 A Possibly. Yes.

23 Q Okay. And I think you just told this jury you
24 didn't want people coming in the house because they
25 might kill you, right?

1 A I didn't want people coming into the house.

2 Q That's what you just told them, right?

3 A Yes.

4 Q But you were freely having people to come to
5 the house to sell stuff to them, right?

6 A Yes.

7 Q Okay. Just want to be clear on that.

8 And you agree you took the shovel out to Old Dixie
9 Highway because it was your intention to try and bury
10 the bodies out that way, right?

11 A I didn't attempt to bury the bodies at that
12 point. I just had the shovel in the van. I just
13 happened to throw it in there.

14 Q You just happened to throw the shovel in with
15 four bodies that you were trying to dispose of?

16 A Yes.

17 Q Just happened to be there?

18 A I threw it in there just in case, but I never
19 used it to bury the bodies.

20 Q Okay. It was hard work moving all of those
21 bodies, right?

22 A Yes.

23 Q It was hard work dragging them all at to where
24 you left them, right?

25 A Yes.

1 Q It would have been a lot more work to actually
2 move them around more or bury them, right?

3 A Yes.

4 Q And you figured, "This is good enough. It's a
5 dead end. Nobody can see it. I'm going to leave them
6 here an people won't be able to find them", right?

7 A Yes.

8 Q And you indicated you cut the top off -- the
9 pillowcase top off the mattress, right?

10 A Yes.

11 Q And it was your intention that that stuff was
12 going to go out in the trash?

13 A I was going to attempt to put it out in the
14 trash, but I never got to doing so.

15 Q You didn't get that far because the next trash
16 day wasn't until Friday, right?

17 A I believe so. Yes.

18 Q Okay. So you didn't have the opportunity to
19 put all of that stuff out at the curb yet?

20 A No.

21 Q Right?

22 A No.

23 Q You hadn't gotten to the southeast bedroom by
24 the time the first trash pick up had occurred, right?

25 A No.

1 Q So you cut off the pillow top mattress. I
2 believe your words on direct were you didn't want people
3 seeing blood, right?

4 A Yes.

5 Q Because you knew if people saw blood, they
6 might find out what you did, right?

7 A Or they might try to hurt me. I don't know.

8 Q Oh, they might try and hurt you, but really it
9 was because they would detect your crime, right?

10 A Well, I didn't want anybody seeing blood on a
11 mattress so I just cut it off.

12 Q You didn't want anybody seeing blood on a
13 mattress, right?

14 A No.

15 Q Because, again, it might until them the
16 terrible things that you did to the people in that
17 house, right?

18 A Possibly. Yes.

19 Q And you brought up as often as you could that
20 [REDACTED] is all you have left. Those were your words,
21 right?

22 A Yes.

23 Q You would agree with me you have a mother in
24 California, right?

25 A Yes.

1 Q And at the time you had a brother and
2 sister-in-law who were also in California, right?

3 A Distant relatives, yes.

4 Q Distant in distance, but people that you could
5 talk to on a regular basis, right?

6 A Yes.

7 Q And, in fact, people who have continued to
8 talk to you since this has happened, right?

9 A Yes.

10 Q They've continued to be there for you?

11 A Yes.

12 Q Okay. And, Mr. Matos, you indicated -- I
13 remember you saying on direct, "The story the State is
14 trying to hide from you." You remember using those
15 words?

16 A Yes.

17 Q "The story that the State is trying to hide
18 from you" were your words, right?

19 A Yes.

20 Q But you agree with me that the story you have
21 just told this jury, you had have three years -- more
22 than three years and the entire time of watching the
23 evidence come by in this trial to come up with the story
24 that you've told them, right?

25 A It is the truth.

1 Q Okay. But you've had all of that time to
2 think about exactly what you were going to tell them,
3 right?

4 A Yes.

5 Q To be clear, this isn't something that you
6 came and told us that we are trying to hide from anybody
7 is it?

8 A I believe that you're trying to hide most of
9 the facts that happened in this case as far as the
10 truth.

11 Q Okay. But in terms of having your own
12 opportunity to tell law enforcement and tell the news
13 what happened, do you agree you hid what was happening,
14 right?

15 A I did.

16 Q Okay. Now, it's your testimony on direct
17 you're getting these phone calls in the Floridan Hotel
18 room telling you you need to change rooms, right?

19 A Yes.

20 Q And according to you, you went and hugged your
21 son goodbye before you went out into the hallway, right?

22 A Yes.

23 Q And you would agree with me that you walked
24 out and you didn't know law enforcement was going to be
25 there, did you?

1 A I had a feeling that they were.

2 Q You had a feeling that they were. So once
3 again, when you told the Tampa Bay Times reporter -- he
4 asked you questions about the SWAT team, right?

5 A Yes.

6 Q When you told the Tampa Bay Times reporter
7 that you were shocked that he were there, that was
8 another lie?

9 A I was shocked to see them.

10 Q You were shocked to see them?

11 A Yes.

12 Q So which is it, Mr. Matos; were you shocked to
13 see them or did you have a feeling they were going to be
14 there?

15 A I had a feeling that something was going --
16 strange going on when I got the call to change rooms,
17 but I wasn't sure whether the cops were there until I
18 actually saw the SWAT team. I was shocked to see a
19 bunch of people in black attire and, you know, carrying
20 weapons.

21 Q Okay. Now, in terms of moving the bodies, you
22 would agree with me Margaret was possibly the lightest,
23 right?

24 A She was a little heavier than Megan.

25 Q Okay. Well, Margaret is significantly shorter

1 than Megan was, right?

2 A She was.

3 Q She was? Yes?

4 A She was shorter, yes.

5 Q Okay. And in terms of picking up and lifting,
6 Margaret's probably going to be the easiest one to move,
7 right?

8 A I wouldn't say so. She was a little meatier
9 than Megan was.

10 Q Okay. And I believe it was your testimony
11 that you used ropes on all the other three bodies after
12 Margaret, right?

13 A Yes.

14 Q Okay.

15 MR. SARABIA: Judge, may I have a moment?

16 THE COURT: You may.

17 Q (By Mr. Sarabia) All right. Mr. Matos, we
18 talked about the four cell phones, right?

19 A Yes.

20 Q You remember that?

21 A Yes.

22 Q So whose cell phone is the cell phone that you
23 threw in the canal?

24 A I don't remember.

25 Q Okay. But you agree it was either Megan's or

1 Nick's?

2 A Yes.

3 Q Fair to say it was probably Megan's, right?

4 A Probably.

5 Q Now, you didn't just throw that cell phone in
6 the canal, did you?

7 A I don't believe so.

8 Q No. You actually -- did you take a hammer to
9 it or did you stomp on it?

10 A I don't remember. I just remember crushing
11 the screen.

12 Q Okay. You did a little bit better than
13 crushing the screen, didn't you? Would you agree?

14 A I crushed the screen. That's all I can
15 remember.

16 Q (Indicating.) I mean, you crushed the entire
17 thing. You agree?

18 A Yes.

19 Q You weren't just disposing of this. You were
20 trying to make sure no information could be recovered
21 from this, right?

22 A Right.

23 Q You definitely wanted to make sure that a jury
24 would never get to read the text messages that you sent
25 to Megan on August 28, 2014?

1 A At the time -- at the time I was probably just
2 upset and I just crushed it out of anger.

3 Q You were probably just upset and crushed it
4 out of anger?

5 A Yes.

6 Q Was it trying to kill you?

7 A No.

8 Q Okay.

9 MR. SARABIA: I don't have any more questions
10 Judge.

11 THE COURT: Redirect?

12 MR. VIZCARRA: No more questions, Your Honor.

13 (Excerpt concluded.)

14 * * * * *

STATE OF FLORIDA)
)
COUNTY OF PASCO)

I, Victoria L. Campbell, Registered
Professional Reporter, certify that I was authorized
to and did stenographically report the foregoing
excerpt of proceedings and that the transcript is a
true record.

DATED this 17th day of November, 2017.

/s/Victoria L. Campbell

Victoria L. Campbell, RPR