

Official Trial Transcript

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Testimony of Romulo Barela

Direct Examination by Mr. Lopez (Prosecution), Pages 26, 28

Q: At any time on the northeast side of the bar, Mr. Barela, did you notice Mr. Armendariz' actions?

A: Yes. Between all that, Damacio Montano went down there, I guess, to assist his brother Michael Armendariz (sic),. They had gotten Nestor and was kind of restraining him on top of a car, what I would call a proper restraint. They had him leaned up over against a car like if they were going to handcuff him.

...

Q: now, Mr. Barela, when you saw Mr. Armendariz on top of Damacio, striking him, hitting him, what did you do?

A: I ran over to assist them. I got Michael Armendariz, I pinned him down on the ground, and I told him to mellow out, just go home, it's not worth it.

Q: You grabbed Mr. Armendariz and you held him down?

A: Yes. On the sidewalk.

Q: On the sidewalk?

A: Yes.

Q: At that point, Mr. Barela, when you had Mr. Armendariz down, was he faceup and you were on top of him? Is that what occurred?

A: Yes.

Q: Were you striking him at any point?

A: No.

Q: How did you have him? I mean, how were you holding him?

A: Well, when I grabbed him, it was more like a tactical hold, grabbed him from his waist, put him on the ground. We were both just laying down. I'm not sure exactly where my hands were at that point.

Cross Examination by Mr. Baiamonte (Defense), Page 47

Q: So you've got Nestor bent over the hood of a car, Damacio holding him, and I suppose Eric is not taking too kindly - I mean, Nestor is not taking this too kindly, so he's not going along with it, right?

A: Right.

Q: And you don't know where Eric is?

A: Right

Q: At that point or soon thereafter, you restrained my client and laid down on top of him, right?

A: Yes.

Q: Do you have any explanation, sir, why that does not appear on the surveillance video?