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Superior Court of the State of California
For the County of Los Angeles
SOUTHWEST DISTRICT

PEOPLE OF STATE OF CALIFORNIA,
Plaintiff,

vs.

MARIO DE ORBEGOSO
MARK WEBER, Defendants

Case No. 9SY04080

TRANSCRIPT OF INCIDENT

DATE: April 12, 2009

1 OFFICER OTTO: You live on Strathmore? Where's your
license?
2
3 MARK WEBER: Huh?
4 OFFICER OTTO: Where's your license?
5 MARK WEBER: I gave it to you.
6 OFFICER OTTO: Alright.
7 OFFICER PHILLIPS: Back the lights down one, please. Back the
lights down one.
8
9 OFFICER OTTO: You guys think it's funny to be ah pissing?
10 MARIO DE ORBEGOSO: Huh?
11 OFFICER OTTO: Do you guys think it's funny to be pissing?
12 (Radio in background)
13 OFFICER OTTO: Mr. Weber, is this your correct address?
14 MARK WEBER: No
15 OFFICER OTTO: What's your correct address?
16 MARK WEBER: Um, can you give me a chance before you
write me the ticket?
17
18 OFFICER OTTO: No. Give you a chance for what? We saw you
pissing on the sidewalk.
19 MARK WEBER: I don't think I was pissing
20
21 OFFICER OTTO: You both were pissing. We both witnessed
it.
22 OFFICER PHILLIPS: What's your name?
23 MARK WEBER: My name is Mark.
24 OFFICER PHILLIPS: Where do you live?
25 MARK WEBER: Uh, right down the street. But I wasn't

pissing.

1
2 OFFICER PHILLIPS: Ok, do not to insult me with that stupid
3 comment. I saw the piss coming out of your
4 dick onto the wall.
5 MARK WEBER: I wasn't pissing, sir.
6 OFFICER PHILLIPS: Ok, you're being an idiot.
7 MARK WEBER: I swear I wasn't pissing.
8 OFFICER PHILLIPS: Yes, you were.
9 MARK WEBER: I wasn't. I'll take it to court, I swear.
10 OFFICER PHILLIPS: Fine, take it to court.
11 OFFICER OTTO: That's fine.
12 OFFICER OTTO: Funny thing is we have cameras on our cars,
13 too.
14 MARK WEBER: I wasn't pissing.
15 OFFICER OTTO: Yeah, you were.
16 MARK WEBER: No, I wasn't.
17 OFFICER OTTO: What's your address?
18 MARK WEBER: 52 The Strand.
19 (Radio in background)
20 OFFICER OTTO: Mr. Weber, how old are you?
21 MARK WEBER: 28.
22 OFFICER PHILLIPS: (Inaudible) You don't have to write it out
23 (inaudible)
24 OFFICER OTTO: Ok.
25 OFFICER PHILLIPS: (Inaudible)
OFFICER OTTO: Just put uh 372 P.C.?

1 OFFICER PHILLIPS: Yup.

2 OFFICER OTTO: Just put urinating, urinating in public?
3 That's what you put in the description and
4 then put . . .

5 OFFICER PHILLIPS: But make sure you put that you observed it.
6 So, yes, you're just gonna do 372 P.C.,
7 urinating in public, and then on the next
8 line, I observed subject urinating on wall.

9 OFFICER OTTO: Oh ok.

10 OFFICER OTTO: And you don't need a DR or anything for this
11 correct?

12 OFFICER PHILLIPS: You do need a DR, yes.

13 OFFICER OTTO: You do?

14 OFFICER PHILLIPS: Yes and you're actually going to need one, a
15 different one, for each.

16 (Radio in background)

17 OFFICER OTTO: Can I get two DR's?

18 (Radio in background)

19 OFFICER OTTO: Ok.

20 OFFICER OTTO: I don't need to fill in any of this cause
21 Its . . .

22 MARIO DE ORBEGOSO: Mario Luiz Ganoza

23 OFFICER PHILLIPS: Nah, you don't need that.

24 OFFICER OTTO: Pardon?

25 OFFICER PHILLIPS: No, you don't need that.

OFFICER OTTO: Ok.

MARIO DE ORBEGOSO: Mario Luis Ganoza

1 MARIO DE ORBEGOSO: My other last name is my grand-, my mom's
last name (Inaudible)

2 OFFICER PHILLIPS: And uh, make sure you coordinate the proper
3 day. No even Tuesday, odd Wednesday.

4 OFFICER OTTO: Yeah, I did that before.

5 OFFICER PHILLIPS: Stay seated, sit down.

6 OFFICER OTTO: Sit.

7 MARK WEBER: I just want to pull up my pants.

8 OFFICER PHILLIPS: Sit down.

9 OFFICER OTTO: Sit down. Sit down.

10 MARK WEBER: I'm just putting my stuff in my . . .

11 OFFICER PHILLIPS: Ok this isn't a negotiation. Sit down.

12 MARK WEBER: There could be someone that's in trouble
13 right now or getting raped right now.

14 OFFICER PHILLIPS: Ok, I'll tell you what. Do me a favor, put
15 your hands behind your back.

16 OFFICER PHILLIPS: Now you can sit in handcuffs because I don't
like your attitude.

17 MARK WEBER: I'm trying to be positive.

18 OFFICER PHILLIPS: No you're not.

19 MARK WEBER: I'm trying to.

20 OFFICER PHILLIPS: K. You are telling me I should be doing
21 something different right? That I should not
22 be doing my job?

23 MARK WEBER: I'm saying that there could be something
dangerous going on.

24 OFFICER PHILLIPS: Yah there could be. Or there could be
25 people urinating on public property which is
a big problem in our city.

1 MARK WEBER: But, I wasn't urinating, sir.

2 OFFICER PHILLIPS: So, guess what? Right now, you're the
3 biggest problem we have right now. Ok?

4 MARK WEBER: There could be something more dangerous
going on.

5 OFFICER PHILLIPS: There could be, absolutely. There could be
6 a meteor falling from the sky that could
7 kill us all this moment. Could be a lot of
stuff.

8 MARK WEBER: I was just saying. I realize you work hard,
9 but I'm just saying.

10 MARK WEBER: Were you in the army?

11 OFFICER PHILLIPS: No, I was not. (Inaudible) question.

12 MARIO DE ORBEGOSO: Excuse me, sir.

13 OFFICER PHILLIPS: Yeah?

14 MARIO DE ORBEGOSO: Can I ask you a question or . . .

15 OFFICER PHILLIPS: Certainly.

16 MARIO DE ORBEGOSO: Why you put handcuffs on my friend?

17 OFFICER PHILLIPS: Because I asked him to sit down three times
18 and he didn't cooperate, that makes me
19 nervous. That means he's gonna try to do
20 something. That may or may not be true, but
I work in a line of work where people try n'
kill me. Ok and I don't take any chances.

21 MARIO DE ORBEGOSO: (Inaudible)

22 OFFICER PHILLIPS: So he may be a nice guy, but I'm not gonna
23 take that risk. And when I tell him three
24 times to sit down and he wants to say, "Oh
I'll sit down in a second," that doesn't fly
with me.

25 MARIO DE ORBEGOSO: The only thing sir, is (inaudible).

1 OFFICER PHILLIPS: You're fine.

2 MARIO DE ORBEGOSO: (Inaudible)

3 OFFICER PHILLIPS: I know and I had to tell him three times and
4 this officer had to tell him once and this
5 officer had to tell him once. That's way
6 more than should be required. Ok? This is a
7 legal detention and right now you're subject
8 to my orders.

9 MARIO DE ORBEGOSO: Oh no no no, I thought (inaudible)

10 OFFICER PHILLIPS: You've been perfectly cooperative. I
11 appreciate
12 that. You friend her wants to lie to us, and
13 insult-

14 MARK WEBER: No, I didn't mean to insult you.

15 MARIO DE ORBEGOSO: He never tried to insult you, he never did.

16 OFFICER PHILLIPS: Yes he did.

17 MARK WEBER: How did I insult you sir?

18 OFFICER PHILLIPS: By trying to tell me you weren't urinating.

19 MARK WEBER: I wasn't urinating.

20 OFFICER PHILLIPS: I watched you do it.

21 MARK WEBER: (laughing) I wasn't though.

22 OFFICER PHILLIPS: Ok.

23 MARK WEBER: It may have looked like I was urinating, but
24 I wasn't urinating.

25 OFFICER PHILLIPS: Ok so the fluid that was coming from your
waist band to the wall, I made that up?

MARK WEBER: Maybe you, you know there's, maybe you
didn't see what you thought you saw. I
wasn't urinating, sir.

1 OFFICER PHILLIPS: Ok now I, I just, I'm hallucinating, is that
it?

2 MARK WEBER: No. Maybe you just didn't see what you
3 thought you saw.

4 OFFICER PHILLIPS: Ok, you think that's a good argument?

5 MARK WEBER: Well, I wasn't urinating.

6 OFFICER PHILLIPS: Yes, you were.

7 MARK WEBER: I wasn't.

8 MARIO DE ORBEGOSO: The only thing I can say sir is (inaudible)

9 OFFICER PHILLIPS: No you weren't, you were standing right
10 there pissing on the wall.

11 OFFICER PHILLIPS: Oh, you weren't doing it either right?

12 MARIO DE ORBEGOSO: No, sir.

13 OFFICER OTTO: We saw you zip up your pants.

14 OFFICER PHILLIPS: So, that big puddle of piss that's now
15 running down the sidewalk into the gutter,
that's imagined as well?

16 MARK WEBER: I don't see the big puddle.

17 OFFICER PHILLIPS: Go look at it when were done here

18 MARK WEBER: Ok.

19 OFFICER PHILLIPS: There is a big puddle of piss.

20 MARK WEBER: Ok.

21 OFFICER PHILLIPS: I must be imagining that right, I'm not
22 seeing it clearly?

23 MARK WEBER: I'm looking.

24 OFFICER PHILLIPS: Ok, it's there. You can't see it around the
25 bush. It's there. Trust me, I'm looking
right at it.

1 OFFICER OTTO: What is, um, the other guy's date of birth?

2 OFFICER PHILLIPS: Is that 11 12 or 1 12? Clear that up. That
3 looks like 1 12 to me.

4 MARIO DE ORBEGOSO: My first name is Mario. My second name is
5 Guzman. And my last name is Ganoza, from my
6 mother.

6 OFFICER PHILLIPS: Must be 11 12, right? 1112.

7 MARIO DE ORBEGOSO: De Obregoso is like second name from my mom.

8 OFFICER PHILLIPS: Ok. Here ya go.

9 OFFICER PHILLIPS: Ok. That's good, make him sign it and he
10 can be on his way.

11 OFFICER OTTO: Ok, here's your ID back. Yah you can put
12 it, ah, here's your cite I'm issuing you
13 for urinating in public. I need you to sign
14 on the red X, you're not admitting guilt,
15 you have to appear in court on the date is
16 shows you.

15 OFFICER OTTO: You need to sign on red X. Pay attention.
16 No, you can stay seated. You don't need to
17 stand up to sign a cite. You can read the
18 cite sitting down. Sign here.

17 OFFICER OTTO: Read. We don't have all night. It's all
18 your information.

19 OFFICER PHILLIPS: According to your buddy, we've got some
20 rapes to prevent.

20 MARK WEBER: It's true. There's crimes going on.

21 OFFICER PHILLIPS: There are.

22 OFFICER OTTO: We witnessed you urinating.

23 OFFICER PHILLIPS: And right now you're it.

24 MARK WEBER: (laughing)

25

1 OFFICER OTTO: You need to sign at the red X.

2 MARK WEBER: You and I could've been friends in high
school.

3 OFFICER PHILLIPS: Coulda been.

4 MARK WEBER: Coulda been.

5 OFFICER OTTO: We're not your personal servant.

6 MARK WEBER: You are here to serve the public.

7 MARIO DE ORBEGOSO: I need to read what I am going to sign,
8 right?

9 OFFICER OTTO: It's all your information on there.

10 MARIO DE ORBEGOSO: I want to make sure.

11 OFFICER OTTO: What, I make shit up for ya?

12 MARIO DE ORBEGOSO: I want to make sure (inaudible)

13 OFFICER OTTO: I've been polite with you. I told you
14 that's all the information that you gave me
15 with your information and I'm holding a
flashlight for you to read it.

16 MARIO DE ORBEGOSO: I know ma'am. Can you please flash here
17 'cause that way I can, I can read what I...?

18 OFFICER OTTO: You have 10 seconds. Stop talking and read.

19 MARIO DE ORBEGOSO: But you are (inaudible)

20 OFFICER OTTO: If you're not gonna sign, then we take you
to jail.

21 MARK WEBER: Could you just flash the light so he can
22 read?

23 MARIO DE ORBEGOSO: Why do you want to take me to jail? Because
24 I cannot read? English is not my first
language.

25 OFFICER OTTO: And I told you-. Ok. And I told you, you

1 can read it. But I don't have all night for
you to stand and read it.

2 MARIO DE ORBEGOSO: I don't want to take all night, I just want
3 to read.

4 OFFICER OTTO: That's fine.

5 OFFICER PHILLIPS: Stop arguing and read.

6 MARIO DE ORBEGOSO: So can you please let me read?

7 OFFICER PHILLIPS: Go.

8 OFFICER OTTO: We're not stopping ya.

9 MARIO DE ORBEGOSO: Where do I have to sign?

10 OFFICER OTTO: You sign on the red X. Right there.

11 OFFICER PHILLIPS: Yes, you have to sign it.

12 OFFICER OTTO: You have to sign it.

13 MARIO DE ORBEGOSO: Ok, I have to sign sir?

14 OFFICER OTTO: Yes, it's not admitting guilt, it's just
15 saying that you're gonna show up for the
16 court appearance.

17 MARIO DE ORBEGOSO: I will show up and (inaudible), but I don't
concur with your idea.

18 OFFICER PHILLIPS: You don't have to agree with it. You're not
19 signing an agreement. You're signing a
20 promise to appear in court. It even says on
there, you're not admitting guilt.

21 MARIO DE ORBEGOSO: Where does it say that?

22 OFFICER PHILLIPS: Right under the little line here. Ok?
23 Without admitting guilt, I promise to appear
24 at the date, at the time, and the place
indicated below. It says it on, on the
25 ticket. You're signing in the wrong spot.
Red box. Down down down. Right here. Sign
there.

1 MARK WEBER: He's got a problem here.

2 OFFICER PHILLIPS: He understands perfectly well, he's just
3 playing dumb.

4 MARIO DE ORBEGOSO: I do understand English, sir.

5 MARK WEBER: No, he's really dumb (laughing)

6 MARIO DE ORBEGOSO: I just want to know.

7 OFFICER OTTO: That's fine.

8 MARK WEBER: He's a little bit dumb.

9 OFFICER PHILLIPS: Stay seated.

10 OFFICER OTTO: I don't mind explaining but I don't have all
11 night.

12 MARIO DE ORBEGOSO: I know that you don't have (inaudible) and I
13 want to know what time . . . And where does
it day that?

14 OFFICER OTTO: At the bottom box.

15 MARIO DE ORBEGOSO: Ah, May 1st.

16 OFFICER OTTO: Correct.

17 OFFICER PHILLIPS: Sir, if you're leaving, you can stand up and
18 leave. Otherwise stay seated.

19 MARK WEBER: My father-in-law is a police officer.

20 OFFICER PHILLIPS: Oh yeah?

21 MARK WEBER: Make it any better?

22 OFFICER PHILLIPS: You think he'll appreciate you lying to the
23 cops?

24 MARK WEBER: No, but um, I honestly wasn't urinating.

25 OFFICER PHILLIPS: You're honestly lying to me.

1 MARK WEBER: I wasn't lying.

2 OFFICER OTTO: Ok sir. Here's your driver's license back.

3 MARK WEBER: Thank you, ma'am.

4 OFFICER OTTO: Thank you. Sign here at the red X. It's
5 not admitting guilt, it's just saying you
will show up at your court date.

6 MARIO DE ORBEGOSO: Sir, may I stand up?

7 OFFICER PHILLIPS: If you stand up, you're gonna need to walk
8 away.

9 MARIO DE ORBEGOSO: But, can I just wait for my friend?

10 OFFICER PHILLIPS: Huh?

11 MARIO DE ORBEGOSO: Can I wait for my friend?

12 OFFICER PHILLIPS: Yeah, you can go wait for him other there.

13 (Inaudible)

14 OFFICER PHILLIPS: Has nothing to do with your driver's
15 license.

16 OFFICER OTTO: You stay there.

17 MARK WEBER: Thank you, ma'am.

18 MARK WEBER: What does "peds" stand for?

19 OFFICER PHILLIPS: What is that?

20 MARK WEBER: "Peds."

21 OFFICER OTTO: That's pedestrian.

22 OFFICER PHILLIPS: Peds, you're a pedestrian, you're not
23 driving a vehicle

24 OFFICER PHILLIPS: Any other questions?

25 MARK WEBER: Ummm. No, I don't think so.

1 OFFICER PHILLIPS: Ok.
2 MARK WEBER: It doesn't have anything to do with my
3 driving record, though?
4 OFFICER PHILLIPS: No. It won't affect your driving record at
5 all.
6 MARK WEBER: Is it a pretty big fine, or no?
7 OFFICER PHILLIPS: I don't know. It's up to the courts.
8 MARK WEBER: Ok.
9 MARK WEBER: Thank you.
10 OFFICER PHILLIPS: Good night.
11 OFFICER OTTO: Have a good one.
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