DR# 071304411
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THIS PORTION OF THIS TRASCRIPTION IS FROM 1:30:01 – 2:41:50

MERRITT: and they're gonna be back and then Joe, Mikey said well if they took a ten day vacation which most vacations are they'll be back no later than Sunday and so on and I was just like just call the police you know just-just you know what's it gonna and I told his mother I said it's not gonna hurt anything it's not gonna cost anything at least they you know and that day on-on Saturday I told Mikey I said you know what if Joseph did go to the mountains and he drove off a cliff you know and he's down in a ravine 200 feet down in a ravine and you know nobody sees the car down there for two or three weeks and you know I said yeah you should call 'em now you should call the police now we'll wait and that-that's when he said we'll wait until tomorrow, tomorrow's the absolute last day if he's not back tomorrow then

DUGAL: And that's when you guys went Sunday the 14th?

MERRITT: and then I met Mikey at the house

DUGAL: What time?

MERRITT: God I can't remember it was, it was midday uh

DUGAL: When you met (inaudible)

MERRITT: late morning I think late morning I met him at the house with his and Mikey's wife and kids were there uh I actually met him at the gas station cause Mikey had never been to Joseph's house so I met Mikey at the gas station right down the street from him and he followed me to Joseph's house he had, he had uh a TomTom but um I was already you know

DUGAL: Right

MERRITT: I-I had already gotten to the gas station first cause I had to get gas anyway

DUGAL: Uhhm what'd you guys do when you got there?

MERRITT: Um first thing we did was walked to all the neighbors um we kind of took each one of us took a house and asked the neighbors the ones that we could find and if they'd ever seen anything and saw

DUGAL: Did anybody tell you they saw him?

MERRITT: No no they basically everybody just kind of said we don't know you know um then Mikey was kind of wandering around talking to himself you know he didn't, he didn't seem in very good spirits I mean he was, he was upset and which I can, I can understand why and finally I said dude just go in the house I said you know you know at least go in and you know and then you know just go in

DUGAL: Right

MERRITT: so he went in the house

DUGAL: Dogs still in the back?

MERRITT: Dog-dogs are still in the back

DUGAL: Water bowl under the dripping faucet?

MERRITT: Water bowl under the dripping faucet he-he went through the office window then met me

DUGAL: Do you know if he broke any slats going through the window?

MERRITT: I don't think so no I don't, matter of fact I'm..

DUGAL: There was a couple damaged slats but minor damage

MERRITT: No nothing I know of (inaudible)

DUGAL: Well were they down or up?

MERRITT: They were down

DUGAL: They were down

MERRITT: They were down

DUGAL: So he had to move 'em to get in

MERRITT: Yeah but he didn't move him very much there was a chair in the way he-he moved the chair out of the way and he just kind of slid one leg over and then the I don't think he broke any slats I don't think I mean they're wooden

(Phone rings)

DUGAL: Okay

MERRITT: excuse me.. I don't think I wouldn't know you

DUGAL: So did he did you go in?

MERRITT: Yeah he-he went to um sliding glass door let me in the sliding glass door and then I went to the front door and let his wife and kids in

DUGAL: Okay

MERRITT: because they had to go to the bathroom pretty badly so they came in went to the bathroom um Mikey went upstairs um I just kind of I was standing (inaudible)

DUGAL: Who went to the bathroom one downstairs bathroom, did the wife go to the bathroom?

MERRITT: Don't, actually yeah she did because she told the neighbors

DUGAL: Somebody didn't flush the toilet

MERRITT: Oh sorry

DUGAL: That's why I ask

MERRITT: Oh yeah

DUGAL: But you know what I need to know that stuff

MERRITT: Yeah she did because she had, she had just told the neighbor that um because after we left the house when we, when we walked out of the house Mikey locked the door and closed the

door and then their little girl looked at mom and said I gotta go potty but the door was already locked so um Mikey told his wife to go ask the next door neighbors because they were already out and

DUGAL: Uh huh

MERRITT: and talking to me and I had was just walking away from him but she didn't want to ask 'em and so Mikey told his little girl to ask if they and she didn't want to so I went and asked and the neighbor said of course come on in go you know go to the bathroom and uh the reason I know she went to the bathroom there is because when the neighbor said um does anybody else need to go she said no I went well the I-I already went to the bathroom when the house was open

DUGAL: 'Kay

MERRITT: Okay so I know, I know she went to the bathroom in the house and she was only downstairs I and there's only one bathroom downstairs so

DUGAL: Okay

MERRITT: Okay she went down she went to the bathroom and I believe her other little girl went to the bathroom but nobody else

DUGAL: Okay did..

MERRITT: I didn't go uh Mikey didn't go to the bathroom

DUGAL: Did you ever return to the house after you left there?

MERRITT: No

DUGAL: Haven't been back?

MERRITT: Haven't been back

DUGAL: Please don't go back

MERRITT: Oh okay

DUGAL: Don’t go back

MERRITT: I'm not planning

DUGAL: and before we leave I'm going to ask that you uh volunteered (inaudible)

MERRITT: Of course, of course

DUGAL: I just want to exclude you since you’ve been in the house and been

MERRITT: No no

DUGAL: in the car no problem

MERRITT: Yeah yes course not

DUGAL: Susan, you're up

FISK: What kind of vehicle do you drive?

MERRITT: A Chevy truck

FISK: Color?

MERRITT: 35 white and gray with it's a Chevy 3500

FISK: It's a full size?

MERRITT: Yeah

FISK: and what year?

MERRITT: 99

FISK: 1999 how tall are you now and what do you weigh?

MERRITT: 6’ 2, 210, I..

FISK: What about Joe how tall is he and how much did he weigh?

MERRITT: Shorter than me and I can actually tell you about what he weighed only because uh I did one of these articles here told said his weight it was 175 but he was 5'8 I would guess

FISK: Really?

MERRITT: He wasn't let me see that's about 5'8 isn't it?

FISK: No cause I'm only 5'6 so that

MERRITT: Oh

FISK: okay so about

MERRITT: He was, he was definitely

FISK: (inaudible)

MERRITT: visibly shorter than me

FISK: Okay okay I'm gonna I have some questions in the beginning

MERRITT: Yeah

FISK: (inaudible) since we were just talking about you going into the house on the 13th do you remember what time you went in (inaudible) ?

MERRITT: Uh 13th which day was that?

FISK: That was the date you actually said you went in one day right?

MERRITT: Sunday oh Sunday-Sunday okay um what time was it?

DUGAL: Sunday the 14th

FISK: Was it Sunday or Saturday? Sunday

DUGAL: Sunday

MERRITT: I think it was Sunday

DUGAL: That's the day that Mike is calls the police

FISK: And that's the day we went out

DUGAL: Yeah

FISK: but that's the day you went in right?

MERRITT: Yeah

FISK: sorry our dates mixed up

DUGAL: Yeah

FISK: it's the 14th

MERRITT: Yeah it was..

FISK: cause I thought you said you went down

DUGAL: Friday

FISK: I thought you said you went

MERRITT: Friday

FISK: on the 13th and met Mike at the house midday early morning

MERRITT: No I think

DUGAL: that was the 14th

FISK: That was the 14th so I have (inaudible)

DUGAL: He says Friday the 12th he talked to Mike and then he went to the house then he left the house and he told Mike and he said when you want to come down I'll support you I'll do whatever he wanted to go on Saturday

FISK: That's right

DUGAL: but he didn't go till Sunday

FISK: Okay that's what I've got (inaudible)

DUGAL: (inaudible)

FISK: so 9th, 10th, 12th and the 14th so when you went in you remember do what time it was?

MERRITT: Yeah it-it honestly it's a little bit of a blur but I believe it was late morning very early afternoon

FISK: So it was still light out

MERRITT: Oh yeah yeah

FISK: Did you notice..

MERRITT: It was very light

FISK: Did you notice if any of the lights in the house were on?

MERRITT: One

FISK: Which light?

MERRITT: The office light

FISK: The office light

MERRITT: The lamp

FISK: The office light was the only one on?

MERRITT: The lamp on the desk but I can tell you beyond a shadow of a doubt I know for a fact that that light I had never seen it off

FISK: Okay

MERRITT: Okay?
FISK: or..

MERRITT: He always leaves he always left it on because his kids get up in the middle of the night and they go downstairs and get water out of the, out of the refrigerator and uh he always left that light on and the door open so that they didn't fall down the stairs and stuff

FISK: Were any other lights on when you guys went there?

MERRITT: Not that I not that, I was downstairs so I didn't see any lights upstairs anyway but as far as I know there was only the lamp that was it

FISK: Do you know who sleeps in what room?

MERRITT: I think they all sleep in the same room

FISK: Okay do you know which room that is?

MERRITT: The main, the master bedroom if you go in the master bedroom there's a kiddy play thing on the right hand side his-his blow up mattress and kids I think are right-right next to each other I'm the one that went with him to Walmart and to Target and we went shopping for blow up mattresses on because they didn't have the um pods there they didn't they don't have any mattresses and I was actually with him when they got the mattresses and I helped him blow 'em up and so yeah

FISK: Did they stay anywhere between the time they lived in San Clement and the time they lived in Fallbrook?

MERRITT: Yeah at Joseph's moms

FISK: Oh Joseph's moms okay cause I was gonna say getting three days notice and then buying a house

MERRITT: No they were already in the process of buying a house

FISK: Oh they were when they got evicted?

MERRITT: When they got evicted but escrow hadn't closed

FISK: Okay

MERRITT: they couldn't, they couldn't move in

FISK: Okay

MERRITT: um and it I don't think it was more than two or three weeks that they stayed

FISK: They lived there?

MERRITT: Yeah

FISK: Okay

MERRITT: and yeah his mom wasn't real happy about it especially because of the dog because her house

FISK: Fabulous

MERRITT: if you-you never been there but

FISK: no

MERRITT: absolutely immaculate

FISK: 'kay

MERRITT: and Joseph's kids are-are they're hard on a house they're-they're

FISK: They're kids

MERRITT: always on the, always uh well you don't understand these kids his-his boys were I mean they would get up on the kitchen top

FISK: I saw video on YouTube yeah they're on You Tube so

MERRITT: Okay

FISK: I saw how energetic they are

MERRITT: Oh yeah that's a good word for it energetic they were, they were

DUGAL: No corporal punishment?

MERRITT: No she didn't, she didn't believe in it she didn't believe in any kind of corporal she I swear she would go stop it, stop it, stop it and she would do that for half an hour until they lost interest in whatever they were doing they'd go about doing something else it was oh god yeah

FISK: Okay let's see you talked a little bit about the cell phone and trying to call him

MERRITT: Yeah

FISK: Do you remember if this happened and if it did happen when it went directly to voicemail as opposed to ringing and then going to voice mail?

MERRITT: I have not called him a single time that it didn't go to voicemail

FISK: Oh so every time you'd call him the whole time

MERRITT: It went to voicemail

FISK: it goes right to voicemail

MERRITT: Well..

FISK: He doesn't answer his phone?

MERRITT: He didn't no he didn't answer his phone but every time I stopped trying to call him um I don't even remember what day

FISK: (inaudible)

MERRITT: but um I-I don't even remember what day but I stopped trying to call him because Mikey or his mom or somebody had told me his message box is full okay but the last time I tried to call him I left a message

FISK: Okay what I'm asking though is did his phone usually do that or is that usual for his phone to do that?

MERRITT: His never his message box was never full

FISK: I, what I'm saying though is for his phone to go directly to voicemail did it usually ring some and then go to voicemail or did he answer or how..?

MERRITT: His-his phone would ring and I know this pretty much by heart

FISK: (inaudible)

MERRITT: his phone would ring at least like five or six rings

FISK: Okay

MERRITT: and then go to voicemail, go to voicemail

FISK: That's typical before the 4th?

MERRITT: Yeah-yeah

FISK: That's what I'm asking okay

MERRITT: Yeah

FISK: so I guess what I'm asking is when's the first time you called him that it went it was unusual because it went right to voicemail?

DUGAL: With no rings

MERRITT: It never went with no rings when I was trying to call him

DUGAL: So it always ring-ring-ring and then voicemail?

MERRITT: Yeah

FISK: Even after the 4th?

MERRITT: As far as I remember I-I would have thought that it I-I would have I think I would have noticed the change I'm almost positive every time I tried to call him it rang first

FISK: Even after the 4th?
MERRITT: Yeah even after the 4th

FISK: Okay did he have anybody he did business with in Mexico or near the Mexico border? You're shaking your head no

MERRITT: Not that I know of

FISK: Did you have anyone that you did business with?

MERRITT: No I don't no none

FISK: When's the last time you have been down uh by the Mexican border?

MERRITT: Um probably I want to say a year ago I went to Tiajuana

FISK: Bout a year ago?

MERRITT: Yeah

FISK: Haven't been down to San Jacinto or south San Diego or Mexico since?

MERRITT: No no

FISK: Not at all?

MERRITT: Not at all

FISK: Okay it's like.. go ahead you're investigation

MERRITT: Uh yeah the only, they only time, a little embarrassing but the reason the only reason I went into Mexico is specifically I went there specifically to get-get a some-some things specifically

FISK: What kind of things?

MERRITT: Viagra

FISK: Okay

MERRITT: Cause you can, you can get Viagra there just over the counter so a-about a year ago I went there and-and got Viagra

FISK: But not since?

MERRITT: No

FISK: This might be kind of hard for you but I was hoping you could walk me through if you could remember you talked about talking to him on the 4th and then not talking to him on the 5th the following let's see Monday, Monday was it the 8th Monday?

DUGAL: Yep

FISK: I want to see if you could remember I know this might be kind of hard for you but if you could walk me through your day

MERRITT: Uh

FISK: Like Monday February 8th do you have a calendar or anything?

MERRITT: No

DUGAL: It was President's Day

FISK: It was a holiday

DUGAL: Your kid wouldn't have been in school, probably not

MERRITT: No he wasn't in school President's Day-President's Day, I don't-I don't remember I could probably call my wife and-and she could probably prompt me as to things that

FISK: What went on

MERRITT: transpired and then I-I could probably recall some of the things that we did

FISK: Did your wife work?

MERRITT: Yeah she worked but she didn't not on President's Day

FISK: Okay so she would have been with you

MERRITT: Yeah-yeah

FISK: Okay what time do usually go to bed?

MERRITT: Uh it-it depends um eleven ish yeah I usually sometimes watch a movie or yeah

FISK: Okay um it's up to you whether you want him to call his wife do you want him to?

MERRITT: She might be able to prompt me to-to remember

DUGAL: You don't remember at all what you did on Monday?

MERRITT: You know that..

DUGAL: It was a day before you had lunch with oh no I'm sorry

MERRITT: No no

FISK: it was a few days after

MERRITT: that's-that's the 8th

DUGAL: a few days..

FISK: Yeah-yeah (inaudible)

DUGAL: Trying to think of what I did on the 8th to see if to see if I can remember what I did

FISK: Kind of hard huh?

DUGAL: I think maybe you should call the wife

MERRITT: Yeah I-I don't know just one second here whoa, my, jeez my eyes are goin

FISK: Mine too

MERRITT: I'm getting' old

FISK: Sorry

DUGAL: Oh I remember now but it is it's difficult

FISK: I didn't I'm not even try my brain is fried

DUGAL: It's the end of the long weekend

FISK: Did we have any days off?

DUGAL: Yeah I came in from mountains of

FISK: I bet

DUGAL: Oh you didn't no you didn't I took it off

MERRITT: Hey

DUGAL: not a county holiday

MERRITT: just

FISK: I recall Monday

DUGAL: Yes

MERRITT: prompt me because I cannot remember at all what did we do or what do you know that I did on President's Day?

FISK: February 8th

MERRITT: The 8th, yeah Monday

DUGAL: She didn't want to answer

MERRITT: I don't know just I lost connection hang on

DUGAL: Give me one of those DNA kits (inaudible)

FISK: (inaudible)
DUGAL: I just want to see what's in here since it's a

MERRITT: Not your department?

DUGAL: San Bernardino County Sheriff's Department

FISK: (Inaudible)

MERRITT: Is this, is this San Bernardino

DUGAL: Um oh no

FISK: I don't even know

MERRITT: Thought this was LA

DUGAL:	You know what he told me it's um San Bernardino County
MERRITT:	Hello?
DUGAL:	is-is contracts city so
MERRITT:	I'm yeah you just I just lost you anyway what-what-what went on on Monday? You're breaking up you're still breaking up a lot can you call me right back? I can't even understand a word you're saying okay I was home you were home what did we do? Nothing
FISK:	What time did you go to bed?
MERRITT:	What time did I go to bed? Hey
FISK:	and just ask if you even left this area
MERRITT:	Okay I-I did I go anywhere?
FISK:	Yeahm oh that’s sounds..
MERRITT:	Hello?
FISK:	This is a wire bits
DUGAL:	(inaudible)
MERRITT:	Duh
FISK:	Um
MERRITT:	Hello?
FISK:	(inaudible)
MERRITT:	Can you hear me?
FISK:	This is uh kit if you want to collect my (inaudible)
MERRITT:	Aya

DUGAL: It's okay (inaudible)

FISK: Yeah but this

DUGAL: Oh

FISK: it-it serves two motions

DUGAL: I got you I don't know

FISK: You hear what I'm sayin'?

MERRITT: I lost her again one second

FISK: That's okay

MERRITT: Um she said we were home that-that's all she said

DUGAL: Is it M-E-R-R-I-T-T

MERRITT: and I didn't get to

FISK: two R's and two T's right? (inaudible)

MERRITT: Yeah okay, okay try that one more time hang on hang on one second

FISK: He's got AT and T

MERRITT: Okay

WIFE: (inaudible)

MERRITT: Now can you hear me?

WIFE: Yes

MERRITT: Okay what exactly did we do on President's Day? We you said we were at home

WIFE: Right

MERRITT: Right?

WIFE: Yes we were we watched movies

MERRITT: Okay what time did I go to bed?

WIFE: I don't know Chase

MERRITT: Well if you were to guess

WIFE: I-I went that was the night I uh (inaudible) the night show (inaudible)

MERRITT: Okay you were gone the..

WIFE: (inaudible) most of the day and then I-I went to the (inaudible) until 10 (inaudible)

MERRITT: 10 What?

WIFE: 10 about 10:20 I got home at 10:20 and you were already (inaudible) to a movie

MERRITT: Okay that's all I needed thank you love you

WIFE: (inaudible)

MERRITT: That was what?

WIFE: (inaudible) for me right?

FISK: No

WIFE: It was the night we stayed up on the (inaudible)

MERRITT: Monday the 8th President's Day

WIFE: Yeah this past Monday

FISK: What's today? Today is the 17th yesterday

MERRITT: It was Monday

FISK: so it would have been the one before last

MERRITT: a week, a week ago Monday

FISK: Not two days ago but a week ago

MERRITT: Not two days ago

WIFE: Well this past Monday President's Day

MERRITT: Oh

DUGAL: The..

MERRITT: Okay a week ago a week..

WIFE: So are you talking last week (inaudible)

DUGAL: (inaudible)

MERRITT: okay okay it was another President's Day a week ago Monday do you remember what we did then? Sorry my bad

WIFE: At home

MERRITT: You sure?

WIFE: No I don't remember a week ago

MERRITT: Alright thank you love you bye

WIFE: I could (inaudible)

MERRITT: Oh you could look at the calendar see-see if there's anything?

WIFE: Yeah I can (inaudible)

MERRITT: Alright

WIFE: Change you're mind call me back

MERRITT: Okay when you get home do that and call me bye

DUGAL: Dugal

FISK: Did you leave this area at all?

DUGAL: Yeah I'm right in the middle of an interview with Susan

MERRITT: not

FISK: Okay um do you know where usually parked when he parked the car the-the white SUV do you know where that's usually parked?

MERRITT: Uh directly in front of the house on the street

FISK: On the street directly in front of the house?

MERRITT: Yeah

FISK: 'Kay

MERRITT: She always parked the truck in the driveway she didn't like him parking the white car next to it because she couldn't get the kids in or out

DUGAL: Wow

MERRITT: If-if the cars were too close she did she wanted to be able to open the door and then not swing close they were always so he always parked on the street I-I know there's no doubt

FISK: Do you think or have you ever thought that Joseph, Summer and the kids are dead?

MERRITT: I tried to not to think about that actually

FISK: Okay

MERRITT: um Mikey and his mom keep saying you know things-things like that but you know I don't know of anybody that would hurt Joseph or two little kids for that matter so

FISK: Do you have any knowledge or information which indicates to you that they're dead?

MERRITT: No

FISK: Okay and the reason that I ask is because you have used the past tense about Joe a couple times

MERRITT: Uh

FISK: meaning you said Joe was

MERRITT: Oh I see

FISK: Typically people don't do that when people are alive

MERRITT: Yeah

FISK: Any explanation as to why you may have done that?

MERRITT: No, no not really I just gonna nah I

FISK: You understand why I'm asking?

MERRITT: Of course you know of course I am I completely understand but no I-I've never really even thought of him as possibly be well I can't say I haven't thought of him as possibly being dead but I cause I have but I don't like to think of it that way of course so no I

FISK: It's interesting cause you know we deal with families and friends and people all the time

MERRITT: Yeah

FISK: and often times they'll we'll notify them that their loved one is dead and they will still use the present tense because it really hasn't set in

MERRITT: Yeah

FISK: and that's why I'm asking you-you use the past tense a couple times which is really unusual

MERRITT: Yeah I have no idea I you know I'm not sure what-what I used past tense and

FISK: When we first..

MERRITT: in context with it but I have no idea why

FISK: You said uh Joe was my best friend

MERRITT: Oh I did

FISK: You did

MERRITT: Hmm yeah well I don't know why

FISK: Yeah okay did you guys have any falling out at all?

MERRITT: Never, never no him and I..

FISK: Okay so it wouldn't be like he was my best friend and now we're just..

MERRITT: No absolutely not

FISK: Okay

MERRITT: Joseph is

FISK: Okay still your best friend

MERRITT: Oh yeah definitely

FISK: Okay um make sure I had (inaudible) the only other thing I'm (inaudible) about is how did you hurt your hand?

MERRITT: Here?

FISK: Yeah your hand

MERRITT: I just-just did it today on a piece of sheet metal

FISK: Looks pretty new to me

MERRITT: Yeah I was walking by a piece of sheet metal

FISK: Okay

MERRITT: um we deal in stainless steel waterfalls and I was at the shop today and I actually bled like a stuck pig

FISK: It's looks pretty-pretty bad

MERRITT: Well it was it's actually not that bad but it sliced it this way I walked by it and I rubbed my hand just against the edge of the stainless and it just

FISK: Ouch

MERRITT: Yeah

FISK: Do you have injuries anywhere else?

MERRITT: Hm no

FISK: No okay

DUGAL: How bout your stomach, back?

MERRITT: Nope no, no

FISK: And I'm gonna put this to you yet I know my partner kind of already asked you this but what do you think happened to these guys?

MERRITT: I-I really have I mean I-I haven't been able to form any real explanation as to why Joseph would just disappear because I-I like I was telling him Joseph has no enemies whatsoever that I know of

FISK: What about Summer?

MERRITT: I don’t know that Summer knows enough people to

FISK: Okay

MERRITT: to have enemies I she's-she..

FISK: We just write the b word more than once kind of associated with her name from people more affiliated with Joseph friend than people affiliated with her which obviously sometimes it..

MERRITT: Yeah well the people that love Joseph everybody that loves Joseph well I can't say everybody but most of the people that love Joseph dislike having her (inaudible)

FISK: And why..

MERRITT: uh Summer

FISK: Why is that?

MERRITT: Because she has always treated Joseph everybody told Joseph don't marry her, don't marry

FISK: Why?

MERRITT: Because she's-she's pain in the butt

FISK: Okay

MERRITT: she's-she's very very difficult he always said no no

FISK: so sorry

MERRITT: it's-it's she's just Columbian you know uh and he and he talked all the time about her being Columbian as it at you know it's something positive you know my-my little Columbian girl and I'm like

FISK: Speaking of Columbian, does she have friends or family or connections with people in Columbia?

MERRITT: I have no idea all I know is she's Columbian because he always said that she was Columbian um I always assumed that she was just Columbian by

FISK: Descent

MERRITT: descent but and American but you know but uh he was always just very um positive about positive about her being Columbian

FISK: Okay

MERRITT: but uh nobody around Joseph nobody around Joseph likes Summer very much because Joseph is just a super nice guy I mean, I mean he'll-he'll give you the shirt off his back I mean he-he'll do anything for you and Summers just the opposite you know she's

DUGAL: Take the shirt

MERRITT: Oh well I don't know so much about that but she wont get she wont give up anything you know what's hers is hers and what hers what's hers is gonna stay hers and so and Joseph is more like you need what

FISK: Okay

MERRITT: there you go you know hell I mean I've got you know mine and Joseph's running tab is ten thousand but he owes me $10,000 I owe him $15,000 if he owes me $5000 I owe him $15,000 you know it just goes and Summer never had never liked that because you know it was, it was never it was just always a running tab you know if I needed money

FISK: Uh huh

MERRITT: I pick up the phone and say hey dude I need a couple of thousand dollars um if-if he needed something done he picks up the phone hey dude I need you know and we got it done whatever it was we got it done

FISK: Are you having any financial problems?

MERRITT: I've we've been having financial problems for six seven months eight months

FISK: Why is that?

MERRITT: Well it's just business has been it dropped almost dropped right out from under us for like three months there was almost no sales at all and that killed us financially my heart attack didn't help much that-that

FISK: So-so you don't have medical insurance did you have to pay that?

MERRITT: No

FISK: You have to pay that out of pocket?

MERRITT: Out of pocket

FISK: Whew that's a lot

MERRITT: yeah and we're I only pay I haven't paid at all but and-and worse right now actually we're negotiating with the hospital that this is $107,000

FISK: 107, So how much debt are you in?

MERRITT: That's it I mean

FISK: Okay

MERRITT: I don't, I don't really owe a lot of um cause all of my bills like with when I buy

DUGAL: You're in good shape

MERRITT: when I buy, then I buy stainless steel stuff like that I pay cash for it I'd a I'd I don't really owe a lot of money e-except for the hospital that's the big you know and worse comes to worse I'll um you know I wont be able to pay the hospital I mean I want to of course it's my debt but you know I-I don't in the financial situation we're in now it's-it's gonna be iffy at least for a while yeah especially if Josephs doesn't get back pretty soon and uh my rent wont get paid at the end of this month so that's not gonna be fun um

FISK: I don't want to shed a bad light on Joseph or on Summer in any way but obviously there's some things that I want to ask you if (phone rings) do you need to get it?

MERRITT: It's my wife probably looking at the calendar, hello, yeah go ahead

WIFE: Um I don't know (inaudible)

MERRITT: She had what?

WIFE: You had gone (Inaudible) that day and I don't (inaudible) so

MERRITT: Okay thank you

WIFE: (Inaudible)

MERRITT: No, no alright thank you love you bye

FISK: Um are you aware that either them associated with anyone who used or sold drugs?

MERRITT: No

FISK: Any of it did they use or sold drugs?

MERRITT: Absolutely none the only thing that Joseph ev.. Joseph used to um before I met him

FISK: Used to what kind of drugs are we talkin'?

MERRITT: Um the only one that I know of and-and I only know of this because he offered it to me he had I think it was called E

FISK: Ecstasy?

MERRITT: I-I'm not he-he called it E okay

FISK: What did he say it would do for ya?

MERRITT: Enhance sexual

FISK: Ecstasy?

MERRITT: and-and-and yeah okay he said that he had some or whatev.. however it comes in his freezer because he I guess you-you're supposed to keep it cold I don't know and he offered it to me seven eight months ago maybe-maybe even longer than that and I declined and uh but he said it was from a friend of his that he used to um years before and he had gotten it the guy had just given it to him said here and..

FISK: So when he got it years before

MERRITT: and but he wasn't just..

FISK: or he got it..

MERRITT: No he

FISK: from a friend who he knew years before?

MERRITT: From a friend he knew years before

FISK: So did he have recent contact friend?

MERRITT: I don't know how recent it was he had it in his freezer that's all I know um and it was it was somethin' he wasn't ever going to use I know that because he was offering it to me he said..

FISK: So why have it?

MERRITT: I don't know that's-that's why I don't know I was like..

DUGAL: Did you look in the freezer while you were in the house?

MERRITT: No, no

DUGAL: Nobody removed anything from the freezer?

MERRITT: when..

DUGAL: In other words and here's my concern is what you're telling me if I was a friend and I go god he's missin' what if the police come in here let's make sure that's not in there

MERRITT: No, no, no, no, no if-if it was in the freezer we didn't we definitely didn't take it out

DUGAL: Okay

MERRITT: it was if it was in there it's still in there

FISK: Any other drugs besides the this E?

MERRITT: Nada, Joe..

FISK: Marijuana, Meth, Heroin, you're shaking your head no

MERRITT: No absolutely not Joseph does-does he does no drugs he-he found religion um

FISK: What kind of religion?

MERRITT: It was Christian um he doesn't go to church or anything but um

FISK: Why'd he find it then?

MERRITT: Because well this is..

FISK: (inaudible)

MERRITT: Here's the..

FISK: It was an accident

MERRITT: In his drug days a while back before..

FISK: So he had drug days

MERRITT: Yeah he had drug days back when years ago

FISK: So and tell me the extent we're talkin', what are we talkin'

MERRITT: You know I don't know I don't think it was so bad that it-it really massively affected his-his life or anything

FISK: Okay

MERRITT: but he said he-he used to take a lot of drugs that's all that's-that's pretty much all he told me

FISK: Tell you what kind of drugs?

MERRITT: E, uh..

FISK: Okay anything else?

MERRITT: That's all and that's the only thing he see he mentioned

DUGAL: Did you see the bottle?

MERRITT: No I saw nothing I didn't, I didn't never saw

DUGAL: Do you know what he is in the freezer?

FISK: I-I have to look

DUGAL: Yeah

FISK: but I

DUGAL: doesn't make sense

FISK: trying.. I have to look

MERRITT: I'm pretty sure it was I'm-I'm positive it was E cause it said..

FISK: And your positive it was in the freezer?

MERRITT: He told me it was in the freezer he told me

FISK: and he said it did it enhanced your sex life in what phase you want to kiss and hug people?

MERRITT: Yeah

FISK: Okay

MERRITT: some-something to that effect yeah

DUGAL: I know Ecstasy is traditionally a little pill

FISK: Pill and you wouldn't freeze it

DUGAL: you wouldn't freeze it

FISK: So that is kind of unusual

DUGAL: That's unusual

MERRITT: Okay

FISK: Any other drugs that..

MERRITT: He-he did not do drugs

FISK: Okay

MERRITT: Not-not since I've known him I he-he is he shops at um Trader Joes and

FISK: Are you sayin' people who shop at Trader Joes are healthy?

MERRITT: Well no-no but he..

FISK: that's okay cause I shop at Trader Joes

MERRITT: he very much takes he-he's been taking care of his health

FISK: Okay

MERRITT: all very very closely

FISK: Okay

MERRITT: for as long as I've known him he's he-he they eat

FISK: Except you're saying now he had health problems here in the last (inaudible)

MERRITT: Yeah he had health problem now his health problems his mom thinks and I'm not sure I disagree uh it-it very well could have been stress because of cause Summer's just a pain um

FISK: Just marital stress nothing additional?

MERRITT: No

FISK: No financial stress?

MERRITT: I don't think Joseph had any financial stress

FISK: Okay

MERRITT: Um he's-he's always been fine financially as far as I know I've-I've never seen him not okay

FISK: Okay

MERRITT: um

FISK: But no other like wheelin' and dealin' maybe helpin' transport drugs?

MERRITT: Joseph's not the type

FISK: Okay

MERRITT: uh no-no Joseph's definitely isn't the type

FISK: Okay

MERRITT: um I'd never my personally I'd never done drugs I've never smoked never I've never drank um

FISK: Never drank?

MERRITT: Never drank

FISK: never..

MERRITT: I don't even..

FISK: never had a beer?

MERRITT: Well-well I never drank to any extent every once in a you know even now I think once every year or so I might if somebody offers me a beer if it's really super cold I'll go ahead and drink half of it or something but um Joseph and I talked about it a lot and-and health a lot

FISK: Uh huh

MERRITT: because

FISK: Cause of your heart attack?

MERRITT: Because of my heart attack and because of his problems and he eats extremely well he-he takes good care of himself and he wouldn't have any there's no way he would not have any

DUGAL: Did he believe it was stressed related?

MERRITT: No

FISK: Do you, do you know where doctor was and where he got treated?

MERRITT: I do not uh but I do know he was seeing a holistic doctor which is part of uh his

FISK: (inaudible)

MERRITT: well

DUGAL: Surfer marijuana growing up being

MERRITT: Well-well

DUGAL: laid back

MERRITT: surf no taking care

FISK: I thought you were referring as to his Christianity

MERRITT:` No I was referring that to his he takes, he takes care of himself and holistically I mean he-he always-always went to like holistic doctors and things like that he-he..

DUGAL: Somebody else had told me

MERRITT: (inaudible)

DUGAL: that when he lived in Laguna Bea-Laguna Beach, did he live in Laguna Beach or San Clemente? I guess it was San Clemente

MERRITT: San Clemente

DUGAL: that-that-that lifestyle

MERRITT: I think that they lived

DUGAL: was surfin' and marijuana and

MERRITT: Yeah

DUGAL: kickback
MERRITT: yeah and that's and that's-that's before me and that's when I think he was he-he was..

FISK: I think everybody smokes marijuana except for cops I mean.. except for Chase

MERRITT: I don't

FISK: A lot of people do

MERRITT: I have I-I tried it when I

FISK: Just (inaudible)

MERRITT: I tried it with when I was 22 years old that was the first time I ever tried marijuana was with my older brother and we were out on a lake fishing I got off the boat I had to go home I went to drive home I drove up onto a curb and the next thing I remember I'm sitting there on the curb I mean I just blacked out

FISK: Wow

MERRITT: and that was the last time I ever

FISK: First and last?

MERRITT: First and last I was like I'm done with this I mean it-it just I completely blacked out and I was sitting my car was sitting up on top of a curb and I had no idea how it got there it's like so I just no more that was enough for me um

FISK: Is there anyone who is important that you think would be really really uh like as priority wise for us to talk to as soon as we can?

MERRITT: Dan uh if you haven't I would talk to Dan

DUGAL: Cavanaugh?

FISK: Who else?

MERRITT: Yeah

DUGAL: Web Dan?

MERRITT: Web Dan

FISK: Anybody else?

MERRITT: Have you talked to any of his soccer buddies?

DUGAL: Yeah

FISK: Uh huh

DUGAL: Ellen Geller

MERRITT: I don't know any of their names I mean I know 'em by some of their first names

DUGAL: Yeah

MERRITT: that he's mentioned but

DUGAL: Well Dave Hillman does

FISK: Dave Hillman okay

MERRITT: Um because his soccer buddies were always texting him and you know always um I can't think of anybody else he didn't his soccer buddies me he never even really talked to his brother except when his brother needed something you know the only time Mikey ever really called him is to ask him to borrow some money or you know so um

FISK: What was their relationship (inaudible)

MERRITT: It was alright I mean uh Joseph we got a little it was always a little tired of him you know but I mean he was his brother and um Summer didn't like him

FISK:	Didn't like Mikey?
MERRITT:	Oh no
FISK:	Cause of the whole Heather thing
MERRITT:	The Heather thing and-and..
FISK:	You remember Heather?
MERRITT:	No
FISK:	No
MERRITT:	Never met Heather I know Jonah I ss-think I if I remember right I saw Heather one time when she dropped off Jonah in San Clemente but other than that no I don't know
DUGAL:	This is Dugal
UNKNOWN:	(inaudible)
DUGAL:	(inaudible)
MERRITT:	What time, what time do you guys start work?
DUGAL:	Yeah I'll call you back
FISK:	Uh sometimes I start at 7 he starts at 6 we-we been working around the clock pretty much
MERRITT:	Jesus
FISK:	on this case going home getting a few hours of sleep (inaudible) couple months (inaudible) we're kind of used to not being home very much (inaudible) yeah exactly he needs to sleep
DUGAL:	That's what happens
MERRITT:	Yeah yeah I've got some vitamin packs

DUGAL: No I got those my partner's have given me vitamins they've given medicine

MERRITT: I've got some really really good ones that..

FISK: It's just getting a break and some good sleep for a few days

MERRITT: Yeah

DUGAL: Yeah

FISK: Yeah we're out..

DUGAL: Well I'll tell really good this morning but the later we get

FISK: Yeah

DUGAL: the worse it gets

FISK: You did seem better this morning

MERRITT: Yeah I actually I haven't eaten anything I don't think I can't remember I don't think I've even eaten anything today so

FISK: Why?

MERRITT: Just..

FISK: You being healthy?

MERRITT: No I number one this morning I was I was busy but then um once I-I got a hold of you started thinking about everything trying to you know put uh trying to put all this together and I just forgot so speaking of

DUGAL: Did you have..

MERRITT: speaking of which

DUGAL: (inaudible)

MERRITT: Yeah that's that I almost forgot speaking of which this okay this is an email that Joseph sent me on the 3rd I can hardly read this

	one this is one on the 2nd these are the I-I just printed the last couple of emails that-that he actually sent I think this goes to..
DUGAL:	Good luck
FISK:	I can read it the lighting helps though
MERRITT:	And that this and this goes with those because this is the waterfall
FISK:	Did it start at the bottom and go up or do I start at the top and go down?
MERRITT:	I don't know
FISK:	Uh okay that says Hey Melissa
MERRITT:	This
FISK:	This is from Joseph to Melissa Dempsey, who's Melissa Dempsey?
MERRITT:	It's one of our clients
FISK:	Do you have an new carrier that can pick up from us tomorrow and deliver to New Jer in New Jersey by next Tuesday or Monday preferably SOS and then she writes back I can give expedited quote to you I should have it shortly
MERRITT:	Yeah and he..
FISK:	and this is all February 2nd
MERRITT:	Yeah he forwarded that to me to let me know that we could get the-this waterfall
FISK:	Okay cause it goin' up?
MERRITT:	that was going up, right
FISK:	(inaudible) to Joseph McStay that's on February 3rd 1106
MERRITT:	Yeah and this was the only forwarded to me because I'm the one

FISK: This is all

MERRITT: I'm the one that it's picked up from so and

FISK: This is all before you saw him at the Chick Filet

MERRITT: Right

FISK: It's like stacked

MERRITT: Yeah and this is an email from him on the 1st yeah February 1st which was three days before the 4th and this is what we were going over at Chick Filet this is one of the things one of the main things we were going over because um the Paul Mitchell job um 15% was forty seven hundred and twenty five dollars and three thousand fifty it came to a total of seventy-seventy seven seventy five and then um the Saudi Arabia job with everything came to a total of eighteen thousand two hundred and twenty five see that was going that was that's my part of those two projects and we were going over these numbers he had emailed me this on the 1st and we were going over these numbers along with um what we were going to be giving um

DUGAL: Can I have that?

MERRITT: Oh yeah along with what were gonna be giving uh Metro Sheet Metal so that was one of the things we were we were meeting for and so but these are the last emails the last few emails that I got from Joseph I figured that and if you can put those with any other emails of

DUGAL: Okay and your overpaid amount this Chase paid 173

MERRITT: Right

DUGAL: What is that?

MERRITT: Okay the overpaid amount is uh he-he had paid me a hundred seventy three thousand

DUGAL: Oh

MERRITT: two hundred and twenty five dollars

DUGAL: For how long a period?

MERRITT: That's that whole year okay

DUGAL: Why is that on this email?

MERRITT: We always go we-we go over the our finances every couple of weeks 'kay where are we do I owe you money do you owe me money um and this-this particular time I owed him money

DUGAL: Don't you ever balance that out to a zero point and then go (inaudible)

MERRITT: It's..

DUGAL: this is from the start of the company you've been paid a hundred and seventy three thousand

MERRITT: Pretty much that's what and you'll see the, that other thing that I gave you

FISK: Got it

MERRITT: Yeah you'll see in there it's just a running total of all the all the checks he gives me all of the everything and then it just we total it up every couple weeks we go how much do I owe you now but you don't owe me any when we I owe you seven thousand how much do I owe you now oh I owe you this much and it-it goes anywhere from him owing me fifteen thousand to me owing him fifteen thousand or he and then it's gone up to

DUGAL: So are you ahead or behind right now?

MERRITT: Right now behind well actually right now we're pretty much even because these two, these two projects if you see hundred and seventy three thousand dollars is what he's paid me hundred and fifty eight thousand dollars is what he owed me before these two projects came to I owed him fifteen thousand dollars 'kay with these two projects they totaled twenty six thousand so he was he was then uh me little over ten thousand somewhere almost eleven thousand

DUGAL: Hm

MERRITT: So

DUGAL: The only thing that..

MERRITT: we go back and forth that way I mean it's-it's been

DUGAL: So is this the topic of your conversation was (inaudible)

MERRITT: That was part of the topic

DUGAL: back and forth

MERRITT: That was part of the topic-topic the major part of it was the uh designs and how we were actually gonna where we were gonna put the electrical boxes where we were gonna put how are we gonna wire the lighting um uh just that was the majority of the meeting for this was just uh it was part of it so I figured I'd make a copy and let you see where we cause I figured you'd want to know where Joseph and I were financially

DUGAL: Yeah

MERRITT: and that pretty much shows it that's the that's an email from Joseph on the 1st and then the-the running tab um you can you can uh matter of fact Dan has a copy of it uh you can see it anytime on uh Joseph's email he has a same as I do a link that we-we go to um he has an online thing it-it's a link that pulls up that running tab of all our businesses

DUGAL: 'Kay what are these other document?

MERRITT: Oh this is just waterfalls

DUGAL: What's that topic

MERRITT: Excuse me

DUGAL: on the other email?

MERRITT: No it's the same one

DUGAL: Same email?

MERRITT: Yeah it I don't know why I got two copies but

DUGAL: and those are just examples of what he does (inaudible)

MERRITT: Yeah what.. oh that's my medical

DUGAL: I don't need that (inaudible)

MERRITT: Um yeah this is a lot of the waterfalls and stuff um my this is Paul Mitchell he was this is the kind of stuff we were going over that day the-the different um projects like Paul Mitchell has a broken uh broken pipe fountain along with the two major fountains that were-were doing for them and that broken pipe fountain is a extremely custom design it's it has to look like a broken pipe and it's running out and we were trying to figure out how to make that happen um

DUGAL: I can show you just break the pipe get it up to a freezing temperature and break it

MERRITT: Yeah but the problem with that is we've got um a lot of stuff like safe people cause it's in a public building

DUGAL: Oh yeah

MERRITT: uh and some

DUGAL: automatically you got to (inaudible)

MERRITT: It's an..

DUGAL: I got you

MERRITT: it's a nightmare um Denson is one of the waterfalls we were going over I mean just this is just a lot of the stuff that we were going through at the time uh that's the junk Perry Junker oh we-we went over this because this particular waterfall got damaged in shipping and we were trying to figure out whether or not we should bring it back cause it was only a light that got broken but the customer was saying that the-the um finish was rubbed off on the side I didn't see how it could-could be but we were talking about that and we decided to have it shipped back so we could repair it matter of fact it just got back yesterday it um Joseph had

it shipped back and now he had that shipped back I believe from the time that I talked to him at Chick Filet

DUGAL: Do you think he arranged for the shipping?

MERRITT: He arranged this after that talk after I talked to him about it because we-we..

FISK: Is there a way to find out when that was?

MERRITT: Yes um there's going to be a shipping manifest with the waterfall at the shop um

FISK: Can you call Detective Dugal when you get that information?

MERRITT: I will

DUGAL: Dude why don't you scan it in and email it to me

MERRITT: Scan it in?

DUGAL: Or

FISK: (inaudible)

DUGAL: copy it can do you have a

MERRITT: make a yeah actually there is a scanner at the

DUGAL: My email address is on the bottom of my business card actually anything here's what I want you to know are you done with your questions?

FISK: For the most part yeah

DUGAL: Uh oh

FISK: Cause I

MERRITT: Uh oh

FISK: (inaudible)

DUGAL: Anything that you think will help us find Joseph, find his family, lead us in a direction, emails, phone numbers, phone records, business contacts around the 4th or after the 4th call me, email me, fax 'em whatever you need to do

FISK: Okay I will

DUGAL: There's a fax number on there my email address is on there so if you scan it in scan in any document and then just email it

MERRITT: Email it okay yeah

DUGAL: Or

MERRITT: uh I'm sure I can do that from

DUGAL: Yeah just or go to a Kinko's they'll tell you how to do it

MERRITT: Alright I well I think I think the copy machine at the office has a scanner I am pretty sure it does

DUGAL: And you can usually scan like at our work and it may work at the same as your work you can scan a document into your own account at your or into that business and then from there you can attach it (inaudible)

MERRITT: Well I can just scan it

FISK: (inaudible) email you can send it

MERRITT: well I can just scan into my documents

DUGAL: Sure and then it and then it attach it

MERRITT: and then just attach it to the email

DUGAL: That's what I mean yeah

MERRITT: Yeah I can do that

DUGAL: 'Kay

MERRITT: I can do that

DUGAL: Better English

MERRITT: I'm not, I'm not real adapted to computers but I can get that far I can, I can

DUGAL: And don't be worried about sending me too much I already have too much so no I want everything I'll filter out what's unnecessary, necessary send it

MERRITT: I'll-I'll send anything that I can think of

DUGAL: Okay

MERRITT: Um you can bet on it I-I mean this is important to obviously it's too important to all of us

DUGAL: Yeah

MERRITT: and this is, this is crazy

DUGAL: Yeah

MERRITT: I think I actually I think my wife is taking it and she doesn't even know Joseph that well

DUGAL: Yeah

MERRITT: she doesn't know him actually at all

DUGAL: Well this has a big effect on her life on top of it's a human but on top of that financially

MERRITT: Yeah she's-she's scared financially

DUGAL: Yes

MERRITT: because this is

DUGAL: That's gotta be stressful

FISK: With a child (inaudible)

DUGAL: No matter what

FISK: Yeah

MERRITT: Yeah matter of fact she just asked me today she said um when do, when do you think we'll be getting any money and I'm like uh I don't know so um yeah it's-it's I think it's tougher on her than it is on me but anything that we can think of anything and I'll make sure it's taken care of

DUGAL: Cool

MERRITT: and

FISK: I-I just had a couple things

DUGAL: Go ahead

FISK: I'm just curious how many times have been to prison?

MERRITT: To prison twice I think

FISK: Anything recent?

MERRITT: No nothing-nothing even close to

FISK: All seventies

MERRITT: Yeah

FISK: or seventies and eighties or seventies?

MERRITT: Eighties I think, I think eighties

FISK: 'Kay

MERRITT: May have gotten into the eighties it definitely didn't any, didn't get into the nineties or no

FISK: The only other thing that I wanted to say is I understand you're going to court tomorrow

MERRITT: Yes

FISK: Um I'm gonna give you until March 1st and I'm just being honest with you because it took a little bit of you going to meet this guy with a felony warrant and we're cops and you understand that

MERRITT: I understand

FISK: It took a little bit of flack from this come March 1st I'm gonna check the warrant and if it's still active I'm gonna have to take some action but what I ask of you

MERRITT: No problem

FISK: is if for some reason you don't clear it by March 1st leave me a message with a damn good explanation

DUGAL: I..

FISK: so that gives you two weeks

MERRITT: It'll be cleared it'll be taken care of

FISK: Okay?

MERRITT: You don't, you don't have to worry

FISK: And that way I can go to my Sergeant and

MERRITT: Say

FISK: I can say he did what he said

MERRITT: Yeah

FISK: he was gonna do

MERRITT: Okay

FISK: he went to court he took care of it-it worked out

MERRITT: 'Kay I very much appreciate you know I-I was when my wife asked me she said do you, do you think they're going to arrest you I looked at her and I said it's kind of a flip of a coin I don't know I..

FISK: My partner knows that I do I try everything I can not to lie to people I'm usually fairly honest I'm not one to say I'm not gonna arrest you

MERRITT: Well

FISK: I'll find another way to find you without lying to you so

MERRITT: Here-here-here's the thing though you-you said on the phone you said that you were going to that you wouldn't you-you know and then you said and I'll talk to my partner and see if see if he's

DUGAL: It's because she's so honest (inaudible)

FISK: What did I say to you today though?

MERRITT: and see and see if he

FISK: I said if you plan on arresting him I'm not going with you, did I not say that?

MERRITT: You said I'll but what-what she said is I'll see if he's okay with it and I'll call you and let you know

FISK: And what I didn't ?

MERRITT: and then she didn't call and-and that's when my at wife's cause I was like oh my god oh my god oh my god

FISK: I apologize we just get so busy

MERRITT: No, no, no, no, no

DUGAL: Our focus is on the interview too

FISK: Yeah we ready to

MERRITT: That's and so she-she goes you think they're gonna arrest you and I said I –I just don't know it's 50/50 I don't know I said she-she didn't call me so I-I said maybe so I actually um before you got here I gave her my wallet and the-the little money that I had in my pocket and-and I said and I went over everything you know, you know I've got..

FISK: I'm-I'm a woman of my word and 85% of the time you can trust me even when I'm not everyone I'm not gonna say I'm sorry but

MERRITT: So-so well I'm just uh I'm just letting you know where I was because I mean I

FISK: Yeah I wasn't very reassuring at all

MERRITT: Well I this mm, this morning I th.. when I woke up I was like oh god I've gotta I've-I need to get this taken care of I need to go see them and the first thing I did this morning is I called the courthouse and um and to see if-if uh I can go

FISK: They put you on calendar

MERRITT: The courts closed today

FISK: Oh cause it's what's today Wednesday, is it a furlough day?

DUGAL: Yeah

FISK: It might be a furlough day

MERRITT: I don't know

FISK: Yeah

MERRITT: but the court was closed today and I'm like cause I wanted to get it taken care of and then go see you guys

DUGAL: Yeah

MERRITT: you know because I figured okay if I get-get this taken care of and court was closed today and that's when I started to talkin' to my wife about you know I don't want to wait you know

FISK: Right

MERRITT: the courts closed I can't go take care of this I still have this warrant so if I go all the way up to San Diego and they arrest me there then it'll take five days for them or so cause it takes a long time to transfer from San Diego

FISK: It is extradition or whatever it is yeah

MERRITT: and I and then we'll definitely lose everything

FISK: Yeah

MERRITT: and I'm like oh my god but I and her and I talked about it and I just finally just said you know Ike, I can't wait you know I mean it's im.. it's a big thing to me to not get arrested of course but it was

FISK: Do you think you're gonna end up doing time?

MERRITT: Well I already have it it's already done

FISK: What-what's he been sentenced?

MERRITT: Twent-twenty three days that's all that I have to do

FISK: So you just have to go in and do twenty three days and you're done?

MERRITT: Yeah that's yeah it's just twenty three days

FISK: So when you go to court tomorrow are they gonna take you

MERRITT: No

FISK: into custody for twenty three days?

MERRITT: No no

FISK: No

MERRITT: I talked to my attorney and she said uh no doubt that we'll get an extension for three or four weeks

FISK: Okay I see

MERRITT: and I want to get it taken care of in three or four weeks and I'll you know I'll just turn myself in and-and get it's only twenty three days and you know it's just it not that big of deal but it was a big deal with my heart condition and stuff because I needed to get all-all of the treatments and everything done and it's like

FISK: Yeah

MERRITT: so and I was actually in the hospital on the day that I was supposed to turn myself in that-that

FISK: Is that why you got a bench warrant

MERRITT: Yeah

FISK: is that you were in the hospital?

MERRITT: Yeah and I called my attorney and I and I and uh had my wife fax over a-a statement saying you know but uh this you got to realize this case has gone on from seven or seven years or something

FISK: Why?

MERRITT: It's just been ongoing

FISK: 'kay

MERRITT: continuances and just and

FISK: For (inaudible)

MERRITT: so the judge the judge is tired of it so when I when I

FISK: One more delay

MERRITT: One more delay and he just said no if he shows up at the hospital that's fine but we'll go and do the bench warrant now and you know so I called my attorney and she said she'll and she'll get me a continuance for no more than three or four weeks she said the judge isn't gonna give you more than three or four weeks and I said that's all I need just three or four weeks and then

FISK: You know what too let's do this I'm gonna leave you my card leave me a message either way tell me that you've cleared it and if I don't hear from you by March 1st I'll do a computer check and just make sure is that cool?

MERRITT: Yeah-yeah absolutely

FISK: I appreciate that and then that way I'll feel better

MERRITT: Yeah

FISK: So I'm not you know

MERRITT: When you do the computer check I promise you if

FISK: It wont be active

MERRITT: A it wont be

FISK: Wonderful

MERRITT: We're uh oh

FISK: Where'd your cord go?

DUGAL: Pull it out

FISK: It disappeared there it is, so there's red hair in your family

MERRITT: Mm I think that there is

FISK: Nah uh

MERRITT: No um my mother
FISK: Your mom has

DUGAL: I was gonna say he's got red quality

MERRITT: Highlights yeah

DUGAL: Yeah

MERRITT: My mom is

FISK: Josiah has beautiful red hair

MERRITT: I, we love it

FISK: Yeah

MERRITT: you know and the-the really bad thing was the very first thing just before he was born

FISK: Yeah

MERRITT: Just before he was born I mean minutes she said as long as he doesn't have red hair, came out of her mouth he came out that red and she was just like

DUGAL: (inaudible)

FISK: Yeah

MERRITT: well now she would it's like it's everything I mean

FISK: Boy

MERRITT: yeah he's like he's-he's-he's my little guy I mean

FISK: Yeah

MERRITT: he's just the bomb

FISK: All the girls will go crazy over that in ten years yeah

MERRITT: You would, you would think so yeah

FISK: Yeah

MERRITT: and-and he's-he's not the typical red head he's a really he's got beautiful features he's you know

FISK: Yeah he does

MERRITT: perfect little kid I know we-we love him yeah-yeah I'm a little partial of course

DUGAL: 'Kay take that put it in between your cheek and gum and just twirl it around, slide it straight in there

MERRITT: This end first?

DUGAL: Yeah

FISK: Don't (inaudible)

DUGAL: No

FISK: Get up

MERRITT: The other side?

DUGAL: Not only that

MERRITT: And then what?

DUGAL: Am I supposed to lick that?

FISK: I-I don't to lick it

MERRITT: I wouldn't, I wouldn't think so

DUGAL: Doesn't make any sense does it?

FISK: Put it in this other envelope maybe or something

DUGAL: Oh and they actually had four of 'em um and I like that I like it cause of consumption

FISK: Yeah

DUGAL: But

FISK: Oh now that you, now that you're into the consumption phase

DUGAL: Yeah (inaudible)

FISK: What consumption means is like if our lab needs to process something sometimes they'll have to use everything and it's nice to have some left over

MERRITT: Oh

FISK: so then you can do more testing we just had that come up today in meetings

MERRITT: Yeah they you're bosses said you idiots get more

FISK: No I was just you know and obviously we're cops and you have a felony warrant and the topic came up and I have to tell my boss hey I'm gonna let you know this is what I want to do I don't go arrest him are you okay with that and that was our basically our discussion so

MERRITT: I..

DUGAL: Last one

MERRITT: I can't I can't tell you how much I appreciate it because it certainly would make, it would make a very big dent in my life

FISK: Well I don't want to do that and on top of that um I doubt that you'd be much more helpful in the future if I arrested you and we may need your help so that's the bottom line

MERRITT: It's..

FISK: and I mean there may be a little bit of selfishness here

MERRITT: Well just-just-just to let you know it wouldn't have made any difference whatsoever how much I help you

FISK: Oh

MERRITT: whether you arrested me or not because

DUGAL: Oh wow you're just saying that

MERRITT: I decided that though before I called you

FISK: Yeah so

MERRITT: because I had to I had to make the I had to make the decision before I called you back because I was either it was like if I meet with these people the probability of me getting arrested is great because they're gonna know about my fenal-felony warrant and-

and they're going to probably arrest me for it and-and you know because they-they're supposed to that's what their job is

DUGAL: True dat

MERRITT: When I called

FISK: You should have seen him

MERRITT: So when I, when I called you

FISK: Yeah

MERRITT: I act I knew

FISK: Least that's with Troy by the way

MERRITT: I actually knew that it was a probability and I had

FISK: You're a real (inaudible) man arent you we got you

MERRITT: I made the decision to call you whether or not I got

FISK: Beside that

MERRITT: because I-I-I had to make decision which one is

FISK: Right
MERRITT: which one is more important

FISK: Well and I made the decision

MERRITT: and..

FISK: not to arrest you because I appreciated the fact that you were willing to do that number one

MERRITT: Well

FISK: and number two when you look at the scheme of things you're 459 case is insignificant to me it's obviously important to somebody but to me what's more important is this family and their young children and finding them so

MERRITT:	Yeah
FISK:	I'm-I'm glad I didn't arrest you
MERRITT:	Me too
FISK:	as long as you take care of it
MERRITT:	I will take care of it I promise uh
FISK:	Alright
MERRITT:	it will be taken care of
FISK:	Cool
DUGAL:	All that..
MERRITT:	But yeah but in answer to your question though I-I it would not have made any difference how much
FISK:	Wow
MERRITT:	I talk to you or cooperated with you at best because I made the decision even though I pretty much realized I was probably gonna be arrested before I talk to you I mean this was I had to make the decision before I talk called you because when I called you that-that was pretty much it I knew you were gonna say probably say we want to see you today and so I was either going to avoid you until tomorrow or call you and-and talk to you so
FISK:	Well thank you for talking to us
DUGAL:	Take care of it and I know she's told you
MERRITT:	Absolutely
DUGAL:	I know you've said it but here's the problem from a guy who's trying to run this investigation
MERRITT:	Yeah

DUGAL: first time you put well first time it took a little long for you to want to even talk ss you put me off and then second time you delayed and I was like hmmm

FISK: We were kind of wondering what

DUGAL: Mmm

FISK: was really going on

DUGAL: Put yourself in a hot seat

MERRITT: Okay well realistically yesterday that was, that was pretty much a legitimate uh my-my wife got called in and I mean it was just too it was gross yeah

DUGAL: But for life that's all I'm sure (inaudible)

MERRITT: I understand I understand really

DUGAL: Real important case, got to jump to the fire to say hey got to take care of this

MERRITT: Well

DUGAL: and you really did
MERRITT: that-that's the reason I decided it my

DUGAL: Yeah

MERRITT: my little bullshit is nn is nothing compared to this it's just too much and too important Joseph is too important to-to you know it's twenty three days you know if I

FISK: You can do that standing on your head if you've been to prison it's probably some little rinky dink county jail

MERRITT: I would much rather (inaudible) prison then (inaudible) county jail

FISK: One would be house shoes there's nothing (inaudible)

MERRITT: LA-LA County

FISK: But is it is there like (inaudible)

MERRITT: I had, I had two sentences or it was one sentence for forty six days

FISK: Uh huh

MERRITT: But because of my business and my family the judge let me he was he was really cool he let me do twenty three days and then get out for a few months and then do twenty three days so he was, he was really really nice about it um

FISK: Yeah

MERRITT: and ss all I have is I did the twenty three days the first twenty three days already and then before I could go in and do the second twenty three days I had

FISK: Your heart problem

MERRITT: My heart attack and –and that was that's been a mess

FISK: (Inaudible)

MERRITT: I have two stints in
FISK: In your heart

MERRITT: in my heart well I have three now this is my second I didn't have a heart attack the first time second time was massive heart attack I-I was like was supposed to die and I mean if it hadn't of been for the paramedics I would be dead my wife has taken me to the hospital

FISK: (inaudible)

MERRITT: My wife was taking

DUGAL: (inaudible) I mean were, are we done?

FISK: Just about

MERRITT: My wife was taking me to the hospital and I looked at her and said I'm not going to make it, it's I'm not gonna there is no way I

	can't make it to the hospital she turned made a u-turn and went straight to the closest fire department which is like three miles, three blocks away and I tried to get out of the car and I just fell on the pavement and was almost unconscious she ran in and they came out these guys were amazing had they not had we not gone to the fire department they told me it was there was no way I'd be alive I mean it was
FISK:	It's a smart call
MERRITT:	it was really close so we took 'em a waterfall later, took 'em a waterfall for their fire station so
DUGAL:	That's cool, done?
FISK:	Yeah
DUGAL:	Okay
FISK:	How bout you?
DUGAL:	Done it is uh
MERRITT:	(Inaudible)
DUGAL:	1910