

# SF 7 trial recessed until Monday

ESTANCIA — The trial of seven defendants involved in the September gun battle at Escuela y Colegio Tonantzin in Agua Fria was recessed until 9 a.m. Monday after the jury heard testimony Friday from Santa Fe Police Officer George Lopez.

According to testimony heard Friday in The Torrance County Courthouse, the shot which injured Officer Manuel Moya was possibly the first shot fired in the incident between police and occupants of the Chicano school. Defendants in the case are Eugene Romero, 21, Paul Carrillo, 20, Jose Morfin, 20, Andrew Romero, 18, Geronimo Garduro, 30, Joe Gomez, 24, and Leroy Ortega, 23, all of Santa Fe. They were indicted by the Santa Fe County Grand Jury.

The defendants are charged with assault with intent to commit a violent felony in connection with the incident at the former convent.

Moya said he and another officer followed a car "going at a high rate of speed" to the school. The car was later identified as a white Ford Ranchero which had been reported by police radio as being involved in a hit and run accident.

Lopez testified he first heard the radio call about 6:15 p.m. As he went toward the area, he saw the car which he said he followed west on Alameda to Agua Fria Village.

Officer Lopez said he had followed the white vehicle driven by Paul Carrillo to the school, and had apprehended Carrillo when six male subjects

emerged from the convent and advised the officers to leave.

Lopez said the subjects grabbed Carrillo and he released him. Lopez and another officer drew their service revolvers when they saw Eugene Romero approach with his hand behind his back. Lopez testified. He said it was at this point that Moya arrived. The officers attempted to arrest Andrew Romero as he was walking down the driveway of the school. As Lopez was handcuffing Romero, he said Romero stooped down and Lopez, who said he had Romero in an armlock, bent over to continue handcuffing Romero. Lopez said it was at this time he heard the first shot.

Andrew Romero broke loose and ran to the convent, Lopez testified, and Eugene Romero began calling Lopez names in Spanish and English. Lopez said he heard more shots which struck his police unit.

In cross-examination by defense counsel Joan Friedland, Lopez said he had not heard of any report on the vehicle Carrillo had allegedly been driving which Officer Moya had testified he had placed on the "hot" sheet. Lopez also testified that the group of six subjects which emerged from the convent was unarmed, in disagreement with Moya's testimony earlier that the six were armed.

In further testimony Lopez stated that Carrillo was walking normally and that he could not detect any liquor on his breath or any other evidence that he was intoxicated. Moya had

testified that Carrillo had testified that Carrillo was intoxicated.

Lopez also said he had heard no shots prior to the shot that felled Moya. Moya had said that he had heard shots before he was wounded in the shoulder. Lopez stated he did not return fire until his vehicle was fired

upon.

Miss Friedland also questioned Lopez on his testimony that the subjects had not raised their hands as Lopez had advised them when they emerged from the building. A statement recorded Feb. 13, 1974, in the Santa Fe Police Department played in the

courtroom indicated that the defendants had emerged with their hands in the air. Lopez said he would not change any more of his testimony.

The shootout on Sept. 3 left four people wounded. One, a 19-year-old girl, Linda Montoya of Galisteo, died several days later of her wounds. Moya, defendant

Morfin and Officer Robert Holland were also wounded.

Pd. Pol. Adv.

**A.B. FOR ME!**  
SANTA FE VOLUNTEERS FOR  
A.B. MARTINEZ FOR MAYOR