



## Witness Changes Details

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Joe Segura - Staff writer

A preliminary hearing for three murder defendants facing the death penalty got somewhat off track Wednesday as a prosecutor sought to get immunity for a key witness who changed details of his story.

Anthony B. Molinar testified for the prosecution earlier this week in Westminster that he witnessed the May 28, 2001, murder of 17-year-old Guillermo Carvajal, adding that his cousin helped to haul the youth's body from the Hawaiian Gardens death scene -- in exchange for drugs. Deputy District Attorney Cameron J. Talley, of the prosecutor's gang detail, said the immunity would be for any testimony given by Molinar in an expected trial. The effort shortened the day's witness schedule.

Three suspects -- Richard David Ramirez, 41, and Stanley Dean Cruz, 36, both of Hawaiian Gardens, and Javen Anthony Cervantes, 28, of Lakewood -- could face the death penalty if convicted of the May 28, 2001, killing.

Talley originally sought the death penalty because authorities believed Carvajal had been tortured and forced to perform oral copulation, and that the murder was designed to benefit a street gang.

Before adjournment Wednesday, Talley and the defense attorneys agreed in separate stipulations that Carvajal's death was the result of strangulation through the use of a ligature, and that torture and forced oral copulation most likely were not part of the fatal attack.

The torture and oral copulation issues were based on Molinar's interviews with homicide detectives, as he attempted to avoid being sent back to prison for parole violations in exchange for details on the death.

Molinar originally said the beating had occurred over a period of almost an hour, a factor that led to the torture count, but changed that version on the stand Tuesday by trimming the time frame to about five or 10 minutes -- eliminating the torture issue. And on the oral copulation issue, he testified that one of the assailants had merely suggested it.

The death penalty, Talley said, will still be sought for the gang activity and the robbery of the victim's wallet and watch.

Molinar, a parolee who had a heroin addiction, testified Tuesday that Carvajal was beaten to death over an alleged gang affiliation with a rival Artesia street gang.

The killing, according to authorities, occurred at Ramirez' garage. Ramirez allegedly landed the first punch, and his companions dragged the youth to an area out of Molinar's view, where they beat and killed him.

Later, in the evening, his cousin -- identified as Eddie ``Boy" Ramirez, no relation to the defendant -agreed to help Richard Ramirez dump the body in Los Alamitos, Molinar testified. The cousin plead guilty to accessory, and is serving time, Talley said.

The preliminary hearing, to determine whether the three should be held over for trial, continues today.