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Judge unseals warrants in deadly Kennewick invasion

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KENNEWICK — A judge on Thursday ordered that search warrants involved in a deadly robbery attempt last month in Kennewick be unsealed, saying the public has a "right to know" what occurs in the judicial system.

Judge Craig Matheson said "the reasons for sealing are now passed," since three men have been charged in Benton County Superior Court for their alleged involvement in the crime that left Tyler Stock dead.

"The compelling reason to reopen this file is always there, and that's the public's right to know what the court system is doing, and the case law is replete with reasons for that," the judge said.

The search warrants were part of the investigation into the moments leading up to and after Stock's death. The 20-year-old Kennewick man was killed when he tried to break into a home in the middle of the night, reportedly to take \$70,000 in cash from Ramon Madrigal.

Prosecutor Andy Miller has decided that Madrigal's actions early Jan. 11 were justified because Stock was armed with a gun when he pushed open the front door. Madrigal has said he opened fire on the masked intruder because he feared for his safety.

However, prosecutors have charged three men they believe helped plan and carry out the home-invasion burglary attempt at 206 N. Buntin St.

Armando Rodriguez-Willis and Jorge Hernandez, both 20, and Dwight Norwood, 38, all are set for trials March 7.

Though currently set for the same date, the cases will not be consolidated and will be tried separately because of "very legitimate security concerns," Miller told the court.

Rodriguez-Willis and Norwood, both of Kennewick, are charged with first-degree burglary. Hernandez of Pasco is charged with attempted first-degree robbery with a firearm.

According to police and prosecutors, Stock ran into his nearby home to grab tube socks so he could cover his hands while holding the gun. He then jumped back into Rodriguez-Willis' car and, along with Hernandez and Norwood, was driven to Madrigal's home, court documents said.

A 911 call was made at 1:21 a.m. about a burglary with shots fired. Stock was found dead with his legs inside the front door and a gun at his feet.

Kennewick police in the early days of the investigation asked to have a few search warrants and attached affidavits temporarily sealed until all arrests were made. Once charges were filed, Miller then gave defense attorneys a couple of weeks to review the documents before taking it before a judge for a final decision.

The Tri-City Herald went on the record objecting to permanently sealing the documents.

On Thursday, Sal Mendoza stood in for Rodriguez-Willis' new lawyer, Tracy Collins of Spokane. Mendoza, who used to represent Rodriguez-Willis, said Collins did not object to the warrants being unsealed.

Larry Zeigler, Hernandez's lawyer, said he has "serious concern about Mr. Hernandez's physical security (with what) was disclosed in those documents. I'm not sure if it's worth the risk."

Hernandez, who is in custody on \$250,000 bail, reportedly gave information to police including the identity of his alleged accomplices.

Ryan Swinburnson argued on behalf of his client, Norwood, that there was no showing why the documents should be unsealed.

The public's right to know is not a right that supersedes Norwood's right to a fair trial, and release of the warrants would result in the case being tried "in a court of public opinion," rather than a court of law, he said.

Ken Robertson, the Herald's executive editor, told the court that a piece of the justice system includes not only a fair trial, but also a public trial.

"I think that as a member of the public and of the media, the public must have trust in its courts," he said.

That confidence can be damaged when documents are sealed from public view in their entirety, he added, suggesting that Matheson could redact some material if he found a compelling reason.

Matheson prepared the order and signed it to open the documents, which provide few new details of the investigation.

The search warrants were to subpoena account information, along with phone call and text message logs, for several cell phones.

A couple of the numbers are reportedly linked to Norwood and Rodriguez-Willis, while the owners of two others were unknown.

One of those allegedly showed Norwood had called or been called from that phone more than 100 times from Jan. 6-10, with 70 of those the day before the shooting, according to the search warrants.

The other unknown number had a total of 15 calls either to or from Norwood's phone between Jan. 10-11, with the last call about 20 minutes after Stock was fatally shot.

Detective Brian Pochert, in a document signed by Judge Robert Swisher on Jan. 18, said the phone records "will provide a timeline for the activity of suspects Norwood and Willis."

Pochert also wrote in a Jan. 14 warrant that investigators expected the cell phone records "will corroborate the fact that Hernandez, Willis, Stock and Norwood were communicating at the time leading up to the robbery and after Stock was shot."

Police also sought "all available content" from Stock's Facebook and two MySpace pages.

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