

1 LA PLATA COUNTY, CITY OF DURANGO, STATE OF COLORADO

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3 TRANSCRIPT OF TELEPHONIC INTERVIEW OF KATHY BERRY

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5 INTERVIEW BETWEEN

6 INVESTIGATOR TONYA GOLBRICHT,

7 and

8 KATHY BERRY.

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10 This is a transcript of the audio-recorded telephonic
11 interview held on August 26, 2013, in Durango, Colorado.

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1 MS. GOLBRICHT: So, well, real quick, when's your
2 birthday?

3 MS. BERRY: 2-20.

4 MS. GOLBRICHT: And what year were you born?

5 MS. BERRY: '64.

6 MS. GOLBRICHT: Okay. And what's your address?

7 MS. BERRY: 2976 --

8 MS. GOLBRICHT: Uh-huh (affirmative).

9 MS. BERRY: -- Sun Creek Ridge. And it's
10 Evergreen, Colorado, 80439.

11 MS. GOLBRICHT: 80439?

12 MS. BERRY: Yeah.

13 MS. GOLBRICHT: Okay. Good. Okay. I looked in
14 our system, I kind of figured you'd be in there already, but
15 you're not so --

16 MS. BERRY: Huh.

17 MS. GOLBRICHT: -- that's why I'm asking you --

18 MS. BERRY: Yeah.

19 MS. GOLBRICHT: -- that stuff.

20 MS. BERRY: I'm sure I'm in there somewhere. Dig
21 deeper -- no.

22 MS. GOLBRICHT: I'm sure your name's in like
23 reports, but maybe you just haven't been put in as like --

24 MS. BERRY: Yeah.

25 MS. GOLBRICHT: -- involvements. So --

1 MS. BERRY: Yeah, yeah.

2 MS. GOLBRICHT: Anyway, you -- so you know what
3 I'm calling about, about that --

4 MS. BERRY: Uh-huh (affirmative).

5 MS. GOLBRICHT: -- verbal alter --

6 MS. BERRY: The night we --

7 MS. GOLBRICHT: -- altercation.

8 MS. BERRY: -- drove by, yeah.

9 MS. GOLBRICHT: Yeah. So, that -- that's
10 basically it. You're not in any trouble, I'm not upset with
11 you, I just want to know what happened.

12 MS. BERRY: Okay.

13 MS. GOLBRICHT: So, when it -- start where ever
14 you feel like --

15 MS. BERRY: Well --

16 MS. GOLBRICHT: -- is necessary.

17 MS. BERRY: -- so I was in town, and you know, I'm
18 not in town all that often and I think that this was during
19 the time that -- I think it was right when that text message
20 was sent to Elaine and we had found Dylan -- or you had
21 found Dylan. And everybody was really upset and everything;
22 and so, I don't know, her and I just drove by.

23 And it was like -- it was kind of dark, and you
24 know, we -- we flipped by one way and then we'd come back
25 the other way and she's like, stop, stop, stop. And, you

1 know, I'm terrified of the guy, you know, and I'm sitting
2 there just shaking, you know, and -- and so all the sudden
3 -- you know, I don't even remember what she yelled. She
4 just rolled the window down and just said, hey, Mark, or
5 something. And, man, he just came flying out the door. And
6 so he comes out the door and he's just standing like -- like
7 it was kind of dark, I mean I could see his silhouette
8 standing there, I could see he was mad, and you know, he was
9 just screaming fuck you, fuck you.

10 And -- and then she said something about Dylan and
11 about, you know, she would never, you know, let him forget
12 what he did or whatever. And -- and then he just screamed
13 something about -- I can't remember, he said something to
14 her about her fucking cancer or something, hope she -- I
15 don't even -- something about her dying or something. And
16 then I don't -- I lost my mind.

17 I mean I totally like -- I fricking like flew over
18 the seat, I mean I'm like in the driver's seat and I just
19 started screaming at him. I'm like fuck you, you fucking
20 shit-eating piece of shit. And then all of the sudden he
21 just like picked up this log. I mean my God, and he was --
22 he was terrifying. I mean he picks up this log, I just saw
23 the white of his eyes and Kat was like go. And I just
24 fricking hit the gas and fricking flew out of there. I'm
25 crying. I mean I was shaking, crying, you know?

1 MS. GOLBRICHT: Uh-huh (affirmative).

2 MS. BERRY: But he -- you know, he did -- he just
3 -- man, he was -- snapped. The minute I called him a shit-
4 eater, you know, he picked up -- he just like reached down
5 like -- oh, he wanted to hit us. I mean he was -- he was
6 coming at my brand new BMW, that's all I knew. And I was
7 not gonna --

8 MS. GOLBRICHT: Uh-huh (affirmative).

9 MS. BERRY: -- let him hit my car with that log.

10 MS. GOLBRICHT: Okay.

11 MS. BERRY: You know? But, yeah, and we just took
12 off after that. And it -- it was scary. He's never been
13 back since.

14 MS. GOLBRICHT: And so did he say anything when he
15 picked up the log? That you --

16 MS. BERRY: You know we --

17 MS. GOLBRICHT: -- remember?

18 MS. BERRY: -- didn't really -- we didn't really
19 give him a whole lot of a chance to, you know, but it's
20 like --

21 MS. GOLBRICHT: Yeah.

22 MS. BERRY: -- you know, it was really weird,
23 because you know, just from the outline of him -- like the
24 minute, I can -- I can honestly tell you that the -- the
25 shit-eating thing really gets to him like --

1 MS. GOLBRICHT: Uh-huh (affirmative).

2 MS. BERRY: -- like I saw -- I saw a look in his
3 eye of just rage. You know, and I mean even in the dark --
4 I mean you could see the whites of his eyes, that's how
5 close he was to my car.

6 MS. GOLBRICHT: Oh, okay.

7 MS. BERRY: You know, and just -- you know, but
8 then -- like I think I said -- like after I said it the
9 first time and he picks up the log, you could tell that he
10 thought about it, but he didn't say anything, he kind of
11 stands there and all the sudden he catches himself and I
12 think I said something else to him like eat some more shit,
13 you asshole. And then I just hit the gas and took off.

14 But he didn't say anything, and we didn't give him
15 the chance. I mean I really thought he was gonna hit my car
16 or hit -- you know, hit Kat with that log.

17 MS. GOLBRICHT: Okay.

18 MS. BERRY: I wanted to say is that what you did
19 to Dylan, but I just was not gonna push it that far.

20 MS. GOLBRICHT: Okay.

21 MS. BERRY: 'Cause then I thought maybe he would
22 hit us or something, you know?

23 MS. GOLBRICHT: Right. Okay.

24 MS. BERRY: But, yeah, and after that, you know,
25 they just told us -- they're like just stay away from there.

1 So we did.

2 MS. GOLBRICHT: Okay. Okay. All right. Well --

3 MS. BERRY: But, yeah, I wish he would've said
4 something.

5 MS. GOLBRICHT: Yeah. Well, his act -- sometimes
6 actions speak louder than words.

7 MS. BERRY: Yeah. Yeah. It was frightening. The
8 look on his face, you know, it's like that's just -- like
9 you just saw this snap of rage which, you know, I mean who
10 knows, Tonya, I mean what if Dylan did say something to him
11 about those pictures?

12 MS. GOLBRICHT: Uh-huh (affirmative).

13 MS. BERRY: You know, that's --

14 MS. GOLBRICHT: Yeah.

15 MS. BERRY: -- something that frightens me about
16 that is that what if he did -- I saw a side of him that that
17 really gets to him. That you mention that, and man, he's a
18 different man.

19 MS. GOLBRICHT: Uh-huh (affirmative).

20 MS. BERRY: You know?

21 MS. GOLBRICHT: Right.

22 MS. BERRY: And, you know, so I don't know there's
23 something to that. But, you know, who knows if he did or
24 not. But -- I don't know. Very strange.

25 MS. GOLBRICHT: Okay.

1 MS. BERRY: And by the way, thank you for all your
2 hard work on this. I swear to God if it wasn't for you, I
3 don't think we'd be this far.

4 MS. GOLBRICHT: Oh, well, that -- thank you for
5 that. I -- I don't -- I don't know about that, but I do
6 appreciate it. We've all been --

7 MS. BERRY: Well, I think that that's how the
8 family feels, I mean it's like they're -- this thing was
9 just, you know, ever since you got involved, it's like all
10 the sudden it's like we're seeing things happening, and you
11 know, and I know you were out there looking so hard for him.
12 And I mean things are -- you know, maybe they won't go the
13 way we want, but at least something's happening, you know?

14 MS. GOLBRICHT: Yeah. At least we have some
15 movement. That's -- that's true.

16 MS. BERRY: Absolutely. Absolutely. And that's,
17 you know, at least something. So, thank you from everybody,
18 we all -- we all see it.

19 MS. GOLBRICHT: Oh -- oh, thank you. It's good to
20 hear that sometimes --

21 MS. BERRY: Yeah.

22 MS. GOLBRICHT: -- I'm not gonna lie.

23 MS. BERRY: Yeah, I hear you. I know how hard
24 you're working, and I know the family's so grateful. It's
25 like, ah, we all just pray everyday that we're gonna hear

1 that somebody's been arrested.

2 MS. GOLBRICHT: I know. Me, too. It --

3 MS. BERRY: Oh, God.

4 MS. GOLBRICHT: -- it'll --

5 MS. BERRY: All right. Well, good luck and thank
6 you so much for everything, Tonya.

7 MS. GOLBRICHT: All right. Well, thank you, have
8 a good day. Thanks --

9 MS. BERRY: Okay.

10 MS. GOLBRICHT: -- for chatting with me.

11 MS. BERRY: If you need anything else, you know
12 how to get a hold of me.

13 MS. GOLBRICHT: All right. Thank you. You, too.

14 MS. BERRY: Okay. Okay. Bye-bye.

15 MS. GOLBRICHT: Bye.

16 (Whereupon the interview was concluded.)

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