

Rec'd 4/15/98

21

| | | | | |
|---|--|--|--------------------------|--|
| 1. TASK NUMBER 980320CWE7133 | | 2. INVESTIGATOR'S ID 8021 | | EPIDEMIOLOGIC INVESTIGATION REPORT |
| 3. OFFICE CODE 860 | 4. DATE OF ACCIDENT YR MO DAY 980319 | 5. DATE INITIATED YR MO DAY 980320 | | |
| 6. SYNOPSIS OF ACCIDENT OR COMPLAINT Three victims including a 15 year old female, a 16 year old female and a nine year old male were riding an amusement ride when they were ejected from their car. The 15 year old female was pronounced DOA and the other two victims were treated and released. The cause of death of the 15 year old victim was severe head injuries. | | | | |
| 7. LOCATION (Home, School, etc.) Outdoor Amusement Ride 54 | | 8. CITY Austin | | 9. STATE TX |
| 10A. FIRST PRODUCT Mobile Amusement Ride 1293 | | 10B. TRADE/BRAND NAME Himalaya | | 10C. MODEL NUMBER 159 |
| 10D. MANUFACTURER NAME AND ADDRESS Reverchon France | | | | |
| 11A. SECOND PRODUCT | | 11B. TRADE/BRAND NAME | | |
| 11D. MANUFACTURER NAME AND ADDRESS | | | | |
| 12. AGE OF VICTIM 015 *** | | 13. SEX 2 | 14. DISPOSITION DOA 8 | 15. INJURY DIAGNOSIS Skull Fracture/Internal Organ Injury 62 |
| 16. BODY PART (S) INVOLVED Head 75 | | 17. RESPONDENT Local Officials 3 | | 18. TYPE OF INVESTIGATION On-Site 1 |
| 19. TIME SPENT (OPERATIONAL HOURS) 40.0 | | 22. SAMPLE COLLECTION NUMBER None | | |
| 20. ATTACHMENT(S) Multiple 9 | | 21. CASE SOURCE Newspaper 05 | | |
| 23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) No | | | | |
| 24. REVIEW DATE 4/2/98 | | 25. REVIEWED BY SIDNEY C. ENGLANDER | | 26. REGIONAL OFFICE DIRECTOR |
| 27. DISTRIBUTION O:COLDEMAR CC: EMDS, FOWA COMIL. | | | | |

MK/PRVLR NOTIFIED 6/1/98
 No Comments made
 Comments attached
 Exclusions/Revisions
 Firm has not requested
 further action

APR-02-98 06:21A CPSC BRENT BRADFORD 312 111-3300

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PRE-INCIDENT

This incident occurred at the Travis County Livestock and Rodeo Show in Austin, Texas. The show was being held at the Travis County Exposition Center located at 7311 Decker Lane and within the city limits of Austin. As a part of this show there was a carnival which included several amusement rides.

B & B Amusements, 4491 South 4th Avenue, Yuma, Arizona 85365 was contracted with to provide a carnival as a part of the show.

The Texas Board of Insurance, 333 Guadalupe, Austin, Texas 78714 has a statute Amusement Ride Safety Inspection & Insurance Act. This statute requires that before an amusement ride can operate within the state of Texas, three requirements must be met. Each amusement ride must have an annual inspection with an inspection certificate submitted to the Texas Department of Insurance for review. There is an insurance requirement of \$100,000 per occurrence with \$300,000 aggregate for Class A amusement rides and not less than one million per occurrence for Class B amusement rides. The amusement ride involved in this incident is considered a Class B classification. The insurance policy is required to be reviewed by the Texas Department of Insurance for review of compliance and the insurer has to make sure the inspectors who perform the inspection are professionally qualified. Thirdly, there is a \$20.00 filing fee for each amusement ride to be operated.

Since this was reportedly B & B Amusements first trip to Texas, they needed to have an inspection performed on all of their rides before they could operate in the State of Texas and at this show. The show hired Bob G. Gill & Associates, Inc., P.O. Box 1045, Brandon, Florida to perform the pre-opening inspections and to also remain with the show to monitor the amusement rides once the show opened up. Bob G. Gill & Associates reportedly deals in amusement ride safety and routinely inspects amusement rides as part of their service.

On March 9, 1998 an employee of Bob G. Gill Associates arrived at the show to perform the pre-opening inspection of all the amusement rides as required by the Texas Department of Insurance. The inspection included checking structural items such as bolts/pins/keys, welds, fencing, supports and cables/clamps. Carriers were checked for safety restraints, body condition, padding, spindles/anchors and wheels/axles. Drive items checked include motors/drive wheels, belts/motor guard, chains/cables and controls.

PRE-INCIDENT CON'T

Electrical inspection includes grounds, lights/boxes and cables/wiring. General inspections were made on brakes, emergency equipment and signs. One of the rides inspected by Bob G. Gill was the Himalaya amusement ride. Attached as attachment #3 is the pre-inspection and ride evaluation performed on this Himalaya ride. The inspection was performed 3/9/98 and there are a few items of note. Five carrier cars were labeled as not to be used. Car #5 had a broken seat and cars 2, 6, 17 and 24 were labeled as not to be used because of broken catches. Under COMMENTS it is noted the ride is to be run at 10 RPMs per the manufacturer. Toward the bottom of the inspection form and under the COMMENTS there is an evaluation to check if the ride appeared satisfactory at the time of the inspection. Neither the "yes" or "no" line is checked. The ride was apparently given the okay to operate during the show. These inspections are reportedly performed in accordance to ASTM specifications. Inspections are also performed in accordance with "NAARSO" which stands for National Association of Amusement Ride Safety Officials. Photograph #3 shows a Texas Department of Insurance permit on the ride and an inspection number of 06180. The permit expires in March of 1998. This Himalaya amusement ride is the ride involved in this incident.

After the Bob G. Gill employee performed the pre-inspections of the rides, he left Austin. Another Bob G. Gill employee arrived in Austin the night before the show was to open on 3/12/98. This employee was to stay and monitor the amusement rides once the show opened up. He was to stay until the show closed on 3/22/98. His duties were to watch the daily operations of all the rides and to report any deficiencies to the livestock show officials who hired his firm. This employee also assisted in correcting any deficiencies and to oversee daily ride inspections performed by B & B Amusements.

According to the owner of the ride the Himalaya was last set up and operated in October of 1997 at the Lake Davis Fair in California. Photograph #5 shows a State of California ride permit which expires in March of 1998. This permit was issued by the California Division of Occupational Safety and Health. After this stop, B & B Amusements supposedly returned to their home in Yuma, AZ for the winter. It is not known what if any maintenance was performed on the Himalaya ride while in Yuma for the winter. The owner stated this Austin show was the first time the Himalaya was operated since the October 1997 stop in California. The owner also stated he purchased this Himalaya ride new in 1984 and did have one incident several years ago at the Imperial Fair in Kansas. He stated two young girls were able to get out from under the restraint bar and stand up in their car. He did not state if any injuries occurred.

PRE-INCIDENT CON'T

On March 12, 1998, the livestock and rodeo show opened up for business to the public. B & B Amusements opened up their carnival at this time. B & B Amusements performed daily inspections of all their rides, including the Himalaya. Attached as attachment #4 is a daily log of these inspections. Each daily inspection checks for structural parts, condition of welds, drive system, lubrication and fittings, electrical and pre-operational tests including operating the ride for three minutes. According to inspection logs this ride test can be performed with or without passengers. Daily inspection logs show this ride test was done with and without passengers, depending on which daily log you review. The daily logs also list the timed RPMs at 10. Also, it appears different B & B Amusement employees were performing these tests. The daily inspection logs included with attachment #4 include inspections for eight days which would account for inspections done from 3/12/98 through 3/19/98. However, the daily inspection logs have confusing dates. The month of February is used in some cases instead of March and duplicate dates exist. A review of these daily inspection logs do not reveal any major defects or repairs up to 3/19/98. On the daily inspection log for 3/19/98, there is one repair listed of note. Under the STRUCTURAL PARTS CHECKED where Seats are listed, the repair block is checked with the statement "Locks need handles". No explanation was given as to what this repair included or to which car of the ride. This ride had apparently passed all daily inspections and continued to operate from 3/12/98 to 3/19/98.

On March 19, 1998 a 15 year old female, a 16 year old female who was a friend of the 15 year old and the nine year brother of the 15 year old were attending the carnival at the livestock and rodeo show. The exact activities of these three individuals while at the show are unknown at this time. These three individuals will now be referred to as victims. The three victims were reportedly normal and healthy and had no known mental or physical handicaps. The 15 year old victim is known to be 68 inches in height and weigh 185 pounds. She was active in swimming and golf at her high school. The 16 year old victim was thought to weigh approximately 155 pounds. The nine year old was estimated at 100 pounds.

INCIDENT

While at the carnival the three victims apparently made the decision to the ride the Himalaya. The ride required five coupons each to ride. (See photo#8) It is not known if this was the first time any of the three victims had ever ridden a Himalaya ride before. It is believed this was the first time the three victims had ridden the Himalaya while at this carnival.

INCIDENT CON'T

All three victims got into the same car. The first in was the nine year old victim because he was the smallest. Reportedly the smallest and lightest rider is supposed to be on the inside because the ride's motion pushes everything to the outside. The 16 year old victim got in the middle and the 15 year old victim was the last to get in and was on the outside. After everyone was loaded onto the ride, it apparently began its operation in a clockwise motion. According to the ride operator the ride was traveling at a speed of six to seven RPMs when the incident occurred. The ride was supposedly set to go 10 RPMs. With the ride traveling in a clockwise motion and at about the nine o'clock position on a clock face, all three victims were ejected from their car. The three victims bounced off of a side wall of the ride and landed on a metal walkway that goes around the outside of the ride. (See photos 18-23) Landing on the walkway with the victims was the safety restraint lap bar for the car the victims were in. When the victims were being ejected, this lap bar apparently broke loose from it's car and ejected also in the same direction as the victims.

POST-INCIDENT

The ride operator stated he was slowing down the ride to bring it to a complete stop when he saw the two female victims come out of their car seat and crash into the ride wall. This occurred right in front of the operator as photos 20-21 show the incident site where the victims landed and the ride operators station. He did not recall seeing the nine year old male victim come out of the car. He immediately turned off the ride and there are reports that one of the ride attendants also hit a kill switch on the opposite side of the ride. (See photo 58) The ride apparently does not come to an emergency stop and that once it is turned off it will continue to move for a while. It is believed the ride may have made almost two revolutions before it actually stopped after it was turned off. When the ride finally stopped, the car the victims were in stopped at approximately the six o'clock position on a clock face. As already reported, the victims were ejected at approximately the nine o'clock position.

The ride operator looked down to his left and reportedly saw the 15 year old victim lying on her back and coughing up blood. The 16 year old victim was next to her and also appeared to be injured. The car's lap bar was lying underneath or beside the 15 year old victim's legs. The nine year old victim was apparently close by the other two victims as he was leaning up against the wall, holding his back and was in pain.

POST-INCIDENT CON'T

The lap bar is secured to the inside of the cars at two points. Photos 16-17 show how the lap bar is attached to the inside of the individual cars. The bar is attached to both sides inside the car with the use of cotter pins. It should be noted the cotter pins being used on this ride appear to be different than the "R-shaped" pins shown in the operating manual. (See page 44 of attachment 8)

A closer examination was made of the car and lap bar involved in this incident. The victims were riding in car 19 when they were ejected from the ride along with the lap bar. The local police seized the lap bar for car 19 and removed it to their evidence room. The lap bar was examined at the police station and can be seen in photos 24-26. The lap bar measures 46 7/8 inches wide with the two parts of the bar that attach to the inside of the car measuring approximately 28 inches. The police also seized from the floor of car 19 three pieces of cotter pins. Photo 27 show these parts of cotter pins. Photos 28-29 show car 19 with the lap bar removed. This car had not been moved or tampered with when examined. Only local officials had examined the car looking for evidence.

The lap bar was returned to the Himalaya ride by local officials for a closer examination of the lap bar and its relationship with car 19. Photo 30 shows a closeup of the bottom right side where the lap bar used to be attached with the use of a cotter pin. A piece of a cotter pin is still inside the hole it was originally in. Photos 32-33 shows the lap bar reattached to the bottom right side of the car without the use of a cotter pin. Photo 34 shows the inside of the lap bar where it attaches to the bottom of the car. This photo shows worn areas in the lap bar where the cotter pin appeared to be rubbing up against it. The 16 year old victim has stated the lap bar first came loose at this point during the ride. The bottom left side of the car was examined where the lap bar is also attached with cotter pins. Photo 35 shows a closeup of the attachment area. No cotter pin pieces were noted on this side of the car attachment. Photos 36-37 show the lap bar being attached to the bottom left side of the car. Photo 38 shows the inside of the lap bar that attaches to the left side and it does not show the same worn areas as the bottom right side. Photos 39-42 show the locking mechanism for car 19. Not only did the lap bar become detached from car 19 at both points inside the car, the lap bar also had to become detached from this locking mechanism. Photo 40 shows the part of the lap bar that allows it to become locked or latched to the car. Note that it is bent inward. Photo 12 shows another lap bar for a different car that is straight and not bent inward.

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POST-INCIDENT CON'T

Photo 41 shows how the locking mechanism should look when the lap bar is secure into place. Photo 41 shows the collar around the shaft snug between the two nuts and underneath the metal cover. Photo 42 shows how a mistake can be made when trying to secure the lap bar into place. The photo shows the collar has not fit underneath the metal cover. Even though the lap bar appears to be secure, in this position it can easily be released by lightly lifting up on the knob or collar. If you lifted up on the lap bar with the release knob in this position, it will not release. But as already stated, it can easily be released by simply lifting up on the knob or collar. This mechanism is located just on the outside of the car next to the outside rider or where the 15 year old victim was sitting. When the collar is underneath the metal cover as shown in Photo 41, the scenario shown in Photo 42 can not occur. No other car locks were noted to have this problem.

All of the cars of this ride were examined with the use of a video camera by local police. All of the locking mechanisms as well as the inside attachments of each car were taped. This video will be forwarded when received from the police. This video will show how different size cotter pins were being used and other differences between some of the cars. One item of note was observed while examining each car. The pre-inspection performed show cars 2, 6, 17 & 24 as not to be used because of broken locking mechanisms or catches as the report states. Photos 47-50 show photos of these four cars. Cars 2 and 17 have their lap bars taped down as though they were not being used. However, cars 24 and 6 appear operational and their lap bars have not been taped down. The lap bars for 24 and 6 were examined and they appeared to function properly. The examination of these four cars does not go along with the pre-inspection report. Also, Photos 51-52 show cars 13 and 16 with their lap bars taped down and not operational. The pre-inspection report does not mention cars 13 and 16 as having broken catches. Since the ride operated for several days after the ride was pre-inspected, maybe some of the locking mechanisms were exchanged with each other by B & B Amusements for some reason.

On March 27, 1998, this Himalaya ride was ran to determine how may RPMs it would go at maximum speed. All reports and statements obtained prior to this run were that the ride was set at 10 RPMs. It was also stated that the manufacturer recommended the ride to run at between 12 and 13 RPMs, but B & B Amusements ran the ride at 10 RPMs. All obtained reports show 10 RPMs. The City of Austin brought a generator to the site for the purpose of supplying power to the ride. (See Photo 53) Photos 54-55 show how car 19 was marked so revolutions could be counted.

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POST-INCIDENT CON'T

At maximum speed the RPMs were counted both manually and with a video camera supplied by the local police department. The consultant hired also video taped the test runs. The manual test included one person counting the revolutions and another person watching a clock. Tests showed at maximum speed the ride ran consistently at one revolution every 3.8 seconds or 15.789 RPMs. The ride was also clocked at 23 mph with a radar gun while running at maximum speed. When this ride was operating at maximum speed and then suddenly turned off, it did not stop immediately. The ride continued to coast until it finally stopped. It also should be noted the control box for the ride as shown in Photos 56-57 appears to be different than the one shown in the operating manual on page 13. Another control box is shown on page 25 that looks different.

According to reports the ride was operating without the use of five cars when the incident occurred. That left only 19 of the 24 cars that were still being used. When the incident occurred, the ride was reportedly to be half full. This ride will reportedly run at almost the same RPMs whether it is full or empty. A full ride may take a longer time to reach its maximum speed because of the extra weight. It appears that even though this test run was made with an empty ride, it did not effect its maximum speed that much.

The ride was ran by the owner of Wood Entertainment Co. who is based out of Michigan. He was in the Austin area for the winter visiting his son. His son also assisted in the test run.

While the ride was operating at maximum speed parts came flying off of the ride on three different occasions. Photos 59-64 show these parts and the cars they came off of. Each time a part came flying off, it was part of the locking mechanism that secures the lap bars to the individual cars. On one occasion a knob came unscrewed from the shaft and on the other two occasions the entire shaft came unscrewed from the outside of the car.

PRODUCT EXAMINATION

The amusement ride involved in this incident is owned and operated by B & B Amusements, Inc., 4491 S. 4th ave., Yuma, AZ 85365. (520-726-9522) It is known as the Himalaya and was manufactured by Gaston Reverchon, 77920.Sumais/s/Seine, France. The ride was purchased by B & B Amusements new in 1984 and they have owned and operated since then. The ride has a serial number of 159. A model number was not noted.

Austin 360: News: Girl thrown from carnival r...

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spokesman Jeff Nash.

"Our thoughts and our prayers are with the girl's family," Nash said.

All of the carnival rides were inspected by a safety team from Bob Gill and Associates, a Brandon, Fla., company, before the rodeo began, rodeo officials said.

While the Himalaya was shut down indefinitely, the other rides at the carnival, which is owned by B and B Carnival of Yuma, Ariz., will be open through the end of the rodeo Sunday, officials said. "We have been assured the rides are safe," said Lynn Segall, a rodeo spokesman.

Safety inspectors and Austin police officers descended on the Himalaya after the accident, trying to determine how it occurred. They declined to release many details until they finish their investigation.

Stunned and curious onlookers gathered near the Himalaya after the accident.

"I felt that this ride was the safest because I'm afraid of heights," said Felisa Wilson, 37, who was planning to get on the Himalaya before it was shut down.

"I don't want my kids to ride on any of this junk," added Jimmy Miles of Smithville.

Marilyn Magro said she had ridden the Himalaya just before the accident, holding her young child in her arms. She said the ride doesn't have any seat belts, just a safety bar that rests over riders' laps.

"If I had let go, my child would have flown out," Magro said.

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IDF 980320HW67133

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SECT 15 1998

JUL 6 7 1997



TASK# 980320CWE7133

ATTACHMENT# 2

PRODUCT HIMALAYA RIDE

July 1, 1997

Lise Owens
Texas Department of Insurance
P.O. Box 149104-MC103-9A
Austin, Texas 78714-9104

Dear Lise,

This letter authorizes Bob Gill & Associates to perform the inspections for and to sign the AR-100s as the inspector and authorized representative of Allied Specialty Insurance and the insurance company.

Thank you for your attention in this matter.

Sincerely,

Richard D'Aprile
Account Executive

**FIREMAN'S FUND INSURANCE
NOVATO, CA
COMMERCIAL GENERAL LIABILITY COVERAGE PART
DECLARATIONS**

Name Insured and Mailing Address
B & B AMUSEMENTS, INC.
4491 SOUTH 4TH AVENUE
YUMA, AZ 85365

Policy No. 00PG602311

980320 CWE 7133

Policy Period: From 04/15/97 to 04/15/98 at 12:01 A.M. Standard Time at mailing address shown above.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

LIMITS OF INSURANCE

| | | |
|---|--------------|--------------|
| General Aggregate Limit (Other than Products-Completed Operations) | N/A | |
| Products-Completed Operations Aggregate Limit | \$ 1,000,000 | |
| Personal and Advertising Injury Limit | \$ 1,000,000 | |
| Each Occurrence Limit | \$ 1,000,000 | |
| Fire Damage Limit | \$ 50,000 | Any One Fire |
| Medical Expense Limit | N/A | |

RETROACTIVE DATE (CG 00 02 only)

Coverage A of this Insurance does not apply to "bodily injury" or "property damage" which occurs before the Retroactive Date, if any, shown here:

DESCRIPTION OF BUSINESS AND LOCATION OF PREMISES

Form of Business: CORPORATION
Location of All Premises You Own, Rent or Occupy:
001 4491 SOUTH 4TH AVENUE
YUMA, AZ 85365

FULL TERM PREMIUM

| Classification | Premium Code No. | Pr/Co | Rate | | Advance Premium | |
|------------------|------------------|-------|-----------|-------|-----------------|--------------|
| | | | All Other | Pr/Co | All Other | |
| CARNIVALS/CIRCUS | 010375 | | | | \$ | \$ 100050.00 |

| | | | | | |
|--------------------------|----|------------|------|--------------|------|
| Full Term Premium: | \$ | 100,050.00 | | | |
| Total Tax/Fee/Surcharge: | \$ | 3,500.00 | Tax: | Fee: 3500.00 | Sur: |
| Total Due: | \$ | 103,550.00 | | | |

FORMS AND ENDORSEMENTS

Form(s) and Endorsement(s) made part of this policy at time of issue :

CG00010196 CG00991185 CG03000196 CG133C0795 CG20241185 CG21331185 CG21351093
CG21391093 CG21461093 CG21490196 CG24070196 CG24121185 OCG0020795 OCG0230795
OCG1320795 OCG1390795 OCG1500795 OCG1510795 OCG1520795 OCG1560795 OCG1570795
OCG1580187 OCG1650795 OCG1680795 OCG1690491 OCG1700795 OCG3050795 OCG3100795

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

980320 CWF 7133

AMOUNTS OF LIMITS OF LIABILITY—TEXAS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY DECLARATIONS

LIMITS OF INSURANCE:
EACH OCCURRENCE LIMIT

Bodily Injury: \$1,000,000. each person
\$1,000,000. each Occurrence

Property Damage: \$ 100,000. each occurrence

FIREMAN'S FUND INSURANCE CO.
 NOVATO, CA
 COMMERCIAL GENERAL LIABILITY
 SCHEDULE

Name Insured B & B AMUSEMENTS, INC.

Policy No. 00FG602311

Premises No. 001

Bldg. No. 000

980320 CWF 7133

| ITEM DESCRIPTION | SERIAL NUMBER |
|---|---------------------|
| 41 1991 CHANCE WIPEOUT | 402-01591 |
| 42 1991 KMMS #6000 PERSIAN CAMEL FUN HOUSE | 91L60000ST |
| 43 1968 ELI FERRIS WHEEL | 468 |
| ✓44 1993 CHANCE MERRY GO ROUND (3 ABREAST) | 1-64974 - 404-00693 |
| 45 1961 ARROW MERRY GO ROUND (2 ABREAST) | 176058M |
| 46 1993 CHANCE CAROUSEL | 77-2844 |
| 47 1962 EYERLY OCTOPUS | 7682877 |
| ✓48 1993 SARTORI LONDON BRIDGE | 36019 |
| 49 1985 KID POWER JUNGLE OF FUN | JFS-685-KPS |
| 50 1992 ZAMPERLA RIO GRANDE TRAIN | RG22F1636V592 |
| 51 1993 ZAMPERLA CRAZY BUS #ZA96A4JLXP1ZA9162 | SEE DESCRIPTION |
| 52 (11) 1995 J & J AMUSEMENT BUMPER BOATS | SEE DESCRIPTION |
| 53 #MEP329878 - #MEP329888 | CONTINUED |
| 1958 Ewart - Kiddie Ferris Wheel | C-3701 |
| 1968 King - Kiddie Swings | 49-68 |
| 1997 Owens - Crystal Lils | 1C9025481V1139314 |
| 1988 Wisdom - Gravatron | 86949 |
| 1995 Zamperla - Rio Grande Train | RG22F002U595 |
| 1993 Bumper Boats - Mini Bumper Boats | KBBMW-10931 |
| 1992 Sellner - Berry Go Round | BEOR 47T92 |
| 1998 Catco (Catanzi) - Tommy Kangaroo | 24 KAN 0003 |
| Venture - Speed Racer | 9001 |
| Miler - Miler Coaster | 1999652 |
| Chance - Giant Wheel | 400-00288 |
| Reverchon - Himalaya | 159 |
| Majestic - Scooters 90' | 1M9LD48TRM276196 |
| Zierer - Wave Swinger | 04280 |
| Zamperla - Speedway | 3P08R007US96 |
| Funni Frite - Wacky Shack | WKP-454007 |
| Funni Frite - Creepy Kastle | WKP-606005 |



TASK # 980320CWE7133
 ATTACHMENT # 3
 PRODUCT: HIMALAYA RIDE

Texas Department of Insurance

333 Guadalupe - P.O. Box 149104 - MC 103-9A
 Austin, Texas 78714-9104
 512/322-3435

Amusement Ride Certificate of Inspection

Required for each ride, pursuant to Texas Insurance Code, Article 21.60, Amusement Ride Safety Inspection and Insurance Act and 28 Texas Administrative Code 5.9004, Amusement Ride Operation Requirements; along with a \$20.00 per ride filing fee.

Owner/Operator (Insured) B&B Amusement, Inc.
 Address 4491 South Fourth Ave Yuma Arizona 85364
SL/P.O. Box City State Zip Code
 Telephone Number (520) 726 9522
 Amusement Ride Name Himalaya Serial Number 159
 Manufacturer Reverchon Date Manufactured 1984
 Date of Last Overhaul or Renovation _____

Amusement Ride Classification:

- A Ride designed primarily for use by children 12 years of age or younger
- B Ride other than Class A

Date of Last (previous) Inspection (if known) _____

I hereby certify that the above described Amusement Ride was inspected and meets the standards and requirements of _____

Allied Specialty Insurance

Insurance Company. In accordance with Art 21.60, Texas Insurance Code.

Signature of Inspector [Signature] Date 3/10/98

Name and Title of Inspector Bob G. Gill

Inspection Company Bob G. Gill & Associates, Inc.

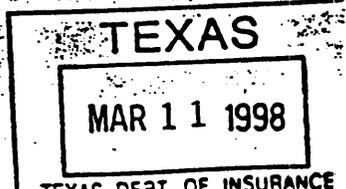
Address P.O. Box 1045 Brandon Florida 33509-1045
SL/P.O. Box City State Zip Code

Telephone Number (813) 685 8792

Name and Title (print) Bob G. Gill

Signature of Authorized Insurance Company Representative [Signature]

Amusement Ride Validation Stamp



Inspection Sticker Number 006180

B G. GILL & ASSOCIATES, INC.

P.O. Box 1045
Brandon, Florida 33509-1045
Phone: (813) 685-8792 / Fax: (813) 685-5117

5
980320 CUE 7133

RIDE EVALUATION

ACCOUNT NAME B & B DEVICE Himalaya
LOCATION Austin, TX MFG. REVERCHON
DATE 3/9/98 S/N 159

STRUCTURAL

- Bolts / Pins / Keys
- Steps / Walkways / Platforms
- Welds / Structure
- Fencing
- Blocking & Supports
- Cables & Clamps

Properly FIT All BACHMAN PANELS

CARRIERS

- Padding
- Body Condition
- Safety Restraints
- Spindles / Anchors
- Wheels / Axles

BROKEN SEAT #5 NOT TO BE USED
BROKEN CATCHER 2/6/17/24 NOT TO BE USED

COVER ALL LOOSE TRIM ON FOOT BOARDS

DRIVE

- Belt & Motor Guard
- Belts / Chains / Cables
- Motors / Drive Wheel
- Controls

ELECTRICAL

- Ground
- Boxes / Lights
- Cable / Wiring

FIT COVER ON ELECTRIC PANEL

GENERAL

- Brakes
- Emergency Equipment
- Signage

RPM

COMMENTS: RIDE TO BE RUN AT 10 RPM PER MANUFACTURER

Ride appeared satisfactory at the time of inspection Yes No

INSPECTOR

[Signature]

[Signature]
ACCOUNT SIGNATURE

Amusement Ride Permanent Location

98.0320 CWE 7133

Permanently Located at: _____

Street Address

City

Schedule of Operations in Texas for the Current Year (Mobile Operations)

Dates

City

County

| | Dates | City | County |
|-----|----------------|-------|--------|
| 1. | _____ to _____ | _____ | _____ |
| 2. | _____ to _____ | _____ | _____ |
| 3. | _____ to _____ | _____ | _____ |
| 4. | _____ to _____ | _____ | _____ |
| 5. | _____ to _____ | _____ | _____ |
| 6. | _____ to _____ | _____ | _____ |
| 7. | _____ to _____ | _____ | _____ |
| 8. | _____ to _____ | _____ | _____ |
| 9. | _____ to _____ | _____ | _____ |
| 10. | _____ to _____ | _____ | _____ |

Please use additional sheets if necessary to complete the schedule.

Please submit this page with the application for the amusement ride. The information on this page is required for the amusement ride.



DAILY RIDE INSPECTION REPORT 980320 CUE 7133

DATE: 2-19-98 TIME: _____
 CITY AND STATE: Austin Texas
 RIDE: Himalaya

MANUFACTURER: Reveshow
 SERIAL NO.: 607 49
 Drive: Electric Gas Engine ()

STRUCTURAL PARTS CHECKED:

- Cable - Clamps:
- Safety Keys and/or Cotter Keys:
- Assembly Pins: Bolts & Nuts:
- Platforms and Catwalks:
- Ramps and Stairways:
- Fencing:
- Sharp or Protruding Objects:
- Blocking and Supporting Jacks:
- Belt and Motor Guards:
- Hydraulic and Air Hoses:
- Seats: General Condition:
- Padding:
- Locks and Safety Pins:
- Safety Bars and/or Straps:
- Seat Anchors or Spindels:

- CONDITION**
- Adjusted
 - All In Place
 - All In Place
 - No Defects
 - No Defects
 - No Defects
 - None
 - Secure and in position
 - Secure and in position
 - No Defects () Leaking or Worn
 - Excellent () Good
 - Excellent () Good
 - No Defects
 - No Defects
 - No Defects
 - No Defects

LOCATION ON RIDE

- () Replaced _____
- () Replaced _____
- () Replaced _____
- () Repair 980320 CUE 7133
- () Repair ATTACHMENT# 4
- () Repair HIMALAYA RIDE
- () Replaced _____
- () Replaced _____
- () Fair () Poor
- () Fair () Poor
- () Repair _____
- Repair hooks need handles
- () Repair _____
- () Repair _____
- () Replace _____
- () Replace _____
- () Repair _____
- () Repair or Replaced _____
- () Repair _____
- () Repair or Lubricate _____

CONDITION OF WELDS:

INSPECTION OF DRIVE SYSTEM:

- Wirerope Drive Cables:
- V-Belts and Chain Drive:
- Hydraulic Motors:
- Drive Wheels:
- Clutch:

- No Defects
- Yes () No

- () Loose () Tight at ride
- () Loose () Tight
- () Repair at _____
- () Replace or Repair at _____

LUBRICATION AND FITTINGS:

ELECTRICAL:

Ground Rod:

- Yes () No
- No Defects
- No Defects

Lights:

Electrical Cable and Wiring:

Can You Feel Any Electrical Shock When You Touch The Ride? () Yes () No

PREOPENING OPERATIONAL TESTS:

Braking System:

Anti-Rollback Devices:

Speed Limiting Devices:

Operated Ride for Three Minutes Without Passengers:

- () No Defects
- Defect at 111 N 3
- Operating Properly () Needs Adjustment
- () Operating Properly Needs Adjustment
- () Yes No
- Timed RPM's 10

Mechanical or Electrical Repairs Recommended: _____

I have inspected the above mentioned ride and find it to be in the mechanical condition as stated above -

Denise Enke

Inspected By The Above Person

Corrective Action Taken _____
 Describe _____

3/11/98

Asht Johnson

SIGNATURE

DAILY RIDE INSPECTION REPORT

980320 CWF 7133
Himalaya

DATE: 3/18/98 TIME: 11:00
CITY AND STATE: Austin
RIDE: Himalaya

MANUFACTURER: Reveschow
SERIAL NO.: 18849
Drive: Electric () Gas Engine: ()

| STRUCTURAL PARTS CHECKED: | CONDITION | LOCATION ON RIDE |
|---------------------------------|--|------------------|
| Cable - Clamps: | NA () Adjusted | () Replaced |
| Safety Keys and/or Cotter Keys: | () All In Place | () Replaced |
| Assembly Pins: Bolts & Nuts: | () All In Place | () Replaced |
| Platforms and Catwalks: | () No Defects | () Repair |
| Ramps and Stairways: | () No Defects | () Repair |
| Fencing: | () No Defects | () Repair |
| Sharp or Protruding Objects: | NA () None | () Repair |
| Blocking and Supporting Jacks: | () Secure and in position | () Replaced |
| Belt and Motor Guards: | NA () Secure and in position | () Replaced |
| Hydraulic and Air Hoses: | () No Defects () Leaking or Worn | |
| Seats: General Condition: | () Excellent () Good () Fair () Poor | |
| Padding: | () Excellent () Good () Fair () Poor | |
| Locks and Safety Pins: | () No Defects | () Repair |
| Safety Bars and/or Straps: | () No Defects | () Repair |
| Seat Anchors or Spindels: | NA () No Defects | () Repair |
| | () No Defects | () Repair |

CONDITION OF WELDS:

INSPECTION OF DRIVE SYSTEM:

| | | |
|---------------------------|-------------------|-------------------------|
| Wirerope Drive Cables: | NA () No Defects | () Replace |
| V-Belts and Chain Drive: | NA () No Defects | () Replace |
| Hydraulic Motors: | () No Defects | () Repair |
| Drive Wheels: | () No Defects | () Repair or Replaced |
| Clutch: | NA () No Defects | () Repair |
| LUBRICATION AND FITTINGS: | () Yes () No | () Repair or Lubricate |

ELECTRICAL:

Ground Rod: NA () Yes () No Connections at Rod () Loose () Tight at ride
 () Loose () Tight
 Lights: () No Defects () Repair at _____
 Electrical Cable and Wiring: () No Defects () Replace or Repair at _____
 Can You Feel Any Electrical Shock When You Touch The Ride? () Yes () No

PREOPENING OPERATIONAL TESTS:

Braking System: () No Defects () Defect at _____
 Anti-Rollback Devices: () Operating Properly () Needs Adjustment
 Speed Limiting Devices: () Operating Properly () Needs Adjustment
 Operated Ride for Three Minutes Without Passengers: () Yes () No Timed RPM's 10

Mechanical or Electrical Repairs Recommended: _____

I have inspected the above mentioned ride and find it to be in the mechanical condition as stated above -

 Inspected By The Above Person

Corrective Action Taken _____
 Describe _____

980370 CWF 7133

DAILY RIDE INSPECTION REPORT

DATE: 17-11-98 TIME: 11:20
CITY AND STATE: AUSTIN TX
RIDE: Himalaya

MANUFACTURER: Revershaw
SERIAL NO.: 68897
Drive: Electric () Gas Engine ()

STRUCTURAL PARTS CHECKED:

Cable - Clamps:
Safety Keys and/or Cotter Keys:
Assembly Pins: Bolts & Nuts:
Platforms and Catwalks:
Ramps and Stairways:
Fencing:
Sharp or Protruding Objects:
Blocking and Supporting Jacks:
Belt and Motor Guards:
Hydraulic and Air Hoses:
Seats: General Condition:
Padding:
Locks and Safety Pins:
Safety Bars and/or Straps:
Seat Anchors or Spindels:

CONDITION
NA) Adjusted
 All In Place
 All In Place
 No Defects
 No Defects
 No Defects
 None
 Secure and in position
NA) Secure and in position
 No Defects Leaking or Worn
 Excellent Good Fair Poor
 Excellent Good Fair Poor
 No Defects
 No Defects
NA) No Defects
 No Defects

LOCATION ON RIDE

() Replaced _____
() Replaced _____
() Replaced _____
() Repair _____
() Repair _____
() Repair _____
() Repair _____
() Replaced _____
() Replaced _____
() Fair () Poor
 Fair () Poor
 Repair _____
() Repair _____
() Repair _____
() Repair _____
() Replace _____
() Replace _____
() Repair _____
() Repair or Replaced _____
() Repair _____
() Repair or Lubricate _____

CONDITION OF WELDS:

INSPECTION OF DRIVE SYSTEM:

Wirerope Drive Cables:
V-Belts and Chain Drive:
Hydraulic Motors:
Drive Wheels:
Clutch:

NA) No Defects
NA) No Defects
 No Defects
 No Defects
NA) No Defects
 Yes () No

LUBRICATION AND FITTINGS:

ELECTRICAL:

Ground Rod:

() Yes () No Connections at Rod () Loose Tight at ride
() Loose () Tight
 Repair at _____
 Replace or Repair at _____

Lights:

Electrical Cable and Wiring:

Can You Feel Any Electrical Shock When You Touch The Ride? () Yes No

PREOPENING OPERATIONAL TESTS:

Braking System:
Anti-Rollback Devices:
Speed Limiting Devices:
Operated Ride for Three Minutes Without
Passengers:

No Defects () Defect at _____
NA) Operating Properly () Needs Adjustment
 Operating Properly () Needs Adjustment
 Yes () No Timed RPM's _____

Mechanical or Electrical Repairs Recommended: _____

I have inspected the above mentioned ride and find it to be in the mechanical condition as stated above -
Josh Johnson
Inspected By The Above Person

Corrective Action Taken _____
Describe _____

980320CWE 7133

DAILY RIDE INSPECTION REPORT

DATE: 3/14/98 TIME: 11:00
CITY AND STATE: AUSTON
RIDE: Himalay

MANUFACTURER: Revechon
SERIAL NO.: 19849
Drive: Electric () Gas Engine ()

STRUCTURAL PARTS CHECKED:

- Cable - Clamps:
- Safety Keys and/or Cotter Keys:
- Assembly Pins: Bolts & Nuts:
- Platforms and Catwalks:
- Ramps and Stairways:
- Fencing:
- Sharp or Protruding Objects:
- Blocking and Supporting Jacks:
- Belt and Motor Guards:
- Hydraulic and Air Hoses:
- Seats: General Condition:
- Padding:
- Locks and Safety Pins:
- Safety Bars and/or Straps:
- Seat Anchors or Spindels:

- CONDITION
- Adjusted
 - All In Place
 - All In Place
 - No Defects
 - No Defects
 - No Defects
 - None
 - Secure and in position
 - Secure and in position
 - No Defects () Leaking or Worn
 - Excellent () Good () Fair () Poor
 - Excellent () Good () Fair () Poor
 - No Defects
 - No Defects
 - No Defects
 - No Defects

- LOCATION ON RIDE
- Replaced
 - Replaced
 - Replaced
 - Repair
 - Repair
 - Repair
 - Repair
 - Replaced
 - Replaced
 - Repair
 - Repair
 - Repair
 - Repair
 - Repair
 - Repair

CONDITION OF WELDS:

INSPECTION OF DRIVE SYSTEM:

- Wirerope Drive Cables:
- V-Belts and Chain Drive:
- Hydraulic Motors:
- Drive Wheels:
- Clutch:

- No Defects
- Yes () No

- Replace
- Replace
- Repair
- Repair or Replaced
- Repair
- Repair or Lubricate

LUBRICATION AND FITTINGS:

ELECTRICAL:

Ground Rod:

- Yes () No Connections at Rod () Loose () Tight at ride
- () Loose () Tight

Lights:

Electrical Cable and Wiring:

- No Defects
- No Defects

- Repair at
- Replace or Repair at

Can You Feel Any Electrical Shock When You Touch The Ride? () Yes () No

PREOPENING OPERATIONAL TESTS:

- Braking System:
- Anti-Rollback Devices:
- Speed Limiting Devices:
- Operated Ride for Three Minutes Without Passengers:

- No Defects () Defect at
- Operating Properly () Needs Adjustment
- Operating Properly () Needs Adjustment
- Yes () No

Timed RPM's 10

Mechanical or Electrical Repairs Recommended: _____

I have inspected the above mentioned ride and find it to be in the mechanical condition as stated above -

Jeffrey A. Campbell
Inspected By The Above Person

Corrective Action Taken _____
Describe _____

980320.CWE7133

DAILY RIDE INSPECTION REPORT

DATE: 3-13-98 TIME: 12:00 P.M.
CITY AND STATE: Austin TX
RIDE: Himalaya

MANUFACTURER: _____
SERIAL NO.: _____
Drive: Electric () Gas Engine ()

STRUCTURAL PARTS CHECKED:

- Cable - Clamps:
- Safety Keys and/or Cotter Keys:
- Assembly Pins: Bolts & Nuts:
- Platforms and Catwalks:
- Ramps and Stairways:
- Fencing:
- Sharp or Protruding Objects:
- Blocking and Supporting Jacks:
- Belt and Motor Guards:
- Hydraulic and Air Hoses:
- Seats: General Condition:
- Padding:
- Locks and Safety Pins:
- Safety Bars and/or Straps:
- Seat Anchors or Spindels:

CONDITION

- Adjusted
- All In Place
- All In Place
- No Defects
- No Defects
- No Defects
- None
- Secure and in position
- Secure and in position
- No Defects
- Excellent
- Excellent
- No Defects
- No Defects
- No Defects
- No Defects

LOCATION ON RIDE

- () Replaced _____
- () Replaced _____
- () Replaced _____
- () Repair _____
- () Replaced _____
- () Replaced _____
- () Fair () Poor
- () Fair () Poor
- () Repair _____
- () Replace _____
- () Replace _____
- () Repair _____
- () Repair or Replaced _____
- () Repair _____
- () Repair or Lubricate _____

CONDITION OF WELDS:

INSPECTION OF DRIVE SYSTEM:

- Wire rope Drive Cables:
- V-Belts and Chain Drive:
- Hydraulic Motors:
- Drive Wheels:
- Clutch:

- No Defects
- Yes () No

- () Leaking or Worn
- () Good () Fair () Poor
- () Good () Fair () Poor
- () Repair _____
- () Replace _____
- () Replace _____
- () Repair _____
- () Repair or Replaced _____
- () Repair _____
- () Repair or Lubricate _____

LUBRICATION AND FITTINGS:

ELECTRICAL:

Ground Rod:

- Yes () No
- No Defects
- No Defects

- Connections at Rod () Loose () Tight at ride
- () Loose () Tight
- () Repair at _____
- () Replace or Repair at _____

Lights:

Electrical Cable and Wiring:

Can You Feel Any Electrical Shock When You Touch The Ride? () Yes () No

PREOPENING OPERATIONAL TESTS:

- Braking System:
- Anti-Rollback Devices:
- Speed Limiting Devices:
- Operated Ride for Three Minutes Without Passengers:

- () No Defects
- Operating Properly () Needs Adjustment
- Operating Properly () Needs Adjustment
- () Yes () No

Timed RPM's _____

Mechanical or Electrical Repairs Recommended: _____

I have inspected the above mentioned ride and find it to be in the mechanical condition as stated above

Terry Perry
Inspected By The Above Person

Corrective Action Taken Describe _____

Terry Perry

480320 CWE 7#33

DAILY RIDE INSPECTION REPORT

DATE: 2-13-98 TIME: 11:11 am

MANUFACTURER: Revershon

CITY AND STATE: AUSTIN T.X.

SERIAL NO.: L8849

MODEL: HIMALAYA

Drive: Electric (X) Gas Engine ()

| STRUCTURAL PARTS CHECKED: | CONDITION | LOCATION ON RIDE |
|---------------------------------|--|-------------------------|
| Cable - Clamps: | N/A () Adjusted | () Replaced |
| Safety Keys and/or Cotter Keys: | (X) All In Place | () Replaced |
| Assembly Pins: Bolts & Nuts: | (X) All In Place | () Replaced |
| Platforms and Catwalks: | (X) No Defects | () Repair |
| Ramps and Stairways: | (X) No Defects | () Repair |
| Fencing: | (X) No Defects | () Repair |
| Sharp or Protruding Objects: | (X) None | () Repair |
| Blocking and Supporting Jacks: | (X) Secure and in position | () Replaced |
| Belt and Motor Guards: | N/A () Secure and in position | () Replaced |
| Hydraulic and Air Hoses: | (X) No Defects (X) Leaking or Worn | |
| Seats: General Condition: | () Excellent (X) Good () Fair () Poor | |
| Padding: | () Excellent (X) Good () Fair () Poor | |
| Locks and Safety Pins: | (X) No Defects | () Repair |
| Safety Bars and/or Straps: | (X) No Defects | (X) Repair |
| Seat Anchors or Spindels: | N/A () No Defects | () Repair |
| CONDITION OF WELDS: | (X) No Defects | () Repair |
| INSPECTION OF DRIVE SYSTEM: | | |
| Wirerope Drive Cables: | N/A () No Defects | () Replace |
| V-Belts and Chain Drive: | N/A () No Defects | () Replace |
| Hydraulic Motors: | (X) No Defects | () Repair |
| Drive Wheels: | (X) No Defects | () Repair or Replaced |
| Clutch: | N/A () No Defects | () Repair |
| LUBRICATION AND FITTINGS: | (X) Yes () No | () Repair or Lubricate |

ELECTRICAL:

Ground Rod: () Yes () No Connections at Rod () Loose (X) Tight at ride
 () Loose () Tight

Lights: () No Defects (X) Repair at _____

Electrical Cable and Wiring: () No Defects (X) Replace or Repair at _____

Can You Feel Any Electrical Shock When You Touch The Ride? () Yes (X) No

PREOPENING OPERATIONAL TESTS:

Braking System: (X) No Defects () Defect at _____

Anti-Rollback Devices: (X) Operating Properly () Needs Adjustment

Speed Limiting Devices: (X) Operating Properly () Needs Adjustment

Operated Ride for Three Minutes Without Passengers: () Yes () No Timed RPM's _____

Mechanical or Electrical Repairs Recommended: _____

I have inspected the above mentioned ride and find it to be in the mechanical condition as stated above -

[Signature]
 Inspected By The Above Person

Corrective Action Taken Describe _____

2-13-98

[Signature]

03/21/1998
12:10

AUSTIN POLICE DEPARTMENT
INCIDENT REPORT NUMBER: OF 98 0781196 AGENCY: AP

PAGE: 1
INTERNAL USE

OCCURRED BETWEEN: TITLE CODE: 3504 ACCIDENTAL DEATH
DATE: 03/19/1998 TIME: 1926 3505 ACCIDENTAL INJURY
AND: 03/19/1998 TIME: 1926
REPORTED:
DATE: 03/19/1998 TIME: 1926

TASK# 980320CW57133
ATTACHMENT# 5
PRODUCT: HIMALAYA PIPE

LOCATION: 7311 DECKER LA
AUSTIN, TX 78724
COUNTY: TRAVIS
SECT/DIST: C 09 CENSUS TRACT: 22.05
PRA: 304
PREMISE: 4004 CARNIVAL GROUNDS

EVENT ORIGIN: CAD SOLVABILITY: PARTIAL DESC/EVIDENCE
EVENT STATUS: OPEN

CAD TITLE CODE: 3500 DECEASED PERSON
DISPOSITION: 1 PRIMARY UNIT: F401
DISPATCHED: 03/19/1998 1929 OFFICER: AP 2640 EADS, JEFFREY
ARRIVED: 03/19/1998 1934
CLEARED: 03/20/1998 0042

ENTERED BY: AP 3100 LOPEZ, SONIA DATE: 03/19/1998 TIME: 1926

PERSONS INVOLVED:

1
NAME: LAST FIRST MIDDLE
AKA:
INVOLVEMENT: VICTIM R/S: W/F
HEIGHT: EYES: DOB:
WEIGHT: HAIR: AGE: 15
HOME ADDRESS: COUNTRY: US
AUSTIN, TX 78728
HOME PHONE:
MARITAL STATUS: RESIDENT STATUS:
PERSONAL INJURY INFORMATION:
NO INJURY

2
NAME: LAST FIRST MIDDLE
AKA:
INVOLVEMENT: VICTIM R/S: W/M
HEIGHT: EYES: DOB:
WEIGHT: HAIR: AGE: 09
HOME ADDRESS: COUNTRY: US
HOME PHONE:
MARITAL STATUS: RESIDENT STATUS:
PERSONAL INJURY INFORMATION:
NO INJURY

980320 CUF 7133

3/21/1998
2:10

AUSTIN POLICE DEPARTMENT
INCIDENT REPORT NUMBER: OF 98 0781196 AGENCY: AP

PAGE: 2
INTERNAL USE

3
NAME: LAST [REDACTED] FIRST [REDACTED] MIDDLE
AKA:
INVOLVEMENT: WITNESS
HEIGHT: EYES: R/S: W/M
WEIGHT: HAIR: DOB: 01/10/1958
MARITAL STATUS: RESIDENT STATUS: AGE: 40

4
NAME: LAST [REDACTED] FIRST [REDACTED] MIDDLE
AKA:
INVOLVEMENT: WITNESS
HEIGHT: EYES: R/S: W/M
WEIGHT: HAIR: DOB: 09/09/1977
MARITAL STATUS: RESIDENT STATUS: AGE: 20

5
NAME: LAST [REDACTED] FIRST [REDACTED] MIDDLE
AKA:
INVOLVEMENT: WITNESS
HEIGHT: EYES: R/S: W/M
WEIGHT: HAIR: DOB: 01/08/1973
MARITAL STATUS: RESIDENT STATUS: AGE: 25

6
NAME: LAST [REDACTED] FIRST [REDACTED] MIDDLE
AKA: W
INVOLVEMENT: WITNESS
HEIGHT: EYES: R/S: W/M
WEIGHT: HAIR: DOB: 03/08/1964
MARITAL STATUS: RESIDENT STATUS: AGE: 34

7
NAME: LAST [REDACTED] FIRST [REDACTED] MIDDLE
AKA:
INVOLVEMENT: VICTIM
HEIGHT: EYES: R/S: W/F
WEIGHT: HAIR: DOB: 03/31/1981
MARITAL STATUS: RESIDENT STATUS: AGE: 16
PERSONAL INJURY INFORMATION:
APPARENT MINOR INJURY

ARTICLES INVOLVED:

1 ARTICLE CODE: YSAMPLE SAMPLES, EVIDENTIAL, EXCEPT BLOOD
INVOLVEMENT: EVIDENCE
MAKE: COLOR:
MODEL: HAIR COUNT:
YEAR: SIZE:
CONDITION: VALUE:
SER#: ENGRAVING:
TEXT: CAR #6

980320CWE 7133

03/21/1998
12:10

A U S T I N P O L I C E D E P A R T M E N T
INCIDENT REPORT NUMBER: OF 98 0781196 AGENCY: AP

PAGE: 3
INTERNAL USE

2 ARTICLE CODE: EBAR BAR, (HAND TOOL, ALL TYPES)
INVOLVEMENT: EVIDENCE
MAKE: COLOR: SILVER/ALUMINUM
MODEL: RESTRAINING COUNT: 1
YEAR: SIZE: 7.5' - 8"
CONDITION: VALUE:
SER#: ENGRAVING:
TEXT: SQUARED "C" SHAPE; AMUSEMENT RIDE RESTRAINING BAR.

3 ARTICLE CODE: YMISCEL MISCELLANEOUS
INVOLVEMENT: EVIDENCE
MAKE: COTTER PIN COLOR: SILVER/ALUMINUM
MODEL: PIECES COUNT: 3
YEAR: SIZE:
CONDITION: VALUE:
SER#: ENGRAVING:
TEXT: FROM FLOOR OF CAR #19.

4 ARTICLE CODE: YSAMPLE SAMPLES, EVIDENTIAL, EXCEPT BLOOD
INVOLVEMENT: EVIDENCE
MAKE: COLOR:
MODEL: HAIR COUNT:
YEAR: SIZE:
CONDITION: VALUE:
SER#: ENGRAVING:
TEXT: FROM BACK OF CAR #20.

PRESS RELEASE NARRATIVE:

ENTERED: 03/19/1998 19:26 BY: AP 3100 LOPEZ, SONIA

DISPATCHED TO A DECEASED PERSON CALL WHERE AN ACCIDENTAL DEATH HAD OCCURED.

VICTIM RELATIONSHIPS:

1 NAME: [REDACTED] R/S: W/F DOB:
INVOLVEMENT: VICTIM

TO TITLE CODE: 3504 ACCIDENTAL DEATH

2 NAME: [REDACTED] R/S: W/M DOB:
INVOLVEMENT: VICTIM

TO TITLE CODE: 3505 ACCIDENTAL INJURY

3 NAME: [REDACTED] R/S: W/F DOB: 03/31/1981
INVOLVEMENT: VICTIM

TO TITLE CODE: 3505 ACCIDENTAL INJURY

980320 RWE 7133

03/21/1998
2:10

AUSTIN POLICE DEPARTMENT
INCIDENT REPORT NUMBER: OF 98 0781196 AGENCY: AP

PAGE: 5
INTERNAL USE

OFFICER T. RILEY #3451
OFFICER J EADS #2640
OFFICER LONNIE EDWARDS #2420
D 10 - C. DEAN #2465
LT FERGUSON 4168- DPS TROOPER
BRAKE MILLER - EMS
BRIAN GRISWOLD - EMS
WIKKI BRANNING - EMS
TIM HALE - EMS

DET. S. GUNNLAUGSSON #2362
LURELIO MARTINEZ, # 1043

DET. GILCHRIST FROM HOMICIDE SPOKE TO THE WORKERS THAT WERE OPERATING THE RIDE THEY ARE AS FOLLOWS: BERRYMAN, TERRY W/M, 1-10-58, JOHNSON, JOSHUA W/M 9-9-77 AND TUCKER, DANIEL, W/M 1-8-73. BERRYMAN, ACCORDING TO GILCHRIST WAS WORKING UNDERNEATH THE RIDE, JOHNSON AND TUCKER WERE WORKING ON THE TOP PART OF THE RIDE.

WAS ADVISED THAT THE RIDE WAS OPERATING IN A CLOCKWISE MOTION WHEN [REDACTED] WAS EJECTED FROM THE RIDE.

MEDICAL EXAMINER MADE TRANSPORT OF THE DECEASED AND EMS TRANSPORTED THE OTHER TWO INJURED TO BRACK.

OFFICER EADS, ACCIDENT INVESTIGATOR DREW UP THE SCENE.

NO OTHER INFORMATION.

THE CRIMSE SCENE SIGN IN FORM WAS SUBMITTED TO DET. GILCHRIST - HOMICIDE.

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 01:01 BY: AP 0486 MOORE, GARRIE

ON 03/19/98 WHILE WORKING NITE CIB I ASSISTED DET GILCHREST IN TAKING STATEMENTS FROM WITNESS IN THIS CASE. I TOOK STATEMENT'S FROM MARK YOUNG, WILLIAM COOPER AND TERRY BERRYMAN. THESE STATEMENTS WHERE NOTORIZED BY ME, I TOOK PICTURES OF THE PERSON'S GIVING THE STATEMENT'S ATTACHED THE PICTURES TO THE STATEMENTS AND HANDED THEM TO DET GILCHREST. GWM486

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 02:13 BY: AP 2362 GUNNLAUGGSSON, SCOTT

ON 3-19-98 AT ABOUT 7:28PM I WAS DISPATCHED TO THE RODEO AT THE EXPO CENTER. UPON ARRIVAL I MET WITH SGT SISSON WHO STATED THAT HE NEEDED HELP GETTING STATEMENTS FROM WITNESSES. I WAS INFORMED BY SECURITY THAT THERE WERE THREE OPERATORS IN THE SECURITY BOOTH THAT WE NEEDED TO GET STATEMENTS FROM. I WENT TO THE SECURITY BOOTH AND MADE CONTACT WITH DPS OFFICERS COLEMAN AND LT FERGUSON FROM THE SPECIAL CRIMES SERVICE. THEY HAD IDENTIFIED THE OPERATORS AS TERRY BERRYMAN W/M 1-10-58 WHO WAS WORKING UNDERNEATH THE RIDE. WORKING ON TOP WAS JOSHUA JOHNSON W/M 9-9-77 AND DANIEL TUCKER W/M 11-8-73. I WAS INFORMED THAT THESE SUBJECTS WORKED FOR B & B AMUSEMENTS OUT OF YUMA AZ.

TRANSPORTEN TWO OF THERE SUBJECTS TO THE MAIN STATION TO HAVE HOMICIDE TAKE STATEMENTS. WHILE AT THE MAIN I TOOK A STATEMENT FROM A 14 YEAR OLD B/M.

980320 CUE 7133

03/21/1998
12:10

A U S T I N P O L I C E D E P A R T M E N T
INCIDENT REPORT NUMBER: OF 98 0781196 AGENCY: AP

PAGE: 6
INTERNAL USE

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 05:07 BY: AP 2640 EADS, JEFFREY

I WAS CALLED TO 7311 DECKER LA ON A DECEASED PERSON CALL, IN ORDER TO DRAW OUT THE DIAGRAM OF THE SCENE. I SPOKE WITH THE DETECTIVE IN CHARGE, DET WILCHREST #775, AND WE AGREED THAT IT WAS IMPRACTICAL TO MEASURE THE DIMENSIONS OF THE AMUSEMENT PARK RIDE THAT THE DECEASED PERSON WAS THROWN FROM. THE RIDE HAD INTRINSIC CURVES AND CONSTANTLY CHANGING ANGLES AND MEASURING TAPES WOULD HAVE TO BE SUSPENDED FROM THE RAFTERS IN ORDER TO TAKE PROPER MEASUREMENTS. THIS IS UNNECESSARY SINCE THERE SHOULD BE BLUEPRINTS OF THE RIDE WITH EXACT DIMENSIONS THAT WOULD BE MUCH MORE ACCURATE THAN SUSPENDING MEASURING TAPES FROM THE RAFTERS. I TRIANGULATED THE DISTANCE FROM TWO REFERENCE POINTS ON THE RIDE FOR THE HEAD OF THE DECEASED PERSON, THE BAR RESTRAINT OF THE RIDE'S CAR THAT MALFUNCTIONED, AND THE CAR ITSELF. THE TWO REFERENCE POINTS USED WERE POLES MARKED NUMBER 10 AND NUMBER 5, LOCATED ON THE OUTER PERIMETER OF THE RIDE. EVERY PIECE OF THIS RIDE WAS MARKED WITH NUMBERS AND LETTERS AND I SPOKE WITH MICHAEL CAMPBELL (W/M 030864), AN EMPLOYEE OF CAPRICE ENTERPRISES THAT OWNED THE RIDES FOR THE CARNIVAL. CAMPBELL SAID HE WASN'T ONE OF THE PEOPLE THAT PUT THIS PARTICULAR RIDE TOGETHER, BUT HE DOES PUT OTHERS TOGETHER AND THEY ALWAYS ARE PUT UP IN THE SAME ORDER USING THE NUMBERS AND LETTERS MARKED ON EACH PIECE OF THE RIDE. I FELT IT WAS SAFE TO USE TWO POLES ON THE RIDE FOR THE REFERENCE POINTS SINCE THE RIDE CAN ONLY BE PUT TOGETHER ONE WAY, WITH EACH POLE BEING IN THE EXACT SAME POSITIONS RELATIVE TO EACH OTHER.

I ALSO SPOKE WITH DPS TROOPER CHARLES PALCER #6899 WHO WAS WORKING OFF DUTY SECURITY AT THE CARNIVAL. THE BODY OF THE DECEASED PERSON HAD ALREADY BEEN REMOVED WHEN I ARRIVED AT THE SCENE, SO PALCER POINTED OUT APPROXIMATE LOCATIONS FOR THE HEAD AND FEET OF THE BODY, SINCE HE HAD SEEN THE BODY AFTER HE WAS THROWN FROM THE RIDE.

THE MEASUREMENTS OF THE FRONT LEFT AND BACK RIGHT OF THE RIDE'S CAR THAT THE DECEASED HAD BEEN SITTING IN (CAR #19) WERE TAKEN FROM THE CORNERS WHERE THE RIDE PLATES OF THE CAR MET WITH THE BACK REST AND ALSO WITH THE FRONT FOOT PLATE.

I USED THE CRIME ZONE COMPUTER PROGRAM TO DRAW THE DIAGRAM. I PRINTED A COPY AND TURNED IT IN TO HOMICIDE DETAIL ALONG WITH THE FIELD SKETCHES. THESE CAN BE USED TO PLACE THE CAR AND BODY IN A SCALED BLUEPRINT DIAGRAM IF NECESSARY.

I ALSO PRINTED AN EXTRA COPY OF THE DIAGRAM AND FREEHANDED A QUICK SKETCH OF THE SURROUNDING COMPONENTS OF THE RIDE, IN CASE THE ORIGINAL DIAGRAM LOOKED CONFUSING WITH ONLY PARTS OF THE RIDE DRAWN IN. THIS SKETCH IS NOT TO SCALE AT ALL.

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 06:44 BY: AP 2420 EDWARDS, LONNIE

I 3-19-98 AT 19:26PM DISPATCHED TO 7311 DECKER FOR A DECEASED PERSON.

UPON ARRIVAL I WENT TO THE CARNIVAL GROUNDS WHERE I HELPED SECURE THE AREA.

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03/21/1998
2:10

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INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 10:15 BY: AP 3412 PENA, JERRY

ON 3-20-98 AT APPROXIMATELY 0900HRS, I ARRIVED AT THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE IN REFERENCE TO AN AUTOPSY. I PHOTOGRAPHED THE WOUNDS OF THE VICTIME AS TO THE DIRECTION OF DETECTIVE J. HINKLE. THE FILM WAS SUBMITTED TO THE PHOTO LAB.

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 10:21 BY: AP 2086 CAVETT, KENNETH

I ARRIVED AT WORK ON 3-20-98 AT APPROXIMATELY 8:20 A.M. AND FOUND A NOTE FROM DETECTIVE GILCHREST REQUESTING CERTAIN ACTIONS IN REGARDS TO THIS CASE. HE REQUESTED THAT SOMEONE CONTACT THE TEXAS DEPARTMENT OF INSURANCE-AMUSEMENT RIDES AND SAFETY INSPECTIONS AND DETERMINE IF THEY WERE GOING TO SEND AN INSPECTOR TO THE SCENE DURING THE DAY ON 3-20-98. I CONTACTED A MARK HANNAH BY TELEPHONE AT THE TEXAS DEPARTMENT OF INSURANCE AROUND 8:45 A.M. MR. HANNAH SAID THAT A JOE CULVER WAS THE SAFETY INSPECTOR WHO WAS UNDER CONTRACT TO INSPECT THE RIDES AT THE CARNIVAL. HE SAID MR. CULVER HAD BEEN AT THE SCENE THE NIGHT OF THE ACCIDENT AND WOULD BE RETURNING ON THE MORNING OF 3-20-98 TO CONTINUE HIS INSPECTION. MR. HANNAH SAID THAT AFTER MR. CULVER WAS THROUGH WITH HIS INSPECTION, THE POLICE DEPARTMENT COULD RELEASE THE SCENE AND THE STATE WOULD BE THROUGH WITH THEIR INSPECTIONS. MR. HANNAH SAID THAT MR. CULVER WORKED THROUGH A COMPANY CALLED B.G. GILL & ASSOCIATES AND GAVE ME THE PHONE NUMBER OF 813-685-8792 FOR B.G. GILL & ASSOCIATES. I CALLED B.G. GILL & ASSOCIATES AND THEY CONFIRMED THAT JOE CULVER WAS SUPPOSED TO RETURN TO THE CARNIVAL AND PERFORM FURTHER INSPECTIONS ON 3-20-98.

I CONTACTED LT. PARKINSON, WHO WAS WORKING OVERTIME AT THE LIVESTOCK SHOW AND INFORMED HIM THAT JOE CULVER WOULD BE PERFORMING AN INSPECTION FOR THE STATE AND THAT THE SCENE COULD BE RELEASED AFTER MR. CULVER WAS FINISHED.

DETECTIVE HINKLE CHECKED WITH THE MEDICAL EXAMINERS'S OFFICE AND FOUND THAT THE AUTOPSY ON THE VICTIM WOULD BE PERFORMED THE MORNING OF 3-20-98.

DETECTIVE HINKLE ATTENDED THE AUTOPSY AND A PHOTOGRAPHER FROM I.D. ALSO ATTENDED AND TOOK PHOTOGRAPHS.

DETECTIVES HINKLE AND CAMPA WENT TO THE CARNIVAL TO RETRIEVE MAINTENANCE AND INSPECTION RECORDS ON THE RIDE. AFTER THEY ARRIVED, THEY CALLED ME AND ASKED THAT I SEND PHOTO TO THE SCENE AND HAVE TRAFFIC OFFICE BRING THEIR LASER EQUIPMENT TO DIAGRAM THE RIDE. I CONTACTED PHOTO AND TRAFFIC. I ALSO CONTACTED ASSISTANT DISTRICT ATTORNEY BRIAN KINGSTON AT DETECTIVE CAMPA'S REQUEST AND ASKED HIM TO GO TO THE SCENE.

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 14:50 BY: AP 3178 HALLMAN, TRACEY

ON 03-20-98 I RESPONDED TO THE CARNIVAL GROUNDS AT 7311 DECKER LANE AND MET WITH DETECTIVE HINKLE #391. PHOTOGRAPHS OF THE CARNIVAL RIDE WERE TAKEN PER DETECTIVE HINKLE'S INSTRUCTIONS.

ALL FILM WAS SUBMITTED TO THE PHOTO LAB ON 03-20-98.

A HAIR SAMPLE WAS COLLECTED FROM THE LEFT REAR HANDRAIL OF CAR #6 AT 1:43PM.

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THE SAMPLE WAS SECURED IN THE PROPERTY ROOM ON 03-20-98 PENDING FURTHER INVESTIGATION.

AFTER TESTING A KNOWN SAMPLE OF BLOOD WITH THE TMB REAGENT, A PRESUMPTIVE BLOOD TEST WAS PERFORMED ON CAR #6 AT 1:45PM. A PRESUMPTIVE BLOOD TEST WAS PERFORMED ON CAR #9 AT 1:50 PM. THE PRESUMPTIVE TESTS ON CAR #6 AND CAR #9 WERE NEGATIVE.

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 15:01 BY: AP 2718 LAPARTELITTON, DOLORES

ON MARCH 20, 98 THIS COUNSELOR FOLLOWED UP WITH THE FAMILIES OF TWO OF THE VICTIMS:

[REDACTED] FAMILY: I WENT TO THEIR HOUSE AFTER TRYING TO REACH THEM BY PHONE. THE PARENTS, GEORGE AND NATALIE, WERE NOT AT HOME. THERE WERE AROUND 10 PEOPLE IN THE HOUSE (FRIENDS AND NEIGHBORS). I WAS INFORMED BY [REDACTED] (NEIGHBOR) THAT THE LANES WERE AT THE FUNERAL HOME MAKING ARRANGMENTS. SHE ALSO INFORMED ME THAT THEIR SON [REDACTED] (WHO WAS WITH [REDACTED] WHEN THE ACCIDENT HAPPENED) HAD BEEN NOTIFIED THIS MORNING ABOUT [REDACTED] DEATH. ACCORDING TO [REDACTED] HE WAS VERY UPSET ABOUT IT. THE PARENTS SENT HIM TO THE MOVIES WITH SOME OTHER FRIENDS. ALL OF THE NEIGHBORS SEEMED TO BE CONCERNED ABOUT THE MEDIA WANTING TO CONTACT THE FAMILY. (APPARENTLY SEVERAL REPORTERS HAD ALREADY CALLED THE HOUSE WANTING TO MAKE A STORY ON [REDACTED]. I COUNSELED WITH THEM ABOUT THEIR OPTIONS AND ABOUT SOME OF THE GRIEF REACTIONS. I REFERRED THEM ALL TO VICTIM SERVICES FOR ASSISTANCE AND/OR INFORMATION.

- [REDACTED] I SPOKE WITH HER FATHER, [REDACTED] HE INFORMED ME [REDACTED] IS COPING WITH THE INCIDENT WITH THE HELP OF HER FAMILY. I ALSO TALKED BRIEFLY WITH HIM ABOUT GRIEF REACTIONS AND REFERRED HIM AND HIS FAMILY TO VICTIM SERVICES.

I MAKE OUTREACH CONTACT WITH TWO WITNESSES TO THE INCIDENT:

[REDACTED] HER SON WILLIAM MITCHELL WAS ON THE SAME RIDE AS [REDACTED] SHE STATED HE IS DOING O.K. SHE WILL CALL V.S. FOR FOLLOW UP.

[REDACTED] HER DAUGHTER [REDACTED] WAS PRESENT AT THE CARNIVAL. LEFT HER A MESSAGE WITH V.S. NUMBER FOR FOLLOW UP.

FOLLOW UP FOR [REDACTED] AND [REDACTED] FAMILY WILL BE PROVIDED BY THIS COUNSELOR.

NOI AT THIS TIME.

INVESTIGATIVE NARRATIVE:

ENTERED: 03/20/1998 17:17 BY: AP 2465 DEAN, CHARLES

ON 03/19/98, AT 7:35 PM, I RESPONDED TO 7311 DECKER LANE, TRAVIS COUNTY EXPO CENTER, IN ORDER TO PROCESS AN ACCIDENTAL DEATH SCENE FOR EVIDENCE. I ARRIVED AT APPROXIMATELY 8:05 PM AND WAS BRIEFED BY APD LT. C. WALKER #485 AND OTHER LAW ENFORCEMENT PERSONNEL PRESENT AT THE SCENE.

I TOOK OVERALL PHOTOGRAPHS OF AN AMUSEMENT RIDE, HIMALAYA, AND THEN SPOKE WITH CASE AGENT M. GILCREST #775. I PHOTOGRAPHED AND COLLECTED THE FOLLOWING ITEMS UNDER THE INVESTIGATORS DIRECTION:

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3/21/1998
2:10

A U S T I N P O L I C E D E P A R T M E N T
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- 1) AMUSEMENT RIDE RESTRAINING BAR, SQUARED "C" SHAPE WITH EYE-HOLES AT BOTH ENDS, SILVER, APPROX. 7.5' - 8'; FROM THE RIDE WALK DECK JUST NORTH OF THE RIDE OPERATOR/CONTROL BOOTH;
- 2) THREE COTTER PIN PIECES, SILVER; FROM FLOOR OF RIDE CAR #19; AND
- 3) UNKNOWN HAIR SAMPLE; FROM THE BACK OF RIDE CAR #20, WEDGED BETWEEN TWO METAL COMPONENTS.

I ALSO PHOTOGRAPHED ANOTHER PIECE OF COTTER PIN JAMMED IN THE RIGHT RESTRAINING BAR DOWEL INSIDE RIDE CAR #19. DETECTIVE S. SIMANK #1669 ASSISTED ME IN PLACING A DAMAGED RIDE WALL PANEL BACK IN POSITION, FROM WHERE IT WAS REMOVED, NEXT TO THE RIDE OPERATORS BOOTH, WHERE I PHOTOGRAPHED IT.

I SECURED THE COLLECTED ITEMS IN THE APD ID LAB, AFTER DEPARTING THE SCENE AT 12:45 AM. I SUBMITTED THE FILM TO THE APD PHOTO LAB.

ROUTED FROM CCHD TO AP2086

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AUSTIN POLICE DEPARTMENT
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INVESTIGATIVE NARRATIVE

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NEXT:

MORE SUPPLEMENTS? N

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GARRIE W

OF 980781196 AP
AGENCY/SECTION AP YS
CREATED: 03/20/1998 1:01 BY: 00486 MOORE
COMMAND:

ON 03/19/98 WHILE WORKING NITE CIB I ASSISTED DET GILCHREST IN TAKING
STATEMENTS FROM WITNESS IN THIS CASE. I TOOK STATEMENT'S FROM MARK YOUNG,
WILLIAM COOPER AND TERRY BERRYMAN. THESE STATEMENTS WHERE NOTORIZED BY ME, I
TOOK PICTURES OF THE PERSON'S GIVING THE STATEMENT'S ATTACHED THE PICTURES TO
THE STATEMENTS AND HANDED THEM TO DET GILCHREST. GWM486

CLEAR - PRIOR SCREEN
PF3 - MAIN MENU

PF7 - PRIOR PAGE
PF8 - NEXT PAGE

PF19 - PRIOR SUPPLMNT
PF20 - NEXT SUPPLMNT

PF11 - HELP
PF24 - QUIT

980320CWE 7133

STATE OF TEXAS X
X
COUNTY OF TRAVIS X

98-0781196

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSEPH ROBERT CULVER, WHO AFTER BEING BY ME DULY SWORN, UPON OATH DEPOSES AND SAYS:

MY NAME IS JOSEPH ROBERT CULVER. MY DATE OF BIRTH IS 11/25/57 AND I AM 40 YEARS OLD. I LIVE AT 15800 RICHWAY IN CALDWELL, IDAHO. MY PHONE NUMBER AT HOME IS 208-455-5106. I WORK FOR BOB G. GILL AND ASSOC. THE MAIN HEADQUARTERS, FOR BOB G. GILL AND ASSOC., IS OUT OF BRANDON, FLA. I HAVE WORKED FOR BOB G. GILL FOR ABOUT 4 YEARS. THE PHONE NUMBER THERE IS 813-685-8792. I WORK THE WESTERN UNITED STATES, MAINLY WEST OF THE MISSISSIPPI. I CAN ALSO BE REACHED BY PAGER. MY PAGER NUMBER IS 1-800-739-5933.

I AM AT THE AUSTIN POLICE DEPARTMENT TALKING TO DETECTIVE CAMPA ABOUT THE INCIDENT THAT HAPPENED, ON 3/19/98, AT THE CARNIVAL RIDE WHICH IS LOCATED AT THE HERITAGE CENTER. THE COMPANY I WORK FOR DEALS IN SAFETY IN THE AMUSEMENT INDUSTRY, SPECIFICALLY IN AMUSEMENT RIDE SAFETY. BOB GILL, THE COMPANY OWNER, WAS HERE IN TEXAS. BOB CAME HERE TO AUSTIN TO PERFORM THE PRE OPENING INSPECTIONS OF THE CARNIVAL RIDES. AFTER HE PERFORMED THE PRE OPENING INSPECTIONS, BOB WENT ON TO SAN ANGELO. THE COMPANY PERFORMS PRE OPENING INSPECTIONS. IN THIS CASE, WE WERE HIRED BY THE FAIR GROUNDS TO DO THE PRE INSPECTIONS AND TO CONTINUE MONITORING THE AMUSEMENT RIDES ONCE THE CARNIVAL OPENED UP. I ARRIVED IN AUSTIN ON THE WEDNESDAY, THE NIGHT BEFORE THE SHOW OPENED UP. ONCE I GOT HERE, BOB GILL LEFT, AND I STAYED BEHIND.

DETECTIVE CAMPA ASKED ME EXPLAIN AS BEST I COULD WHAT THE COMPANY DOES WHEN WE PRE INSPECT THE AMUSEMENT RIDES. WE PHYSICALLY INSPECT THE RIDES. WE GO BY A SHEET THAT LISTS, AND SHOWS DIFFERENT CRITICAL AREAS OF THE RIDES THAT NEED TO BE INSPECTED. IT LISTS THINGS THAT NEED INSPECTING SUCH AS THE RESTRAINTS, THE CARRIERS, ELECTRICAL SYSTEMS, ANCHORS AND BLOCKING, IN ADDITION TO OTHER THINGS. THE INSPECTIONS ARE DONE IN RELATION TO INDUSTRY STANDARDS. THE INSPECTIONS ARE DONE IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS IN ADDITION TO A.S.T.M SPECIFICATIONS. "ASTM" STANDS FOR AMERICAN SOCIETY OF TESTING AND MATERIALS. WE ALSO GO BY "NAARSO" WHICH STANDS FOR NATIONAL ASSOC. OF AMUSEMENT RIDE SAFETY OFFICIALS. I WOULD BE A LEVEL 2 CERTIFIED "NAARSO" INSPECTOR. THERE ARE 3 LEVELS, WITH 3 BEING THE HIGHEST LEVEL. BOB GILL WOULD BE CONSIDERED A LEVEL 3. WHEN WE ARE HIRED WE TAILOR THE INSPECTIONS IN ACCORDANCE WITH THE CLIENTS NEEDS. IT ALL DEPENDS ON WHAT THEIR NEEDS ARE. FOR EXAMPLE, IN THIS CASE WE WERE HIRED BY THE TRAVIS COUNTY LIVESTOCK SHOW TO WATCH THE CARNIVAL RIDE DAILY OPERATIONS. WE WERE TO WATCH THE OPERATORS AND THE RIDES, DAILY. WE WERE TO REPORT ANY DEFICIENCY IN RIDE INSPECTIONS OR OPERATIONS TO THE LIVE STOCK SHOW DIRECTOR. WE ALSO PROVIDED RECOMMENDATIONS ON HOW TO CORRECT PROBLEMS OR DEFICIENCIES IN OPERATIONS.

SINCE I ARRIVED, I HAVE ENCOUNTERED VERY MINOR PROBLEMS. I RESPOND TO ANY INJURIES THAT ARE CALLED OVER THE RADIO OR THAT EMS IS CALLED TO, IN THE CARNIVAL AREA. IF AN INJURY IS NON RIDE-

jc

RELATED, THEN I GO ON. IF AN INJURY IS RELATED TO SOMEONE HAVING BEEN ON ONE OF THE RIDES, THEN I GO AHEAD AND INSPECT THE RIDE. I NORMALLY START WALKING THE CARNIVAL RIDES FROM ABOUT 12 NOON EVERYDAY, THE SHOW CLOSES. THAT IS A DAILY SCHEDULE. I WALK AROUND THE GROUNDS AND OBSERVE THE RIDE OPERATIONS AND DO SPOT INSPECTIONS. I ALSO TALK TO THE RIDE OPERATORS AND ASK THEM QUESTIONS. ON THE FIRST DAY OF OPERATIONS, MYSELF, AND THE CARNIVAL PEOPLE HAD A SAFETY MEETING. THIS INCLUDED ALL THE RIDE OPERATORS. IN THE MEETING, I EXPLAINED TO THEM THE DO'S AND DONT'S.

DETECTIVE CAMPA ASKED ME IF THERE HAD BEEN ANY PROBLEMS REPORTED CONCERNING THE "HIMALAYA" RIDE. NO REPORTS TO THE INSPECTOR OR TO THE FAIR OFFICE, HAD BEEN MADE CONCERNING ANY PROBLEMS OR TROUBLE HAVING TO DO WITH THE HIMALAYA RIDE. THE FAIR OFFICE WOULD NORMALLY CONTACT ME IF SOMEONE REPORTED SOME KIND OF PROBLEM WITH ANY AMUSEMENT RIDE. I DON'T KNOW IF ANY PROBLEMS HAD BEEN REPORTED TO THE CARNIVAL STAFF OR OFFICE. THEY DID NOT TELL ME OF ANYONE REPORTING ANY PROBLEMS, BUT I DO NOT KNOW FOR SURE THAT NO ONE REPORTED ANY PROBLEMS TO THEM. SINCE I HAVE BEEN THERE, I DID NOT TALK TO THE HIMALAYA OPERATORS. I DID NOT HAVE TO. I DID OBSERVE THE HIMALAYA RIDE OPERATIONS. AT LEAST TWICE A DAY, I WOULD OBSERVE THE RIDE, AND COUNT THE REVOLUTIONS, PLUS TIME IT WITH MY STOP WATCH. THE HIMALAYA RIDES ITSELF, HAD AN ORIGINAL STANDARD OR 13 REVOLUTIONS PER MINUTE, BUT WE IN THE UNITED STATES, HAVE SLOWED IT DOWN TO 10 REVOLUTIONS PER MINUTE. DURING THE OBSERVATIONS THAT I DID OF THE HIMALAYA, THE RIDE STAYED TO THE 10 REVOLUTIONS. DURING MY OBSERVATIONS, I ALSO OBSERVED THE OPERATORS CHECKING THE LAP BARS. ON THAT RIDE, IT IS REQUIRED THAT THE ATTENDANT CHECK EVERY LAP BAR.

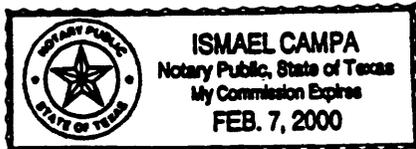
I ALSO SHOWED ONE OF THE DETECTIVES, SOME MARKS ON THE CONTROL BOX THAT WERE DONE DURING THE PRE INSPECTION. DURING THAT INSPECTION, BOB DID A SPEED CHECK. BOB DID RUN THE HIMALAYA AND INDICATED THE 10 REVOLUTIONS WITH THE RIDE EMPTY AND WITH THE RIDE AT FULL LOAD. THOSE WERE INDICATED BY THE MARKS ON THE CONTROL BOX. + 10

I HAVE GIVEN THE ABOVE STATEMENT TO DETECTIVE CAMPA OF THE AUSTIN POLICE DEPARTMENT. I CAN READ AND WRITE THE ENGLISH LANGUAGE. THE ABOVE STATEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Joseph R. Culver

SUBSCRIBED AND SWORN TO BEFORE ME, BY THE SAID, JOSEPH ROBERT CULVER, THIS 20TH DAY OF MARCH, 1998.

Ismael Campa



NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS

980320 CWF 7133

OFFENSE#98-0781196

STATE OF TEXAS X
X
COUNTY OF TRAVIS X

Before me, the undersigned authority, on this day personally appeared Joshua JOHNSON who after being by me duly sworn, upon oath deposes and says:

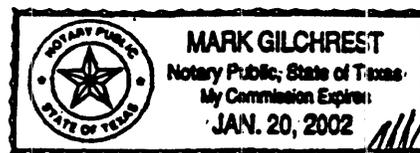
MY NAME IS JOSHUA JOHNSON . I AM 20 YEARS OF AGE. MY DATE OF BIRTH IS 09-09-77. I CURRENTLY RESIDE AT 4491 SOUTH 4TH AVE YUMA ARIZ. MY PHONE NUMBER IS (520) 726-9522.

I AM EMPLOYED WITH B AND B AMUSEMENT. MY WORK NUMBER IS (520) 726-9522.

I AM CURRENTLY AT THE AUSTIN POLICE DEPARTMENT'S SEX CRIMES DETAIL GIVING A SWORN STATEMENT TO DET. M.GONZALES. THIS STATEMENT IS IN REGARDS TO AN INCIDENT WHICH OCCURRED ON 03-19-98.

MY NAME IS JOSHUA JOHNSON I WORK FROM 12 TO 12 EVERY DAY WITH B AND B CARNIVAL.TODAY I WAS ASSIGNED AT THE HIMALAYA RIDE WHICH IS NOT ON OCCASIONS SET UP AT ALL SHOWS.THE HIMALAYA IS INSPECTED EVERY DAY FROM 11AM TO 12 NOON.I KNOW THAT THE HIMALAYA WAS INSPECTED TODAY BECAUSE I DID THE INSPECTION.WHILE DOING THE INSPECTIONS WE CHECK TUBS FOR SAFETY LOCKS AND SAFETY PINS.WE MAKE SURE THAT THE WING NUTS ARE ON THE RODS THAT HOLD THE TUBS TOGEATHER.I JOSHUA JOHNSON AFTER DOING THE DAILY INSPECTION TURNED IN THE INSPECTION SHEET.THE INSPECTION I PERFORMED WAS COMPLETE ACCORDING TO THE OPERATION OF THE RIDE.I FOLLOW A CHECK-LIST THAT APPROVES THE RIDE FOR A SAFE OPERATION.I OPERATED THE HIMALAYA FROM 12 NOON TO 2;30 AT WHICH TIME I TOOK MY FIRST BREAK.THERE ARE AT LEAST FOUR OF US THAT OPERATE THE RIDE DAILY.I RETURNED TO OPERATE THE RIDE AT 4;30 PM TO RELIEVE TERRY THE OTHER OPERATOR.

DET. GONZALES ASKED ME ABOUT A BLACK MALE OPERATOR. THE BLACK MALE THAT HE IS ASKING ABOUT IS CHRIS WHO HAS JUST STARTED.CHRIS HELPS THE PEOPLE IN AND OUT OF THE CARS.

 MARK GILCREST
Notary Public, State of Texas
My Commission Expires:
JAN. 20, 2002

[Handwritten signature]

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I WAS RIDE OPERATOR WHEN THE ACCIDENT HAPPENED. THE JOB OF THE RIDE OPERATOR IS TO MAKE SURE THAT ALL THE PEOPLE SLIDE TO THE LEFT SIDE OF THE RIDE FOR THERE OWN SAFETY AND COMFORT. I CONTROL THE SPEED DIAL WHICH CONTROLS THE SPEED OF THE RIDE. THE SPEED OF THE RIDE IS SET BY A DIAL THAT HAS A FUNCTION THAT ACTS LIKE A GOVERNOR ON IT WHICH KEEPS THE RIDE FROM GOING TO FAST. THE ACCIDENT OCCURRED BETWEEN 7;50 P.M. AND 8;25 P.M. I REMEMBER OPERATING THE RIDE AND TALKING ON THE MICROPHONE AND AJUSTING THE VOLUME OF THE MUSIC, TURNING THE FLOOD LIGHTS ON AND SLOWING THE RIDE DOWN TO BRING IT TO A COMPLETE STOP, BUT BEFORE I HAD A CHANCE TO TELL THE PEOPLE ON THE RIDE TO REMAIN SEATED AS I WAS SLOWING THE RIDE DOWN I AM LOOKING AT MY REAR RIDE OPERATOR OUT OF THE CORNER OF MY LEFT EYE I SEE TWO YOUNG LADYS COME OUT OF THERE SEATS HEAD FIRST AND INTO THE BACK WALL. I THEN LOOK AND SEE THE LADY LAYING ON HER BACK COUGHING UP BLOOD . I SEE THE LAP BAR LIKE UNDER HER LEGS. I SEE THE OTHER LADY LAYING NEXT TO THE LADY COUGHING UP BLOOD AND SHE IS HOLDING HER SIDE REACHING TO THE OTHER LADYS HEAD. I STEP OUT OF THE OPERATORS BOX AND IMMEDIATELY LOOK AND FIND THE FIRST PERSON WITH A RADIO TO CONTACT E.M.S.

I CAN SAY THAT I SAW HER LEGS FLY BYE AND AS I LOOKED I SAW THAT SHE WAS ALREADY LAYING DOWN WITH HER HEAD IN A PUDDLE OF BLOOD. I TOOK DOWN THE FOUR PIECES OF SCENERY WHERE SHE HIT ,SO THAT E.M.S. COULD REACH HER.

I WAS ASKED BY DET. GONZALES WHAT MAY HAVE CAUSED THIS ACCIDENT. I TOLD DET. GONZALES THAT THE COTTER KEYS HOLDING THE LAP BAR IN MAY NOT HAVE BEEN HEAVEY ENOUGH TO HOLD THE WEIGHT OF THE PASSENGERS. ON THE RIDE WE ARE SUPPOSE TO USE 3-16THS COTTER KEYS. WE SOMETIMES USE SMALLER COTTER KEYS BECAUSE SOME OF THE HOLES ARE NOT 3-16THS. I CAN READ AND UNDERSTAND THE ENGLISH LANGUAGE. I HAVE READ THE ABOVE STATEMENT. IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEGE AND BELIEVE.

SUBSCRIBED AND SWORN TO before me, by the said AFFIANT ON this DAY THE 19TH DAY OF MARCH 1998.

v. Josh Johnson

 AFFIANT

Mark Gilcrest
 Notary Public in and for
 Travis County, Texas



980320 CWE 7133

OFFENSE NO. 98-078-1196

STATE OF TEXAS X
X
COUNTY OF TRAVIS X

Before me, the undersigned authority, on this day personally appeared: DANIEL TUCKER after being by me duly sworn, upon oath deposes and says:

I am 24 years old and was born on 11-08-1973. I am currently residing at B AND B AMUSEMENTS, and my home telephone number is _____. I am currently employed at B AND B AMUSEMENTS _____, and my work telephone number is _____.

I have been informed that under the penal code of the State of Texas, Section 37.02: A person commits the offense of Perjury if, with intent to deceive and with knowledge of the statement's meaning, he/she makes a false statement under oath or swears to the truth of a false statement previously made; and the statement is required or authorized to be made under oath.

I am voluntarily giving this statement to Detective DEMOSS of the Austin Police Department. I can read, write, and understand the English language. I affirm that this statement is true and correct to the best of my knowledge.

MY NAME IS DANIEL TUCKER . I AM 24 YEARS OLD. I WORK FOR B AND B AMUSEMENTS WHICH OPERATES A CARNIVAL AT THE AUSTIN LIVESTOCK SHOW AND RODEO. I HAVE BEEN WORKING FOR THE CARNIVAL FOR APPROXIMATELY TWO YEARS. I AM ASSIGNED TO A RIDE CALLED THE HIMALAYA. THERE ARE A TOTAL OF EIGHT PEOPLE ASSIGNED TO WORK ON THE RIDE, OPERATING, PERFORMING LIGHT MAINTNENCE ASSEMBLY AND DISASSEMBLY OF THE RIDE. ON 03-19-1998 WHEN AN ACCIDENT OCCURRED ON THE HIMALAYA RIDE I WAS OPERATING THE DEAD MAN WHICH IS OPERATING THE EMERGENCY SHUT OFF SWITCH FOR THE RIDE.

I HEARD TWO LOUD BANGS AND I STARTED LOOKING AROUND AND SAW A LITTLE BOY SITTING LEANING AGAINST THE SCENERY HOLDING HIS BACK. I WENT BACK AND HIT THE ALARM FOR JOSH JOHNSON TO STOP THE RIDE AND THEN I STARTED OVER TO WHERE JOSH WAS. THIS IS WHEN I SAW THE LITTLE GIRL. SHE WAS LAYING ON THE GROUND BY THE DOG HOUSE . I SAW BLOOD ALL AROUND HER HEAD AND BLOOD WAS COMING FROM HER MOUTH. I ALSO SAW A LADY LAYING ON THE GROUND BLEEDING ALSO AND IN BETWEEN THE LADY AND THE LITTLE GIRL I WAS THE LAP BAR. I THEN RAN TO THE OFFICE

980320CWE 7133

AND TOLD THEM TO CALL AN AMBULANCE. PRIOR TO THE ACCIDENT NO ONE CAME TO ME SAYING THAT THERE WAS A PROBLEM WITH THE RIDE OR THAT ANY OF THE LAP BARS WERE BROKEN.

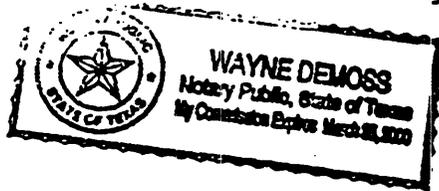
- WE INSPECT THE RIDE EVERY MORNING BEFORE THE CARNIVAL OPENS. THIS MORNING WHEN WE INSPECTED THE RIDE THERE WERE NO PROBLEMS WITH THE LAPBARS. THE ONES THAT ARE DEFECTIVE WE HAVE THOSE TAPED OFF THE ONES TAPED OFF ARE THE ONE THAT WON'T LOCK ALL THE WAY. ONCE THE RIDE IS INSPECTED WE FILL OUT AN INSPECTION SHEET AND TURN IT IN TO THE OFFICE. WE TURNED IN AN INSPECTION SHEET THIS MORNING AFTER THE RIDE WAS INSPECTED.

Daniel Tucker
Affiant

SUBSCRIBED AND SWORN before me, by the said: Daniel Tucker
Affiant/print name

this the 20 day of MARCH 1998

Wayne Demoss
Notary Public in and for Travis County Texas



980 326 CWF 7133

STATE OF TEXAS }
COUNTY OF TRAVIS }

OFFENSE NO:98-0781196

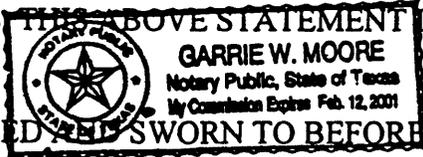
AFFIDAVIT IN ANY CAUSE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Terry Berryman WHO AFTER BEING BY ME DULY SWORN, UPON OATH DEPOSES:

MY NAME IS Terry Berryman. I WAS BORN 01/10/58. I CURRENTLY LIVE AT 4491 South 4Th Ave Yuma Az. Unit 2. I AM EMPLOYED BY B & B Amusements , LOCATED AT 4491 South 4Th Ave. Yuma Az. Unit 2.

I have been working for B& B Amusements for the past 2 consecutive seasons, during this time I have been working on the Himalaya ride. This is the first accident I have ever seen on this ride. My responsibility is to over see safety maintenance on the underneath of the ride. I do hourly safety checks underneath looking for possible defects or maintenance. I make necessary adjustments. On this day I started at work at 11:00am We made a safety check an hour before opening and I reported to Jeff and Josh that everything underneath checked out. I took an hour break around 3:00pm getting back to the ride by 3:55pm. I relieved Josh around 5:00pm to operate the ride in the dog house. I worked there until around 6:00pm when Josh came and relieved me. I went back under the ride. I was shimmying some blocking when I heard a lot of noise. This occurred about 10 minutes after Josh relieved me. When I came around the trailer I noticed daylight on the back wall near the dog house. The first thing that came to my mind was that a piece of scenery had come apart from the wind. When I went to investigate I saw the scenery had been smashed from the inside out. And two girls were laying on the decking, the safety bar was ripped off the car and between the two girls. Through out the day just normal maintenance was performed on the ride. At no time did any one come up to me and tell me that there was anything wrong with the ride. At the time of the accident Josh was running the ride, and I was underneath, and Danny was uptop. Chris and Billy were also up top when I went down underneath around 5:30pm or 6:00pm when Josh relieved me. There was also a new employee up top he is a Mexican guy I don't know his name.

I CAN READ, WRITE AND UNDERSTAND THE ENGLISH LANGUAGE. I HAVE GIVEN THIS STATEMENT TO DETECTIVE G. Moore WITH THE JUVENILE INVESTIGATIONS UNIT OF AUSTIN POLICE DEPARTMENT. I HAVE GIVEN THIS STATEMENT VOLUNTARILY AND OF MY OWN FREE WILL WITHOUT ANY THREATS OR PROMISES. THIS ABOVE STATEMENT IS TRUE AND CORRECT.



SUBSCRIBED AND SWORN TO BEFORE ME, BY SAID
TERRY BERRYMAN
THIS 19 DAY OF MARCH 1998
MY COMMISSION EXPIRES
ON 02-12-2001

[Signature]
NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS

980320 CWF 7133

STATE OF TEXAS }
COUNTY OF TRAVIS }

OFFENSE NO:98-0781196

AFFIDAVIT IN ANY CAUSE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Mark Collin Young WHO AFTER BEING BY ME DULY SWORN, UPON OATH DEPOSES:

MY NAME IS Mark Collin Young. I WAS BORN 02-24-78. I CURRENTLY LIVE AT 120 Frederick St.. MY HOME PHONE NUMBER IS 783-6723. I AM EMPLOYED BY Cooper's Construction , LOCATED AT 125 Frederick St..

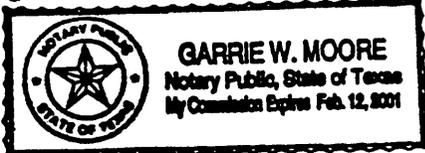
On Thursday the 19th of March, My girlfriend Tracy Thompson , her sister Erin Thompson, Erin's boyfriend Billy Cooper and I went to the carnival at the Travis County Expo Center. After riding some rides we decided to ride the Hymilian Ride, I think that is the name of the ride but im not sure if that is the correct name. Erin, Billy, and I got on the ride. Tracy stood outside and waited on us. Both Erin and Billy got into one seat and I got into the second seat behind them. After the ride we got out of the seats, Erin and Billy went and talked to two of the operators a White guy and a Black guy both where wearing the same type blue shirts. I heard Billy and Erin tell the workers that the saftey bar of their seat was broken, I asked them what number the seat was and Billy told me car 23, we all went back to the seat and Billy showed the White guy where the seat was broken I was standing there and saw the arm lift up from where it is supposed to be connected to. There appered to be a missing part where the saftey bar joined to the seat. The worker did not say anything he just went back to the button, and the Black guy came and closed the bar. I looked at my watch as we where getting off the ride and I remember it being 6:08pm. I was under to impression that no one was going to get back into the seat after they closed the bar. When we left, I saw people where getting on the ride and seat number 23 was empty at that time. We went and rode several other rides and eat some food and then Tracy and I started looking for Billy and Erin, while walking past the Hymilian I heard the brakes come on and people screaming the ride was going full speed. People started jumping off the ride when it slowed down, but while it was still moving. I notice car number 23 and the car was empty, the saftey bar was not closed but not all the way opened. I could see duct tape on the bottom of the saftey bar where the part was missing earlier. We stood around and tried to find out what seat the person was thrown from and we where told by the workers that it was none of our business, I asked to speak to a supervisor's and the carnival workers got mad at me and told me to go away. I found another carnival worker who directed me to the carnival office. I went up to a lady in a trailer, she sent me back to the ride to speak to a lady holding a clipboard to make my report. When I went back to the ride the worker got rude with me and told me to leave. I found a police officer and reported to him what had happened.

980320CWE 7133

98-0781196

page 2 of 2 MY

I CAN READ, WRITE AND UNDERSTAND THE ENGLISH LANGUAGE. I HAVE GIVEN THIS STATEMENT TO DETECTIVE G. Moore WITH THE JUVENILE INVESTIGATIONS UNIT OF AUSTIN POLICE DEPARTMENT. I HAVE GIVEN THIS STATEMENT VOLUNTARILY AND OF MY OWN FREE WILL WITHOUT ANY THREATS OR PROMISES. THIS ABOVE STATEMENT IS TRUE AND CORRECT.



[Handwritten Signature]

SUBSCRIBED AND SWORN TO BEFORE ME, BY SAID

MARK COLLIN YOUNG

THIS 19 DAY OF April, 1998

MY COMMISSION EXPIRES ON 2-12-2001

[Handwritten Signature]
NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS

980320 CWF 7.33

STATE OF TEXAS }
COUNTY OF TRAVIS }

OFFENSE NO:98-0781196

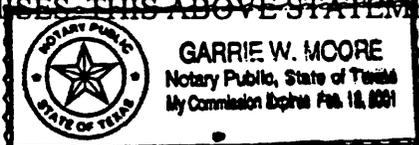
AFFIDAVIT IN ANY CAUSE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED William Cooper WHO AFTER BEING BY ME DULY SWORN, UPON OATH DEPOSES:

MY NAME IS William Cooper. I WAS BORN 05/16/79. I CURRENTLY LIVE AT 125 Frederick St. MY HOME PHONE NUMBER IS 416-0396. I AM EMPLOYED BY Self Employed, LOCATED AT 125 Frederick St..

On Thursday 19th, of March, My girlfriend Erin Thompson, her sister Tracy Thompson and Tracy's Boyfriend Mark Young went to the rodeo and rode some rides at the carnival, Erin and I got on a ride, I think the name of the ride is called the Hymilian, Erin and I got in a seat together, and Mark who rode by himself got into the second seat behind us. The ride started we went real fast, then the ride started to slow down the bar come off the hinge from the right side. The ride kept going, Erin told me the bar is broke, the ride started to speed up. I grabbed one arm on the bar to hold it down, and I grabbed the back of the seat, I started screaming "Hey the bar is broke". The ride starting to speed up I yelled again this time waving my right arm and pointing at the bar. "This fucking bar is broke." They did not see me or hear me. The ride slowed to a stop. A Black gentleman came to let us out of the seat. And I told him that this bar is broke. He told us ok, to go ahead and get off. When I was walking off I turned around and looked at the number of the car, it was number 23. Before we walked away I saw the Black male show the white male that the seat was broke. The White male looked at it and continued loading passanger and the black male went to the control booth, then came back to seat 23 got into it and looked like he was starting to fix it. The ride started to move while he was in the seat. We all walked off. Erin and I went and rode some other rides loosing Mark and Tracy in the crowd. It was'nt untill much later that Mark found us and told us a kid fell of the ride.

I CAN READ, WRITE AND UNDERSTAND THE ENGLISH LANGUAGE. I HAVE GIVEN THIS STATEMENT TO DETECTIVE G. Moore WITH THE JUVENILE INVESTIGATIONS UNIT OF AUSTIN POLICE DEPARTMENT. I HAVE GIVEN THIS STATEMENT VOLUNTARILY AND OF MY OWN FREE WILL WITHOUT ANY THREATS OR PROMISES. ~~THIS ABOVE STATEMENT~~ IS TRUE AND CORRECT.



William T. Cooper

SUBSCRIBED AND SWORN TO BEFORE ME, BY SAID

William Cooper
THIS 19 DAY OF March, 1998
MY COMMISSION EXPIRES
ON 2-12-2001

[Signature]
NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS

980320 CWF 7133

State of Texas
County of Travis

Offense #98-0781196

Before Me, the Undersigned Authority, on this Day Personally Appeared, Tracy Thompson, a white female born on 02/12/82, WHO AFTER BEING DULY SWORN, UPON OATH DEPOSES AND SAYS:

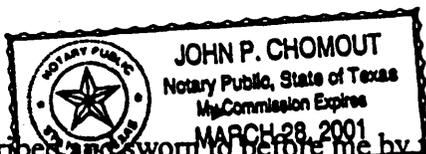
I currently reside at 125 Frederick Street, Austin, Texas, 78704. My home phone number is 416-1202. I attend Travis High School where I am in the 9th grade.

My sister, Erin Thompson, and her boyfriend, William Cooper, got on they Himalayan carnival ride. It's half covered in metal where you can't really see and it goes around in a circle and over about 4 bumps. I saw my sister and her boyfriend holding on to the sides real tightly. I figured they were getting sick because it went so fast and around in a circle. As soon as I got to my sister I said, "Are you getting sick???" My sister said, "No the bar broke." I looked down and saw the number 23 on the side of the car they rode in. Her boyfriend said to come here and showed me the bar that holds people in had come off its hinges. I did not see any other type of safety belts or bars besides the one that had broken.

Erin said that as soon as their bar broke, they weren't yet at full speed and she started yelling to the ride operators to stop the ride. Instead of stopping, though, she said the ride continued to go faster until it finished and came to a stop.

I saw my sister tell a ride operator (he looked like a 30-something black man wearing a teal shirt and black slacks) that the bar on her car broke. While she was talking to him, I saw people loading into other cars as if to ride again.

About an hour after my sister rode the Himalaya, I came back by the ride and saw a large crowd gathered. We soon found out that someone got hurt on this ride. I realized that it was the same ride that my sister was on when her safety bar broke and insisted upon giving a statement about what I knew.



Tracy Thompson
Signature of Affiant

Subscribed and sworn to before me by the said Tracy Thompson
on this the 19TH DAY OF March, 1998.
My commission expires _____

[Handwritten Signature]
Notary Public in and for the State of
TEXAS. 1364

980320 C.W.F. 7133

OFFENSE NO. 98-_____

STATE OF TEXAS X
 X
COUNTY OF TRAVIS X

Before me, the undersigned authority, on this day personally appeared: ERIN THOMPSON _____ after being by me duly sworn, upon oath deposes and says:

I am 17 years old and was born on 08-23-1980. I am currently residing at 125 FREDERICK ST AUSTIN, TX 78704, and my home telephone number is 4160396. I am currently employed at _____, and my work telephone number is _____.

I have been informed that under the penal code of the State of Texas, Section 37.02: A person commits the offense of Perjury if, with intent to deceive and with knowledge of the statement's meaning, he/she makes a false statement under oath or swears to the truth of a false statement previously made; and the statement is required or authorized to be made under oath.

I am voluntarily giving this statement to Detective DEMOSS of the Austin Police Department. I can read, write, and understand the English language. I affirm that this statement is true and correct to the best of my knowledge.

ON 03-19-1998 I WAS AT THE AUSTIN LIVESTOCK SHOW AND RODEO CARNIVAL. I WAS ON A RIDE CALLED THE HIMALAYA WITH MY FRIEND BILLY. WE WERE IN CAR TWENTY THREE OF THE RIDE. WHILE THE RIDE WAS IN MOTION THE BAR THAT HOLDS YOU IN THE SEAT BROKE. IT BROKE DOWN AT THE BOTTOM AND IT LIFTED UP. THE BAR WAS SUPPOSE TO HOLD ME AND BILLY IN THE SEAT BUT NOW IT WAS UP. I HELD ON TO A BAR THAT WAS PART OF THE SEAT IN ORDER NOT TO FALL OUT. I THINK BILLY WAS HOLDING ON TO THE BAR SINCE IT WAS STILL LOCKED DOWN ON HIS SIDE.

WHILE WE WERE ON THE RIDE BILLY WAS YELLING TO THE GUYS THAT WERE STANDING AROUND THE RIDE THAT THE BAR CAME OFF BUT THE RIDE CONTINUED.

WHEN THE RIDE STOPPED I WENT TO A BLACK MAN THAT WORKED FOR THE CARNIVAL AND TOLD HIM THAT THE BAR BROKE ON THE CAR I WAS ON. HE WENT TO THE CAR AND STARTED LOOKING AT THE BOTTOM OF THE BAR AS IF HE WAS TRYING TO SEE WHERE IT BROKE FROM. THEY STARTED LETTING PEOPLE ON FOR THE NEXT TURNAROUND ON THE RIDE AND WHEN THE RIDE STARTED THE BLACK MAN GOT OFF.

780320 CWF 7133

LATER MY SISTER TRACY WHO WAS LOOKING FOR US FOUND US AND TOLD US
THAT A LITTLE GIRL HAD FALLEN OFF THE RIDE.

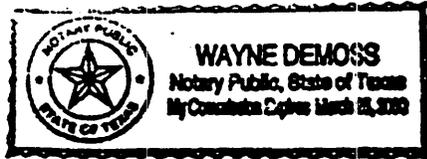
Erin C. Thompson
Affiant

SUBSCRIBED AND SWORN before me, by the said: Erin C. Thompson
Affiant/print name

this the 19 day of MARCH.

Wayne Demoss
Notary Public in and for Travis County Texas

Page 1 of 2 pages



STATE OF TEXAS }
COUNTY OF TRAVIS }

DATE: 03-19-98
OFFENSE NO. 98-0781196
980320 CWE-7133

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY
APPEARED DAVID OMOYENI,
WHO AFTER BEING BY ME DULY SWORN, UPON OATH DEPOSES AND SAYS:

MY NAME IS DAVID OMOYENI. I AM 14 YEARS OLD AND MY
BIRTHDATE IS 12-10-83. MY HOME ADDRESS IS 12151 N IH-35
APT 838 AUSTIN TEXAS. MY HOME PHONE IS 834-3547.

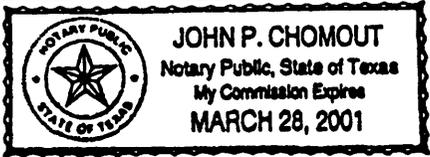
I WAS GETTING ON THE RIDE MY FRIEND MARCUS HENDERSON. THE DJ DUDE
CHECKED TO SEE IF EVERYONE WAS BUCKLED IN. AFTER THAT THE RIDE STARTED OUT
SLOW THEN ABOUT 5 SECONDS LATER I HEARD A BIG BOOM. I THEN LOOKED BACK AND
SAW SOMEONE ON THE GROUND. THE RIDE SLOWED DOWN RIGHT AWAY AND THEN I JUMPED
WITH MY FRIEN MARCUS. THEN THE WHITE MAN WITH THE BLOND HAIR, THE DJ, SAID
"OH SHIT". I DON"T REMEMBER ANY BLOOD BECAUSE IT WAS TO DARK. THE WALL WAS
COLLAPSED WHERE THE GIRL WAS LAYING. I SAW A TALL WHITE MAN WITH A VIDEO
CAMERA AS I WAS GETTING ON THE RIDE. I THINK HE WAS TAPING HIS KID. WHEN
WHEN I WAS GETTING ON THE RIDE I SAW A SEAT THAT HAD TAPE ACROSS THE DOOR.
I DIDN'T GET ON THAT ONE BECAUSE IT WAS NOT IN A ROW.
I CANNOT READ OR WRITE THE ENGLISH LANGUAGE BUT I DO UNDERSTAND IT. ALL THE
INFORMATION CONTAINED IN THIS STATEMENT IS TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE. I HAVE GIVEN THIS STATEMENT VOLUNTARILY AND INTELLIGENTLY
TO DET. GUNNLAUGSSON OF THE AUSTIN POLICE DEPT. WHO HAS READ THIS STATEMENT
BACK TO ME.

David Omojeni

SUBSCRIBED AND SWORN TO BEFORE ME, BY THE SAID DAVID OMOYENI,
THIS 19TH DAY OF MARCH, 1998.

[Signature]
_____ 1364
Notary Public in and for
Travis County, Texas

My commission expires
on _____



STATE OF TEXAS)
COUNTY OF TRAVIS,)

Offense No.

980320 CWE 2133

Before me, the undersigned authority, on this day personally

APPEARED LEHARCUS HENDERSON B/M 08-21-1983
who after being by me duly sworn, upon oath deposes and says:
MY NAME IS LEHARCUS HENDERSON. I AM FOURTEEN YEARS OLD. I LIVE AT 1172
GRAHAM ST, AUSTIN, TX 78702. MY PHONE NUMBER IS 478-2256. ON MARCH 17, 1998
I WAS AT THE AUSTIN LIVESTOCK SHOW AND RODEO AT THE CARNIVAL. I WAS ON A RIDE.
I DON'T KNOW THE NAME OF IT. I WAS RIDING THE RIDE WITH MY FRIEND DAVID.
DAVID WANTED ME TO SIT ON THE OUTSIDE OF THE SEAT AND HIM TO SIT ON THE INSIDE.
WE WERE RIDING THE RIDE AT A NORMAL PACE. THE OPERATOR OF THE RIDE GOT ON THE
LOUDSPEAKER AND SAID IF YOU WANT TO GO FASTER LET ME HEAR EVERYBODY SCREAM.

EVERYBODY STARTED SCREAMING AND THE RIDE STARTED GOING FASTER. I THEN HEARD A
LOUD NOISE WHICH SOUNDED LIKE A GUN SHOT. I THEN SAW THE OPERATOR LOOK SHAKEN
UP AND HE SLOWED DOWN THE RIDE. I THOUGHT THE RIDE HAD BLOWN A FUSE AND THEN
WENT AROUND AND I SAW SOMEONE LAYING ON THE GROUND. I ALSO SAW ANOTHER PERSON
STANDING ABOVE THEM LOOKING DOWN AS IF THEY WERE GOING TO HELP THE PERSON ON
THE GROUND. THE WALL THAT THE PERSON LAYING ON THE GROUND HIT WAS DENTED WHEN
HE STRUCK IT. I ALSO SAW A LITTLE BOY HOLDING HIS BACK CRYING. HE LOOKED
TO BE ABOUT FIVE OR SIX. AT THIS TIME THE RIDE WAS GOING SLOW ENOUGH FOR ME
TO GET OFF SO I JUMPED OFF BECAUSE I DIDN'T WANT TO PASS THE BODY AGAIN.

Le Marcus Henderson

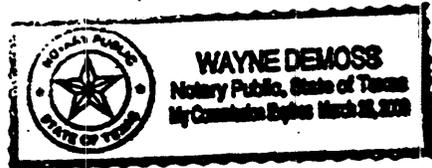
SUBSCRIBED AND SWORN TO before me, by the said

LE MARCUS HENDERSON
this *19* day of *MARCH* 19*98*.

Wayne Demoss

Notary Public in and for
Travis County, Texas

My commission expires
on _____



TASK# 980320CWE7133

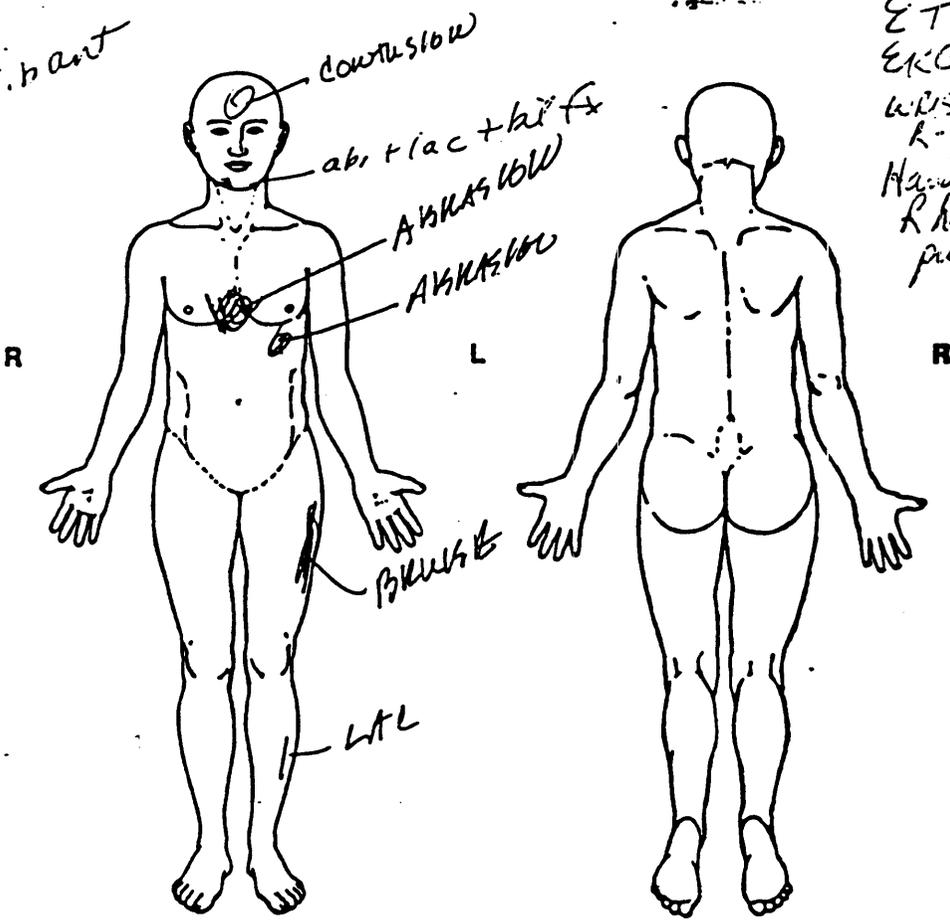
Case No. ME- 98-0319

ATTACHMENT# 6

Decedent: LAST FIRST MIDDLE

PRODUCT: HIMALAYA RIDE

Tx
Subfx bil
R/L Hth i. hant



ET
EKG X3
wristband
R-pupils X5
Hand stamp
R hand
pupils
OK

PHYSICAL DESCRIPTION OF DECEDENT:

HT: 185 TEETH: NAT GOOD
WT: 68 SCARS/TATTOOS:
EYES: BROWN
HAIR: 10" BROWN OTHER:

RIGOR MORTIS:
NECK: Yes No
HIP:
JAW:
KNEE:
ANKLE:
WRIST:
SHLDR:

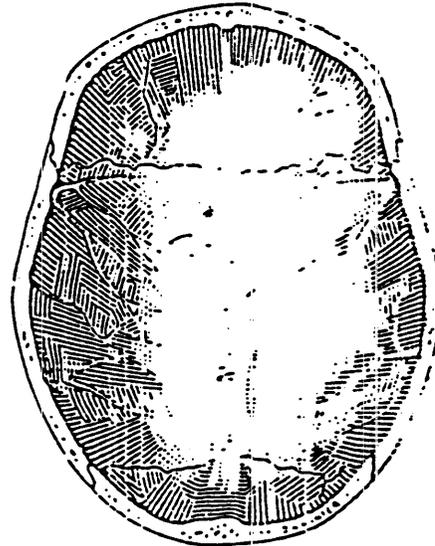
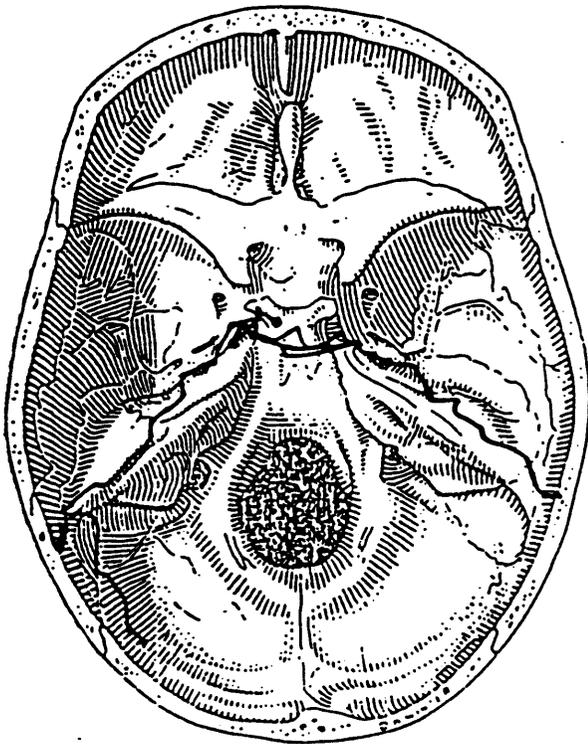
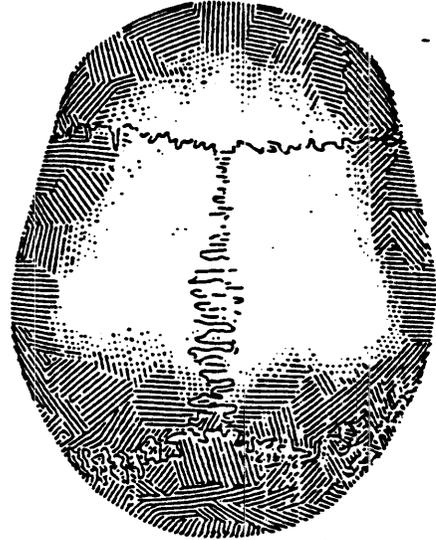
TEMPERATURE:
ENVIRONMENT: °F
DATE: / /
TIME: : :
LIVER: °F
DATE: / /
TIME: : :

B 1152 AM
17 290
Tny 50
RC 350
LL 300
L 1215 < 2
st blood
5166
AK 110
LK 130
60-700
wt 5000g
LCL cyst

980320CWF 7133

Travis County
Medical Examiner

1. Bil mandible fx \bar{c} overlying
abr/lac
2. 1" frontal scalp contus
3. hinge fx
4. IVH & SAH
5. Asp. & swallow Blood



ME 98-0319 MD

Medical Examiner

Dr Peacock
 Danny Mehan
 Jerry Pena
 Hinko

DALLAS SATELLITE OFFICE

TASK# 980320CWE7133

PHOTO SHEET

ATTACHMENT# 7

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya Amusement Ride

IDI# 980320CWE7133

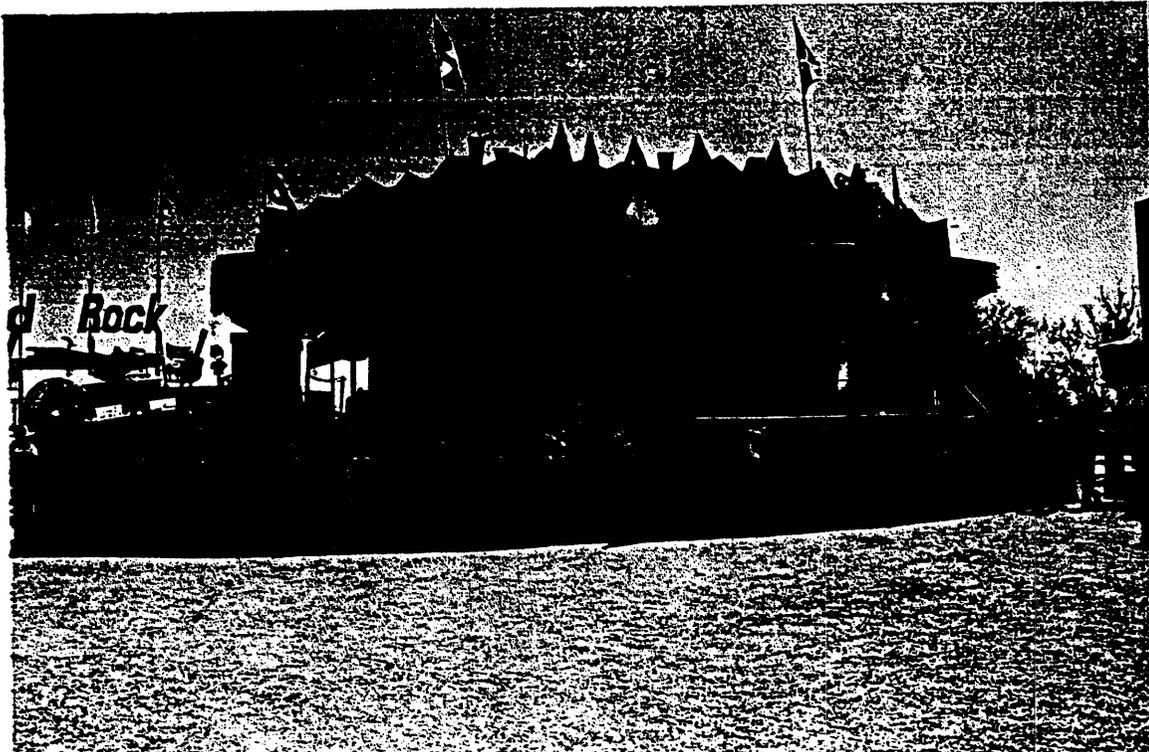
PRODUCT: HIMALAYA

PICTURE

NO. 1

DESCRIPTION

Photo shows front view of Himalaya amusement ride. The ride is own and operated by B & B Amusements 4491 S. 4th Ave., Yuma, AZ 85365. (520-726-9522) The manufacturer is Reverchon in France. B & B Amusements was operating the ride at the Travis County Livestock and Rodeo Show in Austin, Texas. B & B Amusements reportedly bought the ride new in 1984 and has owned it ever since.



DALLAS SATELLITE OFFICE

PHOTO SHEET

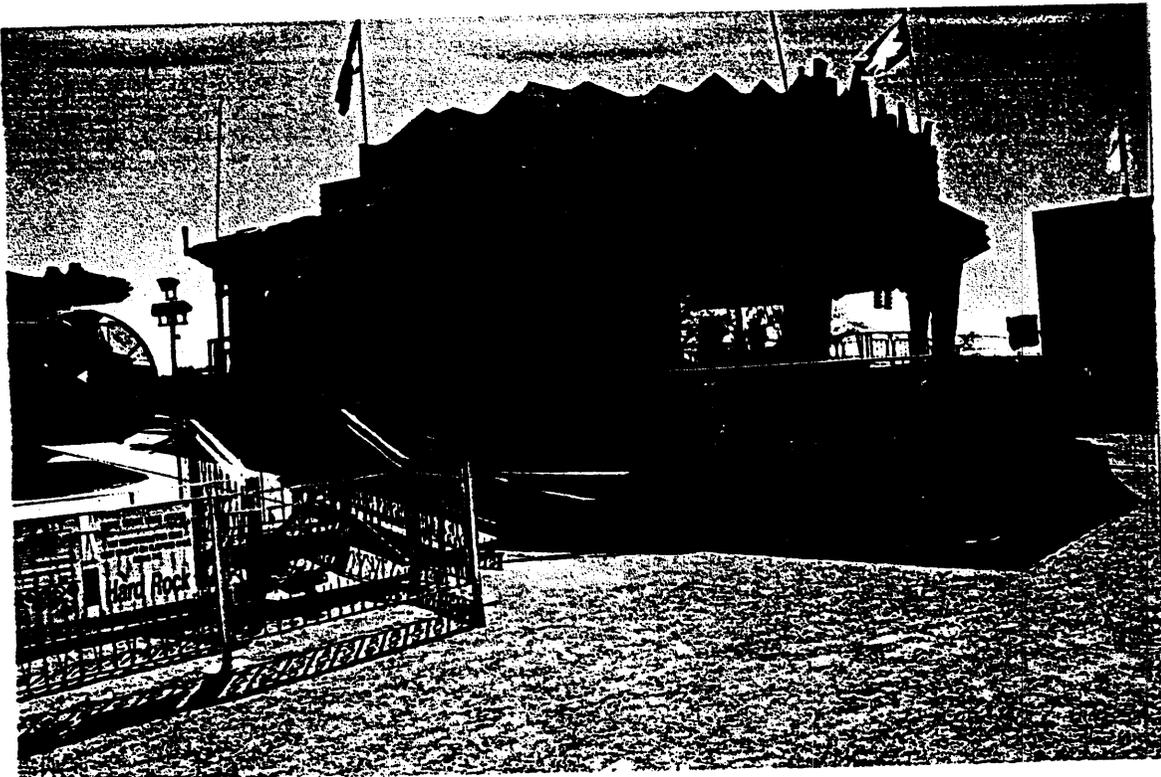
LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya Amusement Ride
IDI# 980320CWE7133

PICTURE

NO. 2

DESCRIPTION

Photo shows another view of the Himalaya amusement ride. The ride was reportedly last used in October of 1997 at the Lake Davis Fair in California. The ride allegedly had been in Yuma, AZ since then and Austin was the first stop in 1998.



DALLAS SATELLITE OFFICE

PHOTO SHEET

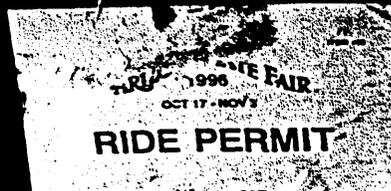
LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya Amusement Ride
IDI# 980320CWE7133

PICTURE

NO. 3

DESCRIPTION

Photo shows the inspection permit which was required by the Texas Dept. of Insurance. The permit was located on the window of the ride operator station. The Texas Dept. of Insurance requires rides to have an annual inspection, sufficient insurance and a \$20.00 filing fee per ride. Bob Gill \$ Associates, Brandon, Florida was hired to perform the inspection which was performed on 3/9/98 before the show opened.



DALLAS SATELLITE OFFICE

PHOTO SHEET

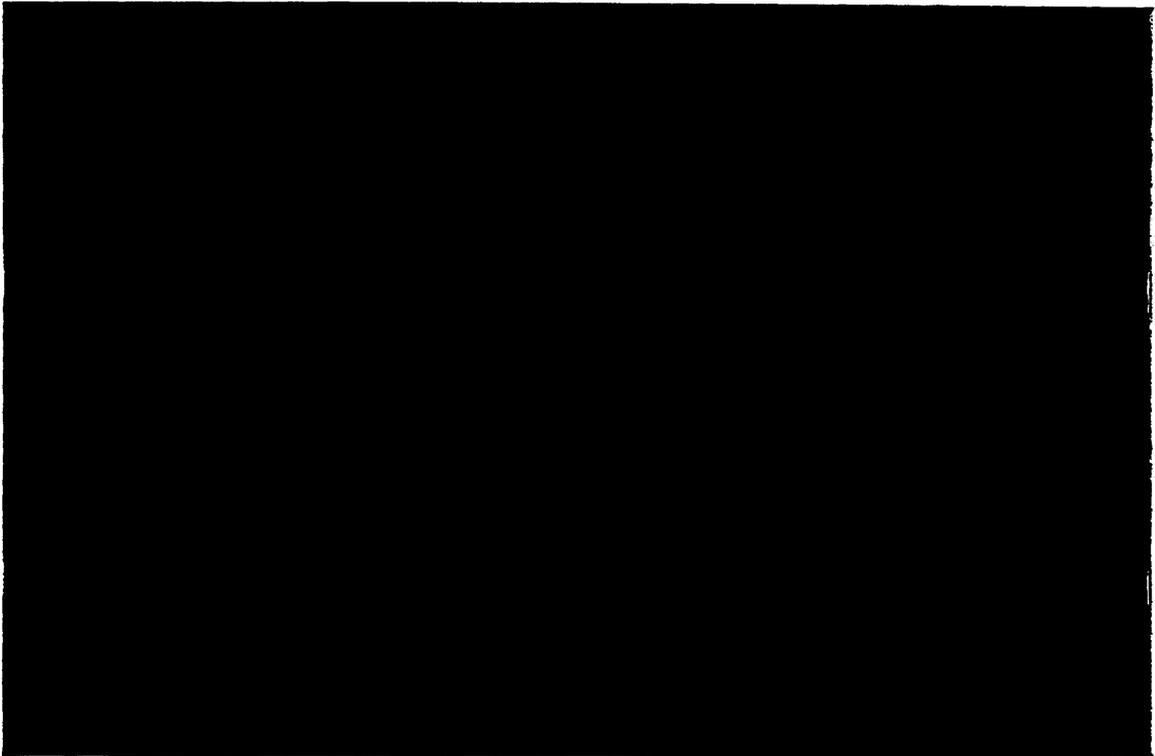
LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya Amusement Ride
IDI# 980320CWE7133

PICTURE

NO. 4

DESCRIPTION

Photo shows
another inspection
certificate found
on the ride. This
certificate
expires in July of
1997 and is for
the Del Mar Fair
in California.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas _____

DOCUMENT NO. F/U to F9837026A _____

PRODUCT Himalaya Amusement Ride _____

IDI# 980320CWE7133 _____

PICTURE

NO. 5 _____

DESCRIPTION _____

Photo shows a
ride permit from
the State of
California
Division of
Occupational
Safety and Health
which expires in
March of 1998.
This permit was
found on the
underneath area of
the ride and not
in plain site.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas _____
DOCUMENT NO. F/U to F9837026A _____
PRODUCT Himalaya Amusement Ride _____
IDI# 980320CWE7133 _____

PICTURE

NO. 6

DESCRIPTION _____

Photo shows a warning statement on the back of all 24 cars associated with this ride. This statement is visible to riders in cars next in line. The word "scrambler" is blacked out.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya Amusement Ride

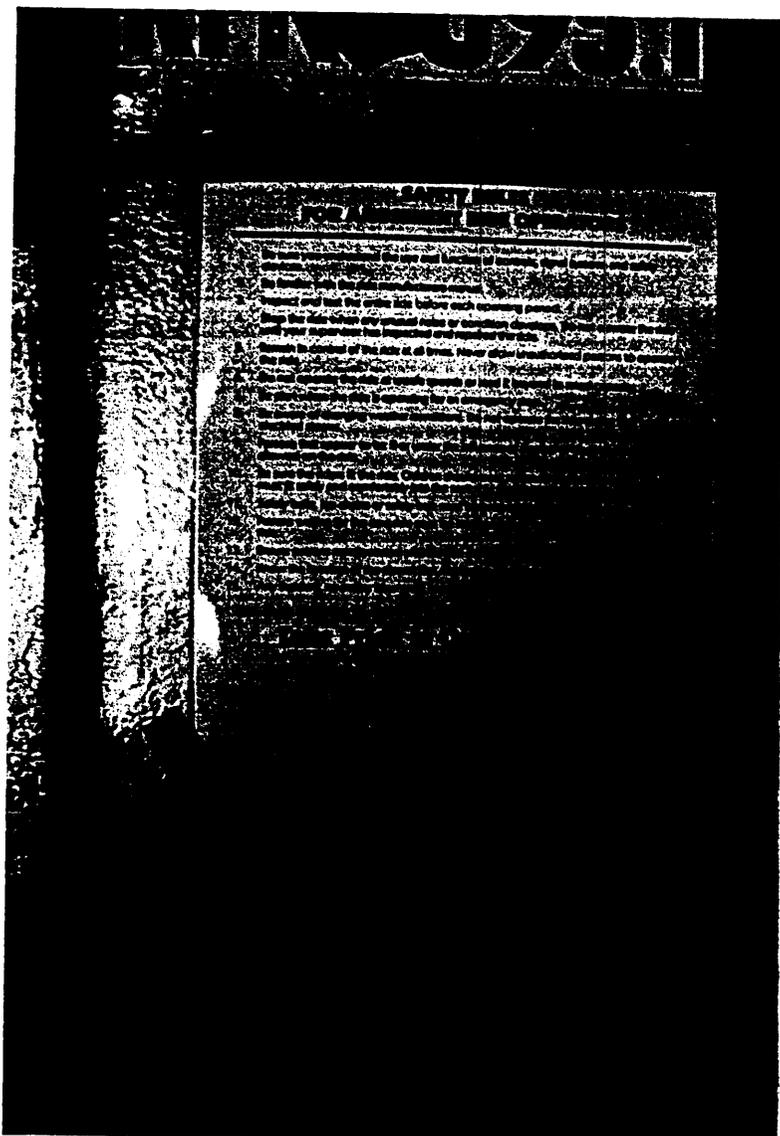
IDI# 980320CWE7133

PICTURE

NO. 7

DESCRIPTION

Photo shows a
SAFETY RULES list
taped on the
inside of the ride
operator station.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya Amusement Ride

IDI# 980320CWE7133

PICTURE

NO. 8

DESCRIPTION _____

Photo shows a
sign attached to
the ride which
shows 5 coupons
are needed to
ride.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya Amusement Ride

IDI# 980320CWE7133

PICTURE

NO. 9

DESCRIPTION

Photo shows an individual car of the ride. The lap bar has been pushed forward to allow riders to enter the ride. The nine year old male victim was first into the ride, then the 16 year old female victim was in the middle and then the 15 year old female victim who was killed was on the outside. The cars are loaded from the smallest to the largest because the force of the ride pushes everyone to the outside.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas _____
DOCUMENT NO. F/U to F9837026A _____
PRODUCT Himalaya Amusement Ride _____
IDI# 980320CWE7133 _____

PICTURE
NO. 10
DESCRIPTION
Photo shows an individual car with the bar being closed after the riders have been seated. The nine year old on the inside weighed approx. 100 pounds, the 16 year old in the middle weighed approx. 155 pounds and the 15 year old victim on the outside who was killed weighed 185 pounds and was 68 inches tall.



DALLAS SATELLITE OFFICE

PHOTO SHEET

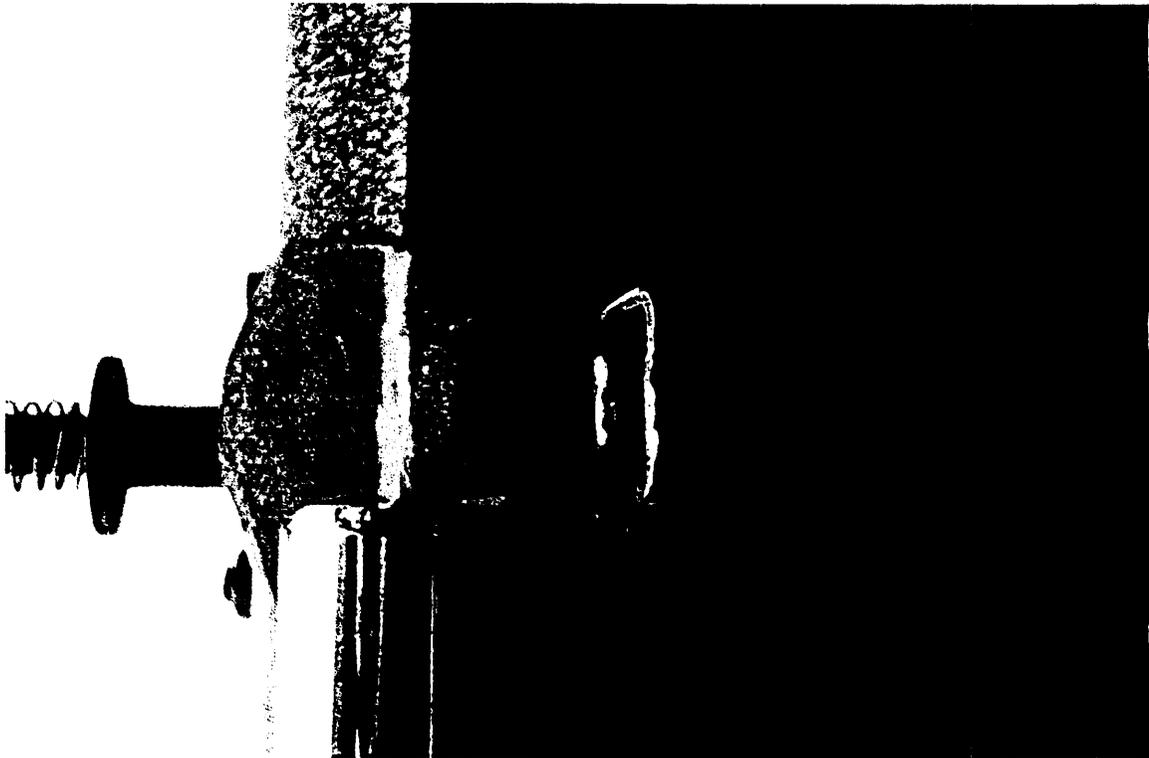
LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya Amusement Ride
IDI# 980320CWE7133

PICTURE

NO. 11

DESCRIPTION

Photo shows the locking mechanism on the outside of each car. This mechanism is located just outside the car and next to the rider on the outside. The 15 year old victim was setting next to this mechanism when the incident occurred. This photo is taken looking down into this mechanism which locks the lap restraining bar into place.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas _____
DOCUMENT NO. F/U to F9837026A _____
PRODUCT Himalaya Amusement Ride _____
IDI# 980320CWE7133 _____

PICTURE

NO. 12

DESCRIPTION _____

Photo shows a side view of the locking mechanism for the lap bar. The lap bar is locked into place when the small "U-shaped" attachment on the bottom of the bar is pushed downward. Closeup photos of the small attachment are included in later photos.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya Amusement Ride
IDI# 980320CWE7133

PICTURE
NO. 13
DESCRIPTION
Photo shows the
lap bar locked
into place. Note
the "U-shaped"
attachment has
been secured
inside the locking
mechanism.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya Amusement Ride

IDI# 980320CWE7133

PICTURE

NO. 14

DESCRIPTION

Photo shows
spring loaded knob
on the outside of
the car which will
release the lap
bar after it has
been secured into
place by the
locking mechanism.
The knob is
grabbed as shown
in the photo and
photo 15 shows the
next step needed
to release the
lock.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya Amusement Ride
IDI# 980320CWE7133

PICTURE

NO. 15

DESCRIPTION

Photo shows
spring loaded knob
on the outside of
the car being
squeezed. The
knob is squeezed
and raised
upwards. This
action will
release the lap
bar from the
locking mechanism.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya Amusement Ride

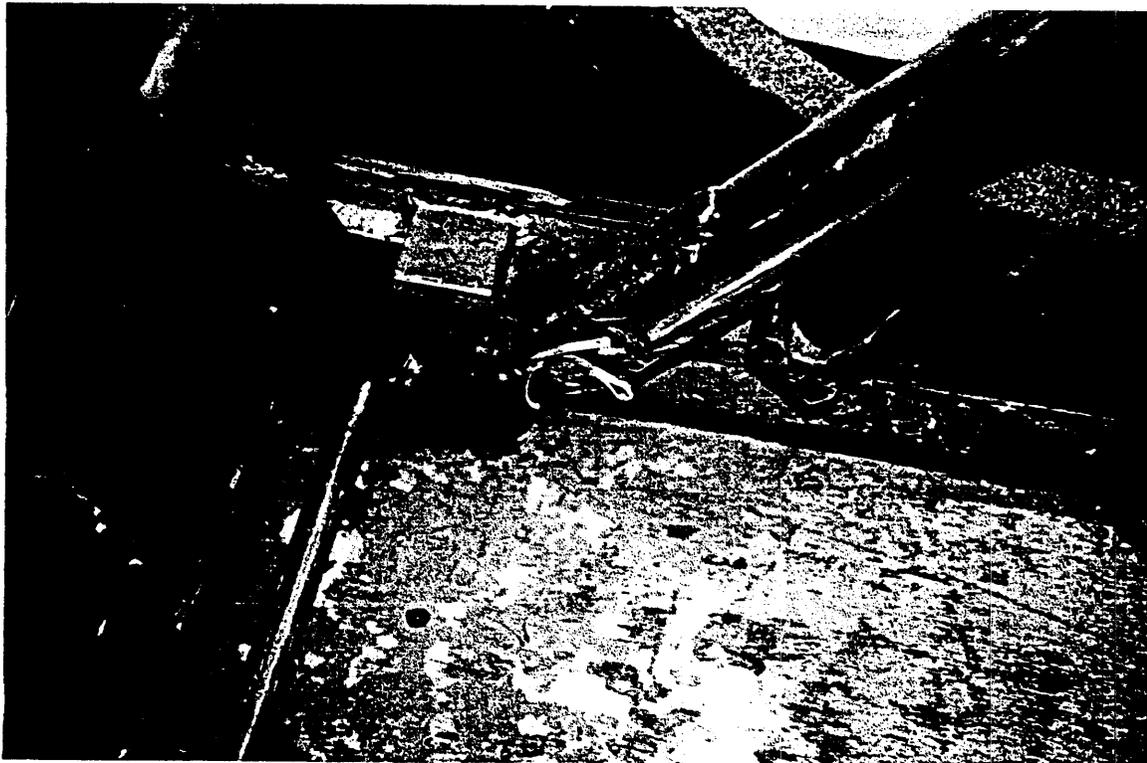
IDI# 980320CWE7133

PICTURE

NO. 16

DESCRIPTION

Photo shows how
the lap bar is
attached to the
cars. The bar is
attached to both
sides inside of
the car with
cotter pins.
Cotter pins of
different sizes
were noted being
used. Other
attached photos
show a more
detailed look of
this attachment.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya

IDI# 980320CWE7133

PICTURE

NO. 17

DESCRIPTION

Photo shows another cotter pin attachment on another car. The operating manual shows a "R-Shaped" pin which appears to be a stronger type pin.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas _____
DOCUMENT NO. F/U to F9837026A _____
PRODUCT Himalaya _____
IDI# 980320CWE7133 _____

PICTURE

NO. 18

DESCRIPTION

Photo shows area where the three victims landed when they were thrown from the ride. They were in car 19 and the lap bar ejected from the car with them. The lap bar was found lying with the victims on the ramp beside the cars. Note the panel that has been pushed away at the bottom. The 15 year old victim who died at the scene slammed into this panel after she was ejected. The 15 year died of head injuries and the other two victims were treated and released.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas
DOCUMENT NO. F/U to F9837026A
PRODUCT Himalaya
IDI# 980320CWE7133

PICTURE

NO. 19

DESCRIPTION

Photo shows another view of the area where the victims landed. This ride travels clockwise and the incident occurred at the approx. nine o'clock area. The ride travels on a circular track at a tilted angle. It also has rises and dips and the victims were thrown out just as the ride rises up. The car the victims were in came to a stop at the 6 o'clock area.



DALLAS SATELLITE OFFICE

PHOTO SHEET

LOCATION Austin, Texas

DOCUMENT NO. F/U to F9837026A

PRODUCT Himalaya

IDI#_980320CWE7133

PICTURE

NO. 20

DESCRIPTION

Photo shows another view of the area where the victims landed. This photo is taken from the eleven o'clock area looking back down on the site.

