

## Victim was tossed off bridge like a 'trash can'

By JOHN McNICHOLAS

Sentinel Staff Writer

SANTA CRUZ — The prosecution's key witness testified Monday the two men accused of throwing Raul "the Sun Gazer" Lopez to his death from the San Lorenzo footbridge walked up to the victim, "shredded his groceries" out of his arms and "chucked him off just like a trash can."

But one of the defense attorneys in the case said his client was extremely intoxicated and thought Lopez was trying to grab a hat from one of them. In the resulting scuffle, said attorney Paul Meltzer, Lopez went over the bridge. "No one meant to kill anybody," he said outside of court Monday.

Richard R. Wells, 24, Scotts Valley, testified in the preliminary hearing of Gary Randolph Gray, 35, and Michael Bradley Perrin, 25. The two are charged with murder and robbery in Lopez' killing.

Meltzer is representing Gray. Deputy Public Defender Jeff Hancock is defending Perrin. Both have pleaded innocent.

The hearing began Monday morning and is expected to end this afternoon.

Municipal Court Judge Richard McAdams will then decide if there is enough evidence to try the two men in Superior Court on the charges.

Assistant District Attorney Dave Genochio contends Perrin and Gray stole

groceries from Lopez, then killed him.

Lopez, 58, died April 20 when he was thrown from the San Lorenzo Park footbridge 28 feet to the sandy riverbed below. The fall crushed his chest and broke his back.

Lopez was a familiar character in town. The balding, bearded street person was often seen standing on street corners, talking and gesturing to birds and to the sun. His bizarre behavior prompted many calls to police, but in interviews last April, officers said Lopez was not a violent person.

Wells testified he was riding his bicycle over the footbridge from the park about 8:30 the night Lopez was killed. He came up behind two men, he said, while Lopez was walking from the other side of the bridge with a bag of groceries in his arms. As Wells passed, the pair "cornered" Lopez and "viciously shredded the groceries from his arms," he said.

Wells said he rode 10 yards farther, stopped, and watched the two men stand on each side of Lopez, take an arm and a leg and "teeter-totter" the victim on the bridge railing for a moment before throwing him over.

"Mr. Lopez was saying, 'No, no,'" Wells testified.

He said Lopez landed on his back and when Wells ran to his side, Lopez was dead.

Within minutes, he said, he and Santa Cruz Police Officer Andy Crain walked into San Lorenzo Park and identified the men he saw throw Lopez from the bridge. Crain arrested Perrin and Gray.

Wells was unable to identify the two men in the courtroom as the same men he saw throw Lopez over the bridge three months ago.

But Crain testified the defendants were the two men Wells pointed out. Wells had identified the pair three different times the night of their arrest, Crain said.

Crain also testified Perrin was carrying an unopened bottle of port wine when arrested. But prosecutor Genochio has not yet tied that bottle to Lopez.

Both Meltzer and Hancock questioned Crain about Lopez' behavior. They attempted to establish the victim's arm-waving and head twitching could be perceived as dangerous acts.

They asked Crain if the victim had ever attacked anyone. Crain answered he had never known Lopez to be violent.

Both attorneys stated in court the defendants' blood-alcohol level was above .20.

Under the law, a blood-alcohol level of

.10 is the level at which one is considered intoxicated.

Meltzer also concentrated on eliciting from Crain, a 14-year police veteran, how someone with a blood-alcohol level above .20 might act.

Crain agreed with Meltzer's contention such a person might "act impulsively, without much thought about the consequences of their acts."

After the hearing, Meltzer said, "I don't think anybody can say he (Gray) intended to kill anyone.... At worst, he's guilty of an unintentional manslaughter."

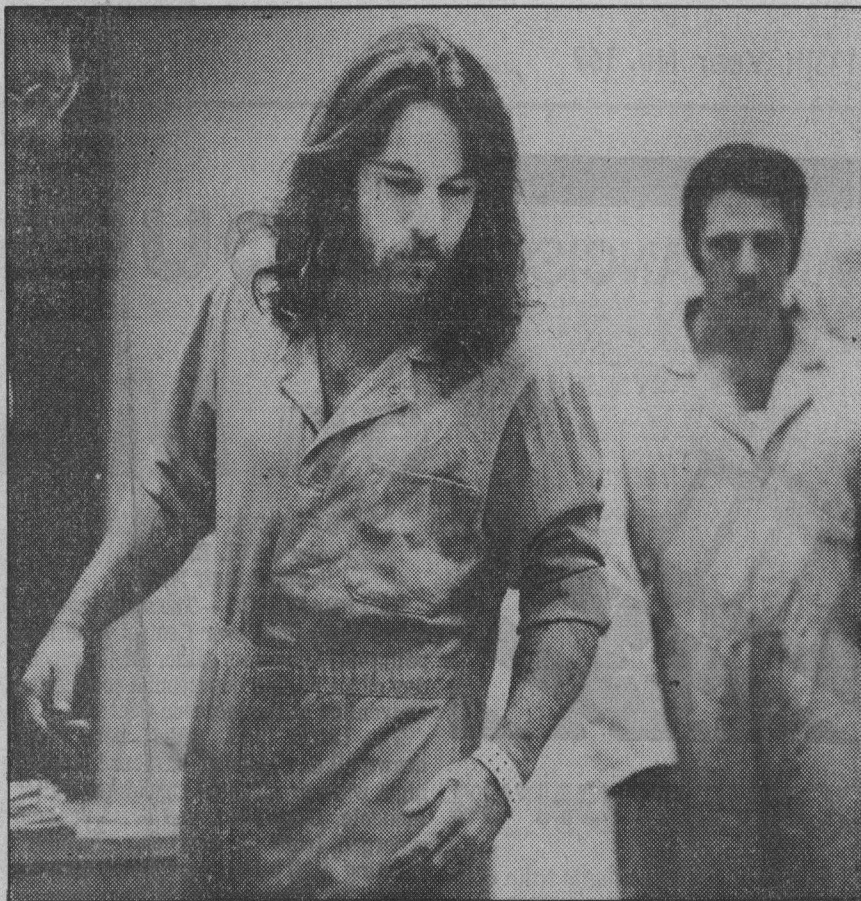
He said the two thought Raul was going to grab a hat one of them wore.

"There was some pushing and shoving and he went over the side. Raul's history will show he was known to make inappropriate and bizarre gestures" which could be mistaken for violent acts, said Meltzer.

It was "an unfortunate, accidental act" resulting from intoxication, Meltzer said.

Hancock would not comment on Perrin's defense other than to say there were "obvious differences."

The hearing resumed this morning.



Dan Coyro/Sentinel

Defendant Michael Bradley Perrin walks into court



Dan Coyro/Sentinel

Murder suspect  
Gary Randolph Gray