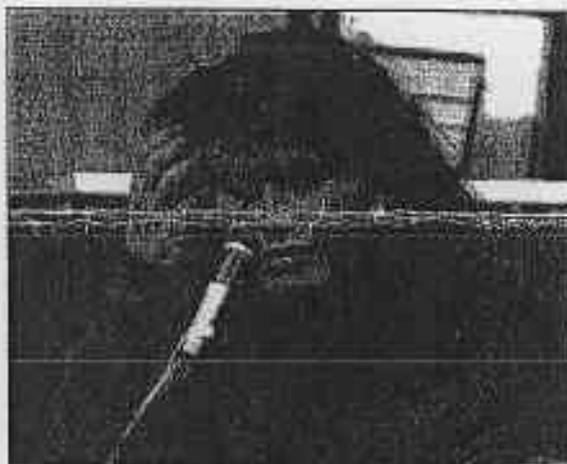




## Transsexual confesses to murder on the stand this afternoon

**Beth DeFalco**  
The Arizona Republic  
Nov. 01, 2001 02:50:00

Contradicting her own testimony in Maricopa County Superior Court from 24 hours earlier, a transsexual confessed to murdering her lover's wife in Rocky Point 10 years ago. She also acknowledged that she had confessed in a letter to killing his former lover's wife and blaming the death on him.



Tim Koors/The Arizona Republic

Answering a series of questions from defense

attorney Alan Simposon, Yesenia Patino admitted that she, not her ex-lover Dan Willoughby, killed Willoughby's wife Trish at a Rocky Point beach house a decade ago.

Yesenia Patino is shown during testimony on Wednesday.

"Can you stop asking me these kinds of questions now," Patino sobbed on the witness stand, before being escorted from the courtroom. Willoughby also was in tears as she was taken from the room.

Earlier today, Patino testified that she wrote three letters admitting her guilt to the 1991 slaying, including one dated September 1995, to the chief investigator of the case.

In the letter, which was read in court today, Patino wrote, "It has been a long time since Mr. (Dan) Willoughby's case ... was closed. I'm feeling very guilty for all the lies I told the jury on May 1992.

"I know that Mr. Willoughby was surprised to have found his wife murder (sic) while he and his children were out sightseeing the town of Rocky Point."

Patino also wrote in the letter, "I want to confess, just like I did here, that I was the one who kill (sic) Mrs. Willoughby. And why? Because she didn't want to divorce Dan, the man whom I was very much in love and still love."

Patino admitted today that she did write the letter, which contradicts her own testimony a day earlier that it was Dan Willoughby who bashed in his wife's skull and that she only helped by making the crime to look like a robbery gone bad.

Willoughby, 62, was convicted in 1992 of first-degree murder and sentenced to death for Trish Willoughby's slaying. He won a new trial in 1999 after a judge ruled that his original court-appointed lawyer was incompetent.

Patino did not say what prompted her to write the letter or whether her confession in it is true. She remained on the witness stand this afternoon.

On Wednesday, she had told the court that Dan Willoughby wanted to carry out the murder himself to get the "satisfaction from doing it."

Prosecutors transferred Patino, 45, from Mexico, where she is serving a 35-year sentence in the slaying, to try Willoughby again.

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[Back to Article](#)

## 'Hurricane' Carter attends Gilbert man's trial

Nov. 14, 2001 12:00:00

Rubin "Hurricane" Carter, an ex-boxer wrongfully convicted in a triple murder in New Jersey in 1966, appeared at the second trial of a Gilbert man accused of murdering his wife.

"We are always interested in the wrongfully convicted," said Carter, who a decade ago established the International Association in Defense of the Wrongly Convicted. "It is a terrible thing to be sent to prison for something you didn't do."

Carter said he plans to stay until the verdict in the trial of Daniel Willoughby, sentenced to death in 1992 for the bludgeoning death of his wife in Mexico. Willoughby won a new trial because he had ineffective counsel during his first trial.

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[Back to Article](#)

FROM THE COVER

# Lawyer's phone tapped in gang inq

By Dennis Wagner  
The Arizona Republic

Attorney Alan Simpson has an unblemished State Bar record, a reputation for diligent advocacy and lots of New Mexican Mafia members as clients.

But the Phoenix lawyer also has law enforcement officials breathing down his neck because of his relationship with a prison gang that is notorious for killing government witnesses.

In the past 12 months, authorities have tapped Simpson's phone and conducted a secret grand jury inquiry with no public results.

Law officers are careful not to be specific in police reports and court records. But they make it clear that they believe the New Mexican Mafia, also known as the New Emé gang, is able to track down informers thanks to information from defense lawyers. Many of the informers were expected to testify against Simpson clients — until they got shot or stabbed.

Although he declined to comment for this story, Simpson has previously acknowledged being under investigation by the U.S. Attorney's Office.

During an interview several months ago, he said he had done good work for New Emé members, who then referred other members to him. He denied wrongdoing and speculated that law officers are out to vilify him because they need a scapegoat for failed cases.

Although Simpson has been effective in court, police say New Emé has been effective on the street, murdering more than two dozen people in recent years. Detectives say gang leaders have a pipeline to sealed affidavits, wiretap summaries, and witness addresses, valuable information to blunt investigations or track down enemies.

Police records contain no evidence that Simpson has knowingly endangered witnesses or wrongfully collaborated with gang members.

Former State Bar President Michael Kimmerer and other experts point out that attorneys are ethically obliged to divulge information to criminal clients so they can assist with defense work. If suspects use legitimate attorney-client communications to intimidate or kill witnesses, there is little a lawyer can do to prevent it.

In court affidavits, police say

that normal enforcement methods — the use of informers and grand jury inquiries — have grown too risky against New Mexican Mafia leaders.

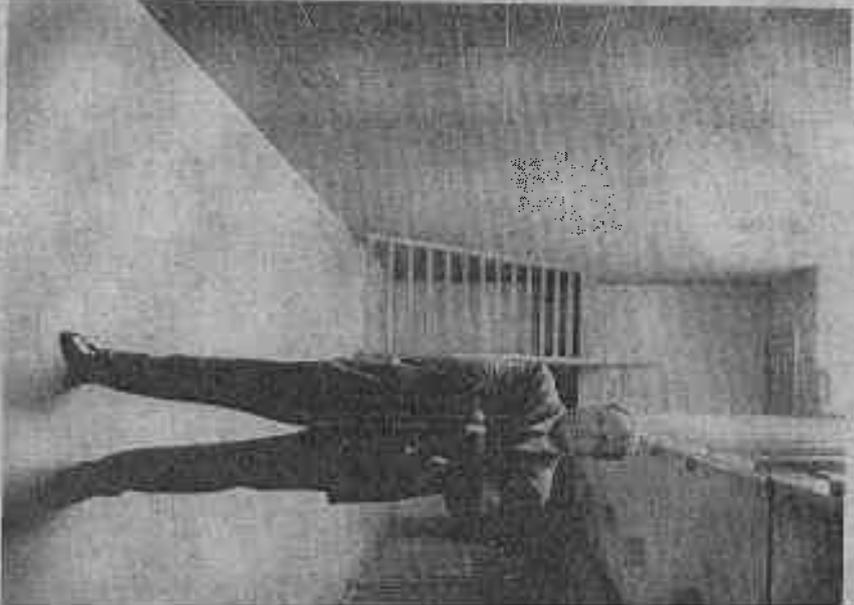
The reason: "Several defense attorneys have been linked to (New Emé) and this, too, would increase the disclosure of information... in a manner which may interfere with the case and put witnesses in harm's way," the records state.

That concern grew to a level where a Maricopa County judge was asked to seal documents and order lawyers, including Simpson, not to divulge information to their own clients. In addition, prosecutors took the extraordinary step of persuading a judge to authorize wiretaps on New Emé phone calls to Simpson and other lawyers.

Such eavesdropping is almost unheard of because of concerns about legal privilege. So the court prohibited any interception of attorney-client calls and ordered all wiretap records sealed under rigid requirements.

Months later, a caller from a Maricopa County jail provided The Arizona Republic with wiretap affidavits and summaries con-

See INQUIRY Page A27



Police say Terry Stewart, Arizona Department of Corrections was the target of a contract by the New Mexican Mafia. They insist the plot was based on wild accusations that could provide no corroboration and who was desperate

AZ Rev 5/17/88

# Drug lawyer subject of inquiry

By Dennis Wagner  
The Arizona Republic

A Valley lawyer who has bested the government in several drug cases has confirmed that federal agents are now investigating his dealings with criminal clients.

"I know there is an investigation," Alan Simpson said. "I don't know if it's going anywhere. . . . I don't know what it has to do with. I haven't done anything wrong."

Simpson said he has hired former U.S. Attorney A. Melvin McDonald to deal with the U.S. attorney's investigation.

Law enforcement sources have acknowledged that Simpson is under scrutiny, but have refused to provide details. A spokeswoman for the U.S. Attorney's Office declined to comment.

Simpson has represented key figures in the New Mexican Mafia or "New Eme," a prison gang that officials suspected of conspiring last year to murder Terry Stewart, director of the Arizona Department of Corrections.

One of Simpson's clients, reputed gang leader Raymond O. Llamas, was charged in the bungled plot but avoided prosecution when a key government witness refused to confess to murders that the witness had committed.

Llamas, 34, was arrested again Feb. 23 when police targeted New Eme in Valley-wide drug raids that led to 33 indictments. Also arrested were Simpson clients Luis A. Cisneros and Felipe "Porky" Cisneros, identified as the leaders of an East Valley syndicate dealing in methamphetamines and auto theft.

## LAWYER | Focus of inquiry

From Page B1

Simpson has worked for the Cisneros brothers since the 1980s, and won several cases, including one in which four prospective witnesses were murdered.

Ironically, Simpson has been forced to withdraw as attorney for Llamas, the Cisneroses and others in the

pending case due to a conflict of interest that could arise if he were to represent multiple clients in the case.

Simpson said he believes authorities may be after him because he has embarrassed them in court. Last year, he represented a defendant who got off after a state narcotics officer was accused of illegal wiretapping.

McDonald said federal prosecutors have refused to divulge what his client is suspected of doing.

"The fact of the matter is, we don't know. The truth of the matter is, he's not money-laundering," McDonald added.

"It's one of those situations where you contact the prosecutors and say, 'Folks, he's here waiting to answer your questions. We've got nothing to hide.'"