

24 GREENWAY PLAZA, SUITE 600  
HOUSTON, TEXAS 77046  
713-581-3900  
713-581-3907 FAX  
877-403-4501 TOLL FREE

JASON C. WEBSTER †°Ω&μ  
HEIDI O. VICKNAIR †  
RYAN S. MACLEOD † Ω  
BRETT O. HARGIS †  
CHRISTIAN TOVAR † ε  
KATHRYN H.S. HIETT †



† LICENSED IN TEXAS  
° LICENSED IN MISSISSIPPI  
◊ LICENSED IN NEW YORK  
Ω LICENSED IN PENNSYLVANIA  
& LICENSED IN OKLAHOMA  
μ LICENSED IN ILLINOIS  
ε LICENSED IN CALIFORNIA  
€ LICENSED IN NEW JERSEY

OF COUNSEL:  
RUSSELL SERAFIN †  
ROBERT BARRINGER †

## FOR IMMEDIATE RELEASE

### [JESSICA WEAVER'S RESPONSE TO EL PASO DISTRICT ATTORNEY'S INDICTMENT]

**Texas, January 24, 2025** – Last week, multiple local news media reported for the first time that Jessica Weaver, a single mother whose 3-year-old child Anthony drowned at Camp Cohen on May 13, 2023, was indicted over a month ago on December 12, 2024 for intentionally or knowingly causing serious bodily injury to her child. As the El Paso community will recall, now former District Attorney Bill Hicks held a press conference on September 5, 2023 to announce the charge against Ms. Weaver. Then, **464 days** passed by before Ms. Weaver was ever indicted on that charge.

To be clear, there is zero evidence that Ms. Weaver intentionally or knowingly killed her child. Zero. On the other hand, there is plenty of evidence that the managers of ASM Global, LLC, the entertainment company the City of El Paso hired to run Camp Cohen Water Park, intentionally and knowingly failed to supervise their lifeguards on May 13, 2023, the day of the “soft opening” and instead intentionally and knowingly decided to spend their time in the kitchen. There is plenty of evidence that the managers of ASM Global, LLC intentionally and knowingly prioritized the concessions and entertainment at Camp Cohen over the safety of guests at the water park. Disgruntled former District Attorney Bill Hicks chose to ignore that evidence and instead seek an indictment of a single mother who had to bury her only child.

This is the same Bill Hicks that was *appointed* to the position in December 2022 by Governor Abbott. The same Bill Hicks whose office was “grossly negligent” in failing to produce evidence in multiple criminal cases and “intentionally failed” to comply with its discovery obligations and court orders in another criminal case, according to a December 9, 2024 District Judge’s ruling. The same Bill Hicks whose office was accused of document tampering in a case against migrants charged with rioting. The same Bill Hicks that El Paso voters overwhelmingly rejected in the November 2024 general election, despite being the incumbent. And the same Bill Hicks who decided to pull one final political stunt before having to hand his office over to the incoming District Attorney.

The bare bones indictment makes zero mention of what evidence has been uncovered in the civil lawsuit Ms. Weaver filed against ASM Global – because the DA’s Office never asked for the information and didn’t want the information. The civil lawsuit was filed on June 30, 2023. For

nearly a year-and-a-half, ASM Global<sup>1</sup> filed baseless motions and appeals claiming it was entitled to governmental immunity because the City hired it to run Camp Cohen Water Park. The reason for this was clear: ASM Global was terrified of having their employees sit for depositions and did everything it could think of to avoid that happening – or at least to delay it from happening. However, on October 4, 2024, ASM Global’s appeal was dismissed by the Eight Court of Appeals for lack of jurisdiction, and the trial court subsequently ordered that depositions of the employees move forward.

To date, 7 ASM Global employees have given sworn testimony in the lawsuit, including lifeguards on duty on May 13, 2023, Camp Cohen Site Manager Angelina Parris Wheeler, former Director of Water Park Operations Pavlova Sheffield, and current Director Water Park Operations Daniel Arizpe<sup>2</sup>. Ms. Weaver has maintained from the start that she was seeking the truth about what happened that day, and the truth is what she got. For example, at the time Anthony was drowning, Maritza Figueroa – the aquatics supervisor on duty – was teaching lifeguard lead Ebenezer Orozco how to fill out a rescue report because another child had just been rescued during the “soft opening” and he didn’t know how to fill one out. Notably, most of the employees that have given sworn testimony had no idea that a previous rescue had already been performed prior to Anthony’s drowning and learned that for the first time during their deposition.

10 Q. You are actually busy at the time teaching an  
11 aquatic lead. Correct?  
12 MR. GREEN: Objection, form.  
13 A. Yes.  
14 Q. (BY MR. MACLEOD) You were teaching Ebenezer  
15 or Yvonne Orozco how to fill out a Rescue Report.  
16 Correct?  
17 A. Yes.  
18 Q. And you can't -- so now we've got it to where  
19 we've got upper management's in the kitchen. Right?  
20 Correct?  
21 MR. GREEN: Objection, form.  
22 A. Yes.  
23 Q. (BY MR. MACLEOD) The aquatic supervisor, you,  
24 are teaching an aquatic lead, Ebenezer Orozco, how to  
25 fill out a Rescue Report. Correct?  
  
1 A. Yes.  
2 Q. And at the same time we've got some lifeguards  
3 who are working the very first day of their entire life  
4 on the soft opening. Correct?  
5 A. Yes.

(Deposition of Martiza Figueroa).

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<sup>1</sup> By way of background, ASM Global is the main defendant in the pending litigation regarding the 2021 Astroworld Festival tragedy in which 10 people were killed, including a 9-year-old child.

<sup>2</sup> Daniel Arizpe was deposed in El Paso on January 14, 2025, and ASM Global’s counsel was present. Coincidentally (or not), the December 12<sup>th</sup> indictment was reported by media for the first time the following day on January 15, 2025.

1 Q. Right. And do you know why it came to be that  
2 that's the moment that Maritza Figueroa was teaching  
3 you how to fill one out?  
4 A. What was that?  
5 Q. Maritza Figueroa decided that she needed to  
6 teach you how to fill out a Rescue Report. Correct?  
7 A. Well, I kinda needed to learn, you know.  
8 Q. Right. And the decision was made that y'all  
9 were going to do it during the soft opening while there  
10 are guests swimming in the water parks. Correct?  
11 MR. GREEN: Objection, form.  
12 A. Yeah.  
13 Q. (BY MR. MACLEOD) And so, yeah, that's what  
14 you were doing.  
15 Now my next question is do you know why  
16 that Rescue Report was being filled out then?  
17 A. Because I needed to learn.

(Deposition of Ebenezer Orozco).

Alyssa Kiesel-Fowler, another lifeguard lead on duty, was ordered by upper management to fry churros in the kitchen, despite Camp Cohen having 6 cooks on duty during the “soft opening.” Just prior to Anthony’s drowning, Ms. Kiesel-Fowler was sent back outside by the pool where she proceeded to join the rescue report teaching session.

22 Q. All right. But on the soft opening day, there  
23 were six cooks, plus you frying churros, Pavlova  
24 Sheffield dishing out beverages and Angelina Wheeler  
25 refilling sour cream. True?  
1 A. True.  
2 Q. So am I right when I say that at the time just  
3 before Anthony drowned, minutes before that, there were  
4 nine people in the kitchen. Correct?  
5 MR. GREEN: Objection, form.  
6 A. Possibly, but people could have also been on  
7 break or outside of the room.  
8 Q. (BY MR. MACLEOD) Do you know that or are you  
9 just kind of guessing?  
10 A. I am going on assumption.  
11 Q. You're guessing?  
12 A. Yes.  
13 Q. That's — and that's totally fair. That's  
14 fair.  
15 And you believed that they were  
16 shorthanded. Did you learn that from somebody or how  
17 did you learn that?  
18 MR. GREEN: Objection, form.  
19 A. The experience that they were having directly.  
20 We had a line that was up by our slides and our kitchen  
21 needed the help.  
22 Q. How many people do you think were in that  
23 line?  
24 A. I have no idea.  
25 Q. 50?

1 A. Possibly.  
2 Q. **A lot of people.**  
3 A. Yes.  
4 Q. **Was -- did the park generally have quite a bit**  
5 **of people?**  
6 A. Yes.  
7 Q. **And there was live music?**  
8 A. Yes.  
9 Q. **Was it just generally kind of loud?**  
10 A. Yes.  
11 Q. **Was it kind of chaotic?**  
12 A. Yes.

(Deposition of Alyssa Kiesel-Fowler).

She was also asked about Jonathan Orquiz, whose first day ever as a lifeguard was May 13, 2023 and was the first – and only – lifeguard to spot Anthony acting “weird” in the water. Ms. Kiesel-Fowler candidly admitted that no one was supervising Mr. Orquiz at the time Anthony was drowning.

3 Q. **(BY MR. MACLEOD) Jonathan – Jonathan Orquiz**  
4 **first day as a lifeguard included. True?**  
5 A. He was being supervised throughout his shift  
6 so, yes.  
7 Q. **At the time that Anthony was drowning, who was**  
8 **actually supervising him?**  
9 MR. GREEN: Objection, form.  
10 A. Nobody knows.  
11 Q. **(BY MR. MACLEOD) Who was supposed to be**  
12 **supervising him?**  
13 MR. GREEN: Objection, form.  
14 A. Whoever was on the floor.  
15 Q. **(BY MR. MACLEOD) And who was that?**  
16 A. All three of us.  
17 Q. **You, Maritza and Ebenezer?**  
18 A. Correct.  
19 Q. **And none of y'all were supervising him. True?**  
20 A. Not directly at the moment.  
21 Q. **I mean you were at least 50 yards or maybe**  
22 **even 100 yards from him. True?**  
23 A. Possibly.

(Deposition of Alyssa Kiesel-Fowler).

Finally, Ms. Kiesel-Fowler testified that the kitchen was just too loud for the managers – who were also in the kitchen – to hear their radios or the whistles being blown outside to understand that a child was drowning.

9 Q. (BY MR. MACLEOD) So you think -- you know, at  
10 the time that Anthony drowned, do you think that  
11 Pavlova Sheffield was doing the best job she could?  
12 MR. GREEN: Objection, form.  
13 A. With what she knew was happening, yes.  
14 Q. (BY MR. MACLEOD) And she didn't really know  
15 what was happening because it was so loud. Correct?  
16 A. Correct.  
17 MR. GREEN: Objection, form.  
18 Q. (BY MR. MACLEOD) Do you think Angelina  
19 Wheeler, when she was refilling sour cream, that she  
20 was doing the best that she could do?  
21 MR. GREEN: Objection, form.  
22 A. For what she knew was happening, yes.  
23 Q. (BY MR. MACLEOD) And that -- again, that was  
24 because of how loud it was?  
25 A. Unfortunately.

(Deposition of Alyssa Kiesel-Fowler).

As the testimony of Ms. Kiesel-Fowler demonstrates, Camp Cohen was too crowded, too loud, and too chaotic on May 13, 2023, the day of the “soft opening.”

Camp Cohen’s site manager, Angelina Parris Wheeler, who holds numerous lifeguard and fitness certifications and was the person in charge at Camp Cohen, was also in the kitchen **dipping sour cream** at the time of Anthony’s drowning. As Ms. Parris Wheeler explained, “preventing [Anthony’s] drowning is not what [she] was doing at the moment.”

2 Do you believe based on your personal  
3 knowledge as a site manager that ASM bears any  
4 responsibility at all for causing the death of Anthony?  
5 MR. GREEN: Objection, form.  
6 A. No.  
7 Q. (BY MR. MACLEOD) And you believe that the  
8 lifeguards did everything that they could have done on  
9 May 13, 2023, to prevent Anthony's drowning. Correct?  
10 MR. GREEN: Objection, form.  
11 A. Yes.  
12 Q. (BY MR. MACLEOD) And you believe that the  
13 supervisors at Camp Cohen did everything that they  
14 could have done to prevent Anthony's drowning.  
15 Correct?  
16 A. Yes.  
17 MR. GREEN: Objection, form.  
18 Q. (BY MR. MACLEOD) And you believe that on  
19 May 13, 2023, you as a site manager did everything you  
20 could have done to prevent Anthony's drowning.  
21 Correct?  
22 MR. GREEN: Objection, form.  
23 A. I was doing what I was needing to do.  
24 Preventing his drowning is not what I was doing at that  
25 moment.  
  
1 Q. (BY MR. MACLEOD) Right. You were instead  
2 refilling sour cream. Correct?  
3 A. Yes, I was where I was needed at the moment.

(Deposition of Angelina Parris Wheeler).

When asked whether aquatic operations or concessions is more important to the safety of the general public, Ms. Parris Wheeler testified that the area where she needed to be at any given moment was the most important.

18 **Q. Do you think aquatic operations or concessions**  
19 **is more important in terms of safety of the general**  
20 **public?**

21 A. They are all equally important.

22 **Q. So aquatic operations and retail are equally**  
23 **important to the safety of the general public. True?**

24 A. In the area where I need to be at the time,  
25 that area is the most important.

(Deposition of Angelina Parris Wheeler).

Pavlova Sheffield was the director of water park operations on the day of Anthony's drowning but has since quit her job. Ms. Sheffield, who was Angelina Parris Wheeler's supervisor at the time, was asked to comment on Ms. Wheeler's above testimony. Just as Ms. Wheeler did, Ms. Sheffield refused to acknowledge that aquatic operations are more important to the safety of the general public than concessions.

11 **Q (By Mr. MacLeod) So just to give you some**  
12 **context here, I was asking if Ms. Wheeler felt that**  
13 **being in the kitchen refilling sour cream was where she**  
14 **needed to be at the time that Anthony was drowning.**  
15 **Could you hear that part?**

16 A. I did hear it.

17 **Q And her answer was, yes, I was where I needed**  
18 **to be, right?**

19 A. Yes.

20 **Q Now, just breaking this down for me a little**  
21 **bit, you would agree with me that supervising lifeguards**  
22 **is more important than -- than doing things like frying**  
23 **churros, true?**

24 A. So the operation entails various  
25 responsibilities.

1 **Q Whoa, whoa. Did you hear my question?**

2 A. I did.

3 **Q Okay. We're talking about the safety of**  
4 **guests, right?**

5 A. Correct.

6 **Q And drowning incidents, at least according to**  
7 **Ellis & Associates, are the third -- the third highest**  
8 **types of incidents that lead to the injury and death of**  
9 **people all year, right?**

10 A. Yes.

11 **Q How many people do you think starve from a lack**  
12 **of sour cream each year and die versus people who drown?**

13 MR. GREEN: Objection. Form.

14 A. Like, I don't know the data but --

15 **Q (By Mr. MacLeod) How many people do you think**  
16 **choke on fried churros or die as a lack of -- starvation**  
17 **due to lack of having fried churros to eat versus people**  
18 **who drown at water parks?**

19 A. Obviously, I don't know how many, and I don't  
20 see the relevance of knowing the comparison.

(Deposition of Pavlova Sheffield).

And that's not surprising given that Ms. Sheffield was also in the kitchen at the time Anthony was drowning serving beverages.

8     **Q (By Mr. MacLeod) My question is very specific.**  
9     **At the time that a young child is drowning at**  
10    **Camp Cohen, you're serving beverages at the concession**  
11    **stand, true?**  
12           MR. GREEN: Objection. Form.  
13    A    At the moment that the accident was happening,  
14    I was inside the kitchen.  
15    **Q (By Mr. MacLeod) Serving beverages, true?**  
16    A    Yes.  
17    **Q And do you feel like you serving beverages at**  
18    **that time was where you needed to be?**  
19           MR. GREEN: Objection. Form.  
20    A    At that point, yes.

(Deposition of Pavlova Sheffield).

Jonathan Orquiz, who was the responding lifeguard, also gave sworn testimony. Mr. Orquiz was 17 years old at the time of Anthony's drowning, and the "soft opening" was his first day to ever work as a lifeguard. Mr. Orquiz, as well as all the other lifeguards, were taught in their training that "if you don't know, go." However, when asked about the first time he saw Anthony, he offered the following testimony:

13    **Q Okay. Well, the first time you saw Anthony,**  
14    **you thought that he was floating in a weird way; am I**  
15    **right?**  
16    A    Yes.  
17    **Q And you had seen many kids in the pool so far**  
18    **that day, correct?**  
19    A    Yes, sir.  
20    **Q You had seen kids floating in the pool, but**  
21    **something about this situation was different. Something**  
22    **about it was weird; is that fair?**  
23    A    Yes.

6 **Q And then when you got over there where the**  
7 **arrow is there by Anthony, the first thing you did is**  
8 **you gave him a thumbs up, right?**  
9 A Yes. Not to -- not to Anthony. There was a  
10 man next to him.  
11 **Q There was a man next to him, and you gave the**  
12 **man the thumbs up?**  
13 A Yes, and, well I did ask him if he was already.  
14 That's what the thumbs up was for.  
15 **Q Okay. And you never -- you never tried to**  
16 **communicate with Anthony; is that right?**  
17 A No, I didn't.  
18 **Q And after you had given the thumbs up, you**  
19 **then -- you kind of walked back towards your chair; is**  
20 **that right?**  
21 A Yes.  
22 **Q And at this point when you're walking back to**  
23 **your chair, you still thought it was kind of weird,**  
24 **right?**  
25 A Yes, I thought so.  
  
1 **Q You really didn't know if he was okay or not;**  
2 **is that fair?**  
3 A Yes, sir.  
4 MR. GREEN: Objection. Form.  
5 **Q (By Mr. Hargis) Was your answer yes?**  
6 A Yes.  
7 **Q Okay. And you were concerned; is that fair?**  
8 A Yes, sir, I was.  
  
6 **Q All right? And Josiah who was the off duty**  
7 **supervisor swam over to you; is that right?**  
8 A I don't know if he swam to me or if he stayed  
9 there. I don't know.  
10 **Q Okay. But he did ask you if you thought that**  
11 **the child, if Anthony was okay. Do you remember that?**  
12 A Yes.  
13 **Q And you told him no; is that right?**  
14 MR. GREEN: Objection. Form.  
15 A Yes.  
16 **Q (By Mr. Hargis) Okay. You didn't say, "I**  
17 **don't know." You said without hesitation, "no, I don't**  
18 **think he's okay," right?**  
19 A Yes.

(Deposition of Jonathan Orquiz).

While she could not give a straight answer on many of the questions she was asked, Ms. Parris Wheeler had no problem acknowledging that Mr. Orquiz should have jumped in the water if he thought something was "weird" about a child in the pool.

18 **Q. So first off, Jonathan Orquiz had to recognize**  
19 **that Anthony was in distress. Correct?**  
20 A. According to his training.  
21 **Q. If Anthony was in the pool and he is in**  
22 **Jonathan's zone and Jonathan looks and says that -- it**  
23 **seems weird.**  
24 MR. GREEN: Objection, form.  
25 **Q. (BY MR. MACLEOD) He needs to jump in the**



1 **water. Correct?**  
2 MR. GREEN: Objection, form.  
3 A. That is what should happen.  
4 **Q. (BY MR. MACLEOD) And we know that that's not**  
5 **actually what happened. True?**  
6 A. I don't know, I wasn't there.

(Deposition of Angelina Parris Wheeler).

Finally, Mr. Orquiz testified about his expectations for his first day as a lifeguard. Of course, he had no idea that literally every supervisor and manager on duty at the time of Anthony's drowning had other priorities than what they were supposed to be doing – supervising.

17 **Q Mr. Orquiz, when you showed up for work that**  
18 **day on May 13th, you never expected that pool to be that**  
19 **crowded and hectic and chaotic, did you?**  
20 A No, sir.  
21 **Q But you did expect that ASM had trained you**  
22 **fully, correct?**  
23 A Yes, sir.  
24 **Q You expected that just like you had done at the**  
25 **trampoline park that you would have supervisors there**  
1 **watching over you, right?**  
2 A I did, yes, sir.  
3 **Q You expected that those supervisors would be**  
4 **there watching over you and that they would have your**  
5 **back; is that fair?**  
6 MR. GREEN: Objection. Form.  
7 A Yes, sir.  
8 **Q (By Mr. Hargis) Is it fair for me to say that**  
9 **you never wanted to be in a place where you're there**  
10 **watching over that hectic, chaotic pool and you don't**  
11 **have any supervisors around you; is that fair?**  
12 MR. GREEN: Objection. Form.  
13 A Yes, yes, sir, that's fair.  
14 **Q (By Mr. Hargis) You never expected that when**  
15 **you're supervising this chaotic and hectic pool that**  
16 **your supervisors would be in the kitchen. You didn't**  
17 **expect that, did you?**  
18 MR. GREEN: Objection. Form.  
19 A Not at all.  
20 **Q (By Mr. Hargis) You didn't expect that once**  
21 **you blew your whistle that no one would be able to hear**  
22 **you. You didn't expect that, did you?**  
23 MR. GREEN: Objection. Form.  
24 A I did not expect that.  
25 **Q (By Mr. Hargis) And that situation that you**

1 were in where you were -- you're supervising that  
2 chaotic and hectic pool, you didn't put yourself in that  
3 situation, correct?  
4 A I'm sorry. Can you repeat the question?  
5 Q Sure. When you were there supervising that  
6 chaotic and hectic pool, that wasn't you that put  
7 yourself in that situation, was it?  
8 A No.  
9 Q You were just doing what you were told, fair?  
10 A Fair.

(Deposition of Jonathan Orquiz).

While unfortunate, it's not surprising that none of this information has ever been acknowledged by now former District Attorney Bill Hicks and is certainly not acknowledged in the indictment. Instead, the indictment claims that Ms. Weaver intentionally or knowingly caused serious injury to Anthony by failing to provide him with a life jacket. However, the indictment is silent on the fact that Ms. Weaver was not allowed to bring in an outside life jacket, that Camp Cohen's policy at the time was "first come, first serve" for life jackets, or that Camp Cohen was short on life jackets at the time of the "soft opening."

14 Lifejackets are in good condition and properly stored at their location.

15 Quantities available to guests: Infant 0 min [8] Child 7 min [16] Youth 27 min [24] Adult 9 min [16]



The indictment is also silent on the fact that the pool where Anthony drowned was zoned for seven lifeguards on the day of the "soft opening." In reality, only six lifeguards were covering the pool that day, and no lifeguard was stationed at the center post on the island, a post that converges with numerous other zones as seen below. Both Ms. Parris Wheeler and Ms. Sheffield agreed that nothing prevented ASM Global from having a lifeguard there on May 13, 2023. They just didn't find it necessary. Other lifeguards that were deposed testified that it was actually a "great idea" to have a lifeguard posted there – common sense dictates that they were correct.

<b>Zone Coverage® Diagram Entire Pool / Attraction</b>		
In addition to specific Zone of Protection® Area Charts, the Zone Coverage® Diagram will show all of the individual Zones of Protection® Areas that make up the complete coverage for a pool/attraction in one illustration. Each staffing level must have a Zone Coverage® Diagram. (NOTE: if printing, please use Legal sized paper or scale page).		
<b>Staffing Level Represented in this Zone Coverage® Diagram</b>	7	
<b>Lifeguard Positions</b>	Mixture of positions - See Zone of Protection Area charts	
<b>Organization</b> El Paso Water Parks		
<b>Facility</b> Camp Cohen Water Park		
<b>Pool / Attraction</b> Rec Pool / Leisure pool		
<b>Required Equipment</b> Whistle, break-away lanyard, heel containment, rescue tube, big easy, sunglasses		

The illustration below depicts all the Zone of Protection® Areas for this pool/attraction for the Lifeguard staffing level specified above

Following Anthony’s drowning on May 13, 2023, Camp Cohen (along with the other three water parks) was closed for two weeks before the grand opening on Memorial Day Weekend. And what would you know – on May 26, 2023, a new Zone Coverage Diagram was generated for Camp Cohen which officially assigned a lifeguard to the center post on the island.

### Zone of Protection® Area

The picture below identifies a Lifeguard Assigned Zone of Protection® area for the specific position/lifeguard station indicated. This Zone of Protection® area was included in the VAT® Zone Validation® System procedure, completed by management of this facility, with a separate document supporting this Zone of Protection® area's validation.

<b>Organization Name</b>	El Paso Water Parks	<b>Updated on:</b>	05/26/2023
<b>Aquatic Facility Name</b>	Camp Cohen Water Park	<b>Name of Zone of Protection® Area</b>	SW7 (Bubble)
<b>Pool / Attraction Name</b>	Shallow Waters / Rec Pool	<b>Required Equipment</b>	Whistle, break-away lanyard, heel containment, rescue tube, big easy
<b>Lifeguard Position</b>	Roving - Deck Level		

The graphic below depicts the Zone of Protection® Area Identified within this document:

On top of that, some very important language was included at the bottom which was clearly added in direct response to ASM Global's failure to prevent Anthony's drowning.

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Below, describe the exact position of the lifeguard, equipment to be used, and allowed behavior, including roving, standing, etc. Also include any information that will be helpful to the lifeguard, including rules to be enforced for this Zone of Protection® area.

This is a roving position in the middle deck section of the rec/leisure pool, which overlaps with all other zones. Lifeguards in this zone will need to pay attention to the play structure slide and children going past the 2' 6" depth marker into lazy river or entering zones SW 3 & SW4. All children 6 years old & under will require a life jacket. Guests are not allowed to horseplay, participate in breath holding games.

The indictment goes on to ridiculously claim that Ms. Weaver intentionally or knowingly caused serious bodily injury to her child by failing to provide CPR or request CPR for Anthony. The indictment fails to acknowledge that ASM Global did not have the proper equipment at Camp Cohen to provide life-saving measures.

6     **Q. Right. The BVM, the mask. Right?**  
7     A. The bag.  
8     **Q. Right. And then there's a mask attached to**  
9     **it. Right?**  
10    A. Yeah.  
11    **Q. Oxygen flows in the bag and it's supposed to**  
12    **go --**  
13         **Right?**  
14    A. Oh, yeah. Yeah.  
15    **Q. Are you with me?**  
16    A. Yeah.  
17    **Q. You were concerned because you heard hissing.**  
18    **Correct?**  
19    A. Yeah.  
20    **Q. Could you describe what that -- what was that**  
21    **hissing like?**  
22    A. It was just hissing.  
23    **Q. Can you tell -- I mean --**  
24    A. Like if you're losing air from your tire. I  
25    don't know.  
1     **Q. Okay. You heard hissing so you told Alyssa to**  
2     **RRR, retilt, reseal and retry. Correct?**  
3     A. Yeah.  
4     **Q. Was this a child-size mask, a youth-size mask?**  
5     A. I don't remember.  
6     **Q. Do you remember whether or not that y'all had**  
7     **a youth-size mask?**  
8     A. No. I don't remember.  
9     **Q. Do you remember if there any issue about there**  
10    **not being any youth-size mask and there were only adult**  
11    **masks?**  
12    A. I don't remember.  
13    **Q. And then you said: After attempting RRR, it**  
14    **was still hissing, but at that point I didn't know why**  
15    **it was hissing so we kept going.**  
16         **Right?**  
17    A. Yeah.  
18    **Q. Were you are concerned about the hissing?**  
19    A. Yeah.  
20    **Q. Can you describe for the jury what your**  
21    **concern was about hearing this hissing noise even after**  
22    **you had done the retilt, reseal and retry?**  
23    A. That air wasn't going inside or much air  
24    wasn't going inside.

(Deposition of Ebenezer Orozco).

The indictment also fails to acknowledge that a medical doctor came over to assist the lifeguards – who clearly didn't know what they were doing – but was prevented from doing so by ASM Global. This begs the question of how Ms. Weaver was going to be permitted to perform CPR when a medical doctor wasn't permitted to perform CPR.

15 **Q. Do you remember a doctor coming and saying**  
16 **that he wanted to aid?**

17 A. I heard someone saying that "I'm a doctor,"  
18 yeah.

19 **Q. And what did you think when you heard that?**

20 A. We're not allowed to let other people  
21 intervene.

22 **Q. And is that an ASM rule?**

23 A. I don't know. Probably.

24 **Q. How did you know that you weren't allowed to**  
25 **let a doctor come and help?**

1 MR. GREEN: Objection, form.

2 A. How did I know?

3 **Q. (BY MR. MACLEOD) Yes.**

4 A. Because I was told.

5 **Q. By who?**

6 A. I don't remember. I was just told.

7 **Q. That day?**

8 A. I don't know. I don't remember.

9 **Q. Do you think it would have been a good idea**  
10 **for a doctor to have been able to help?**

11 MR. GREEN: Objection, form.

12 A. I mean I don't know if he was a doctor to be  
13 honest.

14 **Q. (BY MR. MACLEOD) So you think someone just**  
15 **ran over as a child was drowning and said, "I'm a**  
16 **doctor," and --**

17 MR. GREEN: Objection, form.

18 A. What? What do you mean?

19 **Q. (BY MR. MACLEOD) Does it make sense that**  
20 **someone would run over and say "I'm a doctor. I'm here**  
21 **to help" --**

22 MR. GREEN: Objection, form.

23 **Q. (BY MR. MACLEOD) -- and they're not a doctor?**

24 A. I don't know. It doesn't make sense but...

25 **Q. Right.**

(Deposition of Ebenezer Orozco).

Lastly, the indictment – which claims Ms. Weaver intentionally or knowingly caused serious injury to her child – fails to acknowledge that Ms. Weaver was right there when life-savings measures were being performed screaming and crying for Anthony to pull through.

10 Q. And at one point were you holding Anthony's  
11 mom's hand?  
12 A. Yes.  
13 Q. Do you remember when she was crying, "Papi,  
14 pull through this"?  
15 A. Yes.  
16 Q. Do you remember her screaming?  
17 A. Yes.  
18 Q. Did you believe that that was genuine?  
19 A. Yes.  
20 Q. That it was real?  
21 A. Yes.

(Deposition of Alyssa Kiesel-Fowler).

This could literally go on for pages and pages with all the numerous ways that ASM Global failed Anthony on May 13, 2023 at Camp Cohen, just as it failed the 10 individuals who were killed during the 2021 Astroworld Festival. What's more appalling is that ASM Global doesn't appear to care – the above testimony of ASM Global's management demonstrates that. ASM Global can make as many excuses as it wants, it can play the "blame the mom" game all it wants. But facts are facts, and the truth always comes out.

As officers of the court – even prosecutors – we should always be seeking the truth. Not the partial truth, the whole truth. Only presenting one side of the story – without even requesting the sworn testimony from ASM's employees – in an effort to inflame the passions of the citizens of El Paso is not seeking the truth. The citizens of El Paso deserve to hear the whole truth about what happened to Anthony on May 13, 2023.



Ryan S. MacLeod  
**WEBSTER VICKNAIR MACLEOD**