

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

THE ESTATE OF KATHERINE
SARAH MORRIS &
MARGUERITE R. MORRIS
701 Harvest Run Dr. #104
Odenton, Maryland
Plaintiffs

*
*
*
*
*
*
*

v.

Case No. C-02-CV-18-000655

*
*
*

DR. DAVID R. FOWLER, CHIEF MEDICAL
EXAMINER for the STATE OF MARYLAND
900 West Baltimore Street
Baltimore, Maryland 21223

*
*
*
*
*

STATE OF MARYLAND, OFFICE OF THE
CHIEF MEDICAL EXAMINER

Deliver to: Office of the Attorney General
200 St. Paul Place
Baltimore, MD 21223
Defendants

*
*
*
*
*
*
*

* * * * *

AMENDED COMPLAINT FOR WRIT OF MANDAMUS

Plaintiffs, the Estate of Katherine Sarah Morris, and Marguerite R. Morris, (hereinafter “Morris”) acting *Pro se* and pursuant to Maryland Rule 15-701 files this complaint seeking a Writ of Mandamus to compel the Office of the Chief Medical Examiner for the State of Maryland to change the manner of death for Katherine Sarah Morris from suicide to undetermined. In support of the Complaint for Mandamus, the Plaintiff’s states as follows:

1. The Estate of Katherine Sarah Morris brings a survival action pursuant to Section 7-401 of the Estates and Trusts Article.

2. Marguerite R. Morris is an individual, a person of interest, the mother of the deceased, and is appointed the Administrator of the Estate of Katherine Sarah Morris by the Orphans Court for St. Mary's County Maryland, (*See Exhibit 1*), and is a resident of the State of Maryland.
3. The Defendant, the State of Maryland, Office of the Chief Medical Examiner is a unit of the State Government, that is designated by the Annotated Code of Maryland Health General Title 5 to investigate deaths from injury, homicide, suicide, under unusual or suspicious circumstances, or when a person is not attended by a physician. Accordingly, its findings are reported to meet the requirements of § 5-310.
4. Dr. David R. Fowler, is the Chief Medical Examiner for the State of Maryland, whose agency is a person of interest as defined in § 10- 611(e)(3) of the State Government Article and may be requested to correct findings and conclusions on the cause and manner of death recorded on a certificate of death.

Jurisdiction and Venue

5. This Court has personal jurisdiction over all parties under Md. Code Ann., Cts. & Jud. Proc. § 6-102, by virtue of the fact that all parties live within this State, are organized under the laws of this State, and/or maintain their principal places of business in the State.
6. Venue is proper in this Court pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-201, as the Office of the Chief Medical Examiner (hereinafter OCME) carries on a regular business within Anne Arundel County and the State of Maryland.

Chart of Relevant Individuals or Entities

Date	Individual Name or Entity	Comments
May 2012	Det. Keith Clark	AACPD Initial Investigation
Jun 2012	Det. Vince Carbonaro	AACPD Re-investigation
Jun 2012	County Exec John Leopold	In office at time of incident. Later charged with corruption
Jun 2012	Chief James Teare	Former AACPD Chief who resigned in lieu of criminal charges
May 2012	Officer Chief Gary Lyles	Public Safety Officer AAC Community College
May 2012	Officer Stephen Howard	Mall Security Guard who discovered Kathy's body
2011	Sgt Isaac J. Goodwin	U.S. soldier married to Kathy
2009 to 2013	King, alias Kristine, Kristina, & Feb King	Female soldier in relationship with Goodwin
Mar 2012	Damaris Brown, friend of King, using alias' Damaris Carabello, & 007	Friend of Latoya King, Has degree in Forensics.
May 2012	Dr. Patricia Aronica	M.E. for the State of Maryland
2013	Officer John Poole	AACPD
2013/2014	Chief Kevin Davis	AACPD
Aug 2013	Leslie Kim	Fight Fraud America & P. I.
2014	Chief Timothy Altomare	AACPD
	Katherine Sarah Morris (Kathy)	Victim
Aug 2011	Michele Harper	Roommate of Kathy
May 2012	Sgt. Keith Price	AACPD
2012	Sherriff Jim Davis, (retired)	Private Investigator
2014	County Exec. Steve Schuh	Current County Executive
2012	Capt. Norm Mulligan	AACPD
2012	Congressman Steny Hoyer	Issued Congressional Inquiry
2013	Chief W. Tolliver	AACPD
May 2012	Michael Maresca	Dir of Security, Valor Corp.
May 2012	Melissa Beardsmore	Pres. AAC Comm. College
2013	Rev. Stephen Tillett	AAC NAACP Pres.

INTRODUCTION

7. On Saturday, May 6, 2012 at approximately 6:00 p.m., Katherine Sarah Morris (hereafter Kathy) a resident and college senior at the University of Maryland, College Park, died of carbon monoxide poisoning from charcoal grills lit in that vehicle.
8. Documents show that at the crime scene police queried charcoal grills as a method of death and the query came back a form of suicide. This appeared to prompt a suicide ruling within 48 hours of the body being discovered without the following reasonable investigative procedures;
 - a. interviewing a single witness or relative;
 - b. analyzing DNA collected at the death scene until the year 2015;
 - c. any analysis of Kathy's GPS records or other electronic media.
9. The Plaintiff queried charcoal grills as a method of death and it returned several stories of charcoal grills used as a weapon for murder disguised as suicides. These stories were at the top of the Google query list and had surfaced on the internet April 12, 2012, just 23 days before Kathy dies. That method of murder mirrored Kathy's death almost point by point. (See page 31 and Exhibit 24 pages 62-65).
10. The Plaintiff and others supporting her, (see Exhibit 3), believe that the AACPD erred on many facets, mishandling the death investigation and at that time of that death investigation, they were embroiled in a major corruption scandal.

11. These errors included but were not limited to:
- a. first on the scene security officer errors of disturbing the crime scene by searching the trunk of Kathy's car while she lay deceased across the front seat, removing keys from the ignition – but denying it, taking photos – which supervisors say don't exist, opening all four doors of the car – searching the car, before dialing 911. (*See Exhibit 132, Stephen Howard Deposition*);
 - b. missing and/or altered surveillance tape footage which AACPD officer's will falsely claim for 5 ½ years was missing footage because it was motion sensitive, (*see Exhibit 36, 75 and 77*);
 - c. Failing to review any inside mall security camera's when GPS settings show Kathy's phone connecting to Wi-Fi settings inside mall stores (*see exhibit 84A-84C*);
 - d. AACPD providing the family with a PDF file of GPS locations that records would be deleted from:
 - i. The record log discrepancies, challenging the physical location of Kathy's cell phone came to light after a professional forensic extraction expert, engaged by the plaintiff, showed deleted records that were missing from the AACPD PDF version. That company instructed the Plaintiff to request the raw data files which AACPD failed to do. (*See Exhibit 78*)
 - ii. Because the AACPD have failed to produce the files via a MPIA

request, in 2018 the Plaintiff filed suit. See Case # C-02CV-18000092 enclosed as Exhibit 100. The AACPD now claim the files were lost in a computer hard drive crash; (*See Exhibits 100 and 134*)

- e. tainting the chain of custody on key items as in releasing Kathy's car and her electronics to the family on May 8, 2012 and then requesting they be returned for analysis on May 10, 2012, and verifying chain of custody on another evidentiary item as an afterthought (*See Exhibit 96 and 97*);
- f. false and misleading DNA reporting, where AACPD state they knew there would be a problem with the DNA before it is tested, (*See Exhibit 48*) do not inform the public or family of multiple persons DNA hits, (*See Exhibit 49*) on key evidentiary item;
- g. failing to analyze and review occurrences in a critical twelve-minute time period on May 5, 2012 from 9:38 pm to 9:51 pm where the AACPD's own report states that someone is seen standing beside Kathy's car, (*See Exhibit 55*), while her brake lights are on, at that exact moment a vehicle of interest is seen pulling away from her car, (*See Exhibit 111 and on Exhibit 132 Evening of May 5th surveillance clip*), the last posted message comes out of her phone;
- h. After an extensive MPIA request, failing to produce a single page of internal communications from the year 2012 (in which Kathy died in), claiming all documents were destroyed except those classified as attorney

client privileged and confidential, even though no one was charged and then were previously deemed releasable. Plaintiff initiated legal proceeding through Case # C-02CV-18000096 enclosed as *Exhibit 101*;

- i. and the selective reporting of information to other agencies including the OCME for the State of Maryland and the States Attorney's Office. This included suppressing information about phone calls made to and from Kathy just days before her death, by stating two calls she made, leaving out three calls made to her, before she returns the callers call (*See Exhibits 57, 58 and 59*). The misreporting or manipulative reporting about Kathy's credit card purchases in the days prior to her death by stating no transactions, when there were dozens, (*see Exhibits 39, 40 and 42A – 45*).

12. Concerns over these errors prompted the Plaintiff to seek Congressional assistance and in the same time period in which the AACPD were embroiled in the corruption scandal, a Congressional Inquiry from Congressman Steny Hoyer was sent to the then AACPD Chief James Teare and failed to receive an appropriate response.

13. To cover these errors, documents received via a Maryland Public Information Act (MPIA) request for internal communications, reflect that someone in authority gave a direct order affecting the handling of the investigation. (*See Exhibit 28*)

14. The Plaintiffs charge that the AACPD in its abuse of power deliberately manipulated systems to cover a series of errors and other corrupt internal

activity. Thereby depriving Kathy of her fundamental civil rights and have therefore impeded a clear and proper death investigation.

15. As a result of this abuse of power, several officers of the AACPD have been found to have deliberately manipulated evidence, and/or misreported the facts surrounding the death investigation of this African American woman.
16. As a result, the OCME and other agencies have operated on an assumption of credibility, based on status. Such an assumption has repeatedly proven prejudicial and harmful to the general public.
17. The Plaintiffs and the Defendant agree that Kathy died from carbon monoxide toxicity. But what is still in dispute is who caused that poisoning and was this a suicide or murder.
18. As a result, there is a plethora of unanswered questions concerning how the carbon monoxide was introduced into Kathy's system.
19. Therefore, the Plaintiff challenges the suicide ruling in the death of Kathy and charge that the OCME failed to fully and independently evaluate the circumstances of this case, failed the public, and fell short of their responsibility to fulfill the fair and impartial responsibilities of their office.
20. This repeated placing of status as a means of credibility failed to allow the presentation/or review of the facts in this pleading and therefore should be ordered to amend their initial suicide ruling to that of undetermined.

SUMMARY BACKGROUND

21. At the age of 21 Kathy met Army Specialist Isaac Goodwin, (*hereafter Goodwin*), (then stationed at Fort Belvoir, Virginia) at a club in early 2011 and entered into a relationship that was built around social media, texts, tweets and phone calls.
22. Goodwin met Kathy's parents on the weekend of August 3, 2011. Although she did not share this with her family, this was the same weekend that Goodwin was able to convince her to keep this secret from her family.
23. Text messages show that the escalation of emotional abuse started almost immediately, and Goodwin ignored his new bride, rarely visiting her at her college apartment. Text also show that Kathy questioned this abrupt change and she stated that she felt she had been ordered by Goodwin, to marry him.
24. A clear pattern of text messages and emails show that Goodwin was emotionally abusive.
25. Documents show that the soldier started collecting military benefits immediately while the young college student continued financially struggling to maintain her on campus apartment. The soldier, obtained no ID card for her, never signed her up for any military benefits and even claimed an address that he could produce a lease with his name on it.
26. Kathy was the victim of marriage fraud by Goodwin, who married Kathy for the sole purpose of obtaining a housing allowance to replace money he had lost the previous month as a result of an Article 15 for misappropriation of

government funds. The financial benefit sought by Goodwin was called “Basic Allowance for Housing” (*hereafter called BAH*) that soldiers become eligible for after marriage or when they have other dependents. It is often times the subject of fraud.

27. This benefit intended for housing the spouse was pocketed by Goodwin until he was forced by the military to start forwarding the money to support Kathy as his spouse. Text messages show that after being ordered to support his spouse, Goodwin continued his campaign of mental and verbal abuse of Kathy.
28. Kathy received only three partial payments of BAH, the largest of which was received four days before Kathy’s death. In addition, by the act of the marriage itself Goodwin became the benefactor of a \$100,000 life insurance policy with no suicide clause that would have prevented him from collecting on it.
29. The tragic set of events culminated with the Plaintiff sending the following message. “Major Wang, sorry, but my daughter is now dead and we are planning her funeral. We just found out today that this soldier has \$100,000 life insurance policy on her and has not in any way shape or form contacted us. He's known for days of her death which is under suspicious circumstances. She threatened to go to the IG office and now somehow, she's dead.” (*see Exhibits 4 and 5*)
30. As a result of Kathy’s death, this of itself should have raised a red flag regarding motive and criminal intent.
31. Post death review of Kathy’s electronic communications revealed that two

female persons initiate contact to Kathy on May 2, 2012 at 2:07 p.m. via email and Facebook. May 2, 2012, Kathy received several phone calls and/or emails (*see exhibits 57, 58 and 65*) from Goodwin's now known to be mistress Sgt. Latoya King, also using the alias Kristina, (*both hereinafter called King*) and an associate Damaris Brown, (*hereinafter called Brown*).

32. Brown stated in legal documents and AACPD police report that King used her phone, used her email address and posted on her social media accounts. (*See Exhibit 74*)
33. Using alias' King allegedly using Browns accounts sent Kathy six email messages and one of them then makes three phone calls to Kathy's phone. This went on from 2:07 pm in the afternoon until Kathy returned the call at 5:27 pm. This contact by King and Brown started at 2:07 pm in the afternoon and stretched over a 3 1/2-hour time span from the Fort Belvoir installation.
34. In these May 2, 2012 communications, King admits in writing to the adultery, with adultery being a punishable crime in the military.
35. Kathy's own investigative records show that she discovered evidence of the BAH fraud and adultery on March 9, 2012, (*See Exhibits 69, 70, and 125*), at which time she collected and saved this evidence along with screen shots from her husband Goodwin's Facebook page calling the file "What I found today" (*See Exhibit 94*), and saved multiple copies of the information, in multiple files on her computer.
36. Electronic communications further show that twenty-four hours prior to her

death, Kathy emailed Goodwin, King, (alias Kristina), and Brown copies of the proof of the adultery and BAH fraud. (*See Exhibit 94*).

37. Kathy threatened to report the adultery and fraud to the Inspector General's office the week of May 7, 2012. (*See Exhibits 4, 5 and 68*) Within hours of sending evidence of the fraud to these individuals with a threat to go to authorities, Kathy was dead.

38. Kathy died under controversial circumstance one day before her threat was to be acted upon. AACPD never investigated this possible motive for murder, as Kathy's threat could have ended three military careers, nor do they make a single mention of it in any written reports to others. Therefore, the OCME could not take this evidence into consideration when making its suicide determination.

39. King was ordered by the military to have no contact with Sgt.

Goodwin. (*See Exhibit 119*)

a. Records now show that King defied that direct order from her Commander over sixty times in the thirty days following Kathy's death. (*See Exhibit 119*)

40. Brown and her husband Jerome Brown have stated that King came to their home on Saturday, May 5, 2012, (the day before Kathy's body was found), during a birthday party, and tearfully told her that Kathy was deceased. They further stated that King then left her children at the Browns home. (*See Exhibit 130*).

41. Kathy's body is not found by authorities until the morning of May 6, 2012.
42. AACPD never attempt to confirm whether or not King had an alibi for the time period the OCME identified as the time of death.
43. Goodwin did not attend his wife's funeral, never informed the family of the \$100,000 in life insurance, and the parents had to solicit the community for the funds to bury their child.
44. Subsequent communications show the military waiting on the Anne AACPD's directive and records show that the AACPD tell the military no action or assistance was needed.
45. After a year of pursuing answers from the military, in a requested conference call with Pentagon officials, the parents are informed that the spouse Goodwin was no longer in the military and had received a *General Discharge*. To receive a General Discharge from the military the soldier had received a nonjudicial punishment to correct unacceptable military behavior.
46. Since her death it has been determined that she was a victim of Basic Allowance for Housing¹ (BAH) Fraud and that in a Reported Opinion, Morris v Goodwin, 230 Md. App. 395, 2016-10-26, her marriage to Goodwin, should she have lived, may have been voidable based on that fraud.

FACTS

47. May 6, 2012, a partial autopsy is performed by Dr. Patricia Aronica, M.E. for

¹ Basic Allowance for Housing is a military financial benefit that is increased for persons that are married and amounts can vary depending upon the geographical location of the soldier.

the OCME. The “mode” of death is ruled carbon monoxide poisoning. Her date of injury is listed as “FOUND May 6, 2012. Time of Injury is “Found 05:30 hrs.”. (*See Exhibit 2*)

48. The “means” of her death is ruled suicide by the OCME and the Anne Arundel County Police (AACPD).

49. Maryland Public Information Act responsive documents revealed that Kathy’s death was ruled a suicide by the AACPD even though AACPD had:

- a. Not interviewed a single witness;
- b. Not tested any DNA. An internal communication released via a MPIA request dated April 27, 2015 reads “In regards to this investigation, as the evidence is processed lets go ahead and have all DNA evidence tested. This will make us transparent in our attempts to pursue any and all evidence in this investigation. This may open up questions from the family as to the results but not doing so will definitely open up questions.”;

(*See Exhibit 48*)

- c. Not tested fingerprints. While fingerprints are allegedly taken of the interior of the car and not the exterior, they will not be tested until 2013 with police reports stating, “no prints” not even Kathy’s were found. (*See Exhibits 45 & 46 and 47*);
- d. Not definitively confirmed that a AACPD officer actually viewed the May 6, 2012 missing video surveillance tape. They instead will falsely claim the cameras did not record any May 6, 2012 footage from four different

cameras;

- e. Not made a master copy of available surveillance video, as an investigative precaution, because the original footage would allegedly be destroyed.

The missing video will later elicit conflicting statements from agency representatives including a 27-year veteran of the AACPD with a background in special investigations;

- f. Not forensically examined Kathy's electronics;

- g. Not called a Fire Marshall or Fire Investigator to physically examine Kathy's vehicle when:

- i. two burning grills are reported with carpet burn marks for only one;

- ii. Kathy had burns to her body;

- iii. Kathy had soot in her nostrils;

- iv. and there were allegedly, no other interior burn damage to the vehicle from the initial flame-up that should have resulted from the lighting of the grills.

- h. Not found any proof that Kathy had purchased the grills or any of the items used to harm herself;

- i. Not alibied any potential persons of interest with motive to harm Kathy.

50. The manner of death listed on death certificate number 1030271 completed on May 6, 2012, and signed by Dr. Patricia Aronica, MD states suicide. The description listed in box 28(d) on the certificate is "Subject exposed self to

charcoal grill fumes.” (*See Exhibit 2*)

51. In 2013 the Plaintiff has several conversations with Dr. Aronica in reference to the oddities of the case and raised the following concerns:

- a. Kathy’s left ear is disfigured from fire which does not align with the reported position of Kathy’s body, and she had an 11 inch burn mark to her back;
 - i. In as such, on July 29, 2013 when asked about the position of Kathy’s body and the burn marks Dr. Aronica stated a “full internal exam was not done” and no trauma was found to Kathy’s head. (*See Exhibit 6*)
- b. Kathy had allegedly consumed eight sleeping pills out of a bottle of thirty-two pills.
 - i. In as such on August 2, 2013, Dr. Aronica is asked if the level of the diphenhydramine in Kathy’s system was consistent with having consumed eight pills. Dr. Aronica gave general toxicity level comments.
- c. Kathy’s time of death was within a twenty-four-hour window. Dr. Aronica was asked why there was no liver test performed to further define the time of death.
 - i. On August 2, 2013, Dr. Aronica’s comments were that the liver test was not a proven scientific method and “was not required by the State of Maryland”;

- d. In October of 2013, Plaintiff requested a review of all records to include pictures and was advised of the necessity to subpoena those records. Dr. Aronica stated that a subpoena “would not suffice for release to a private citizen” but to email the subpoena to Bruce Goldberg at subpoena@ocme.org.
52. On October 10, 2013, the Circuit Court of Maryland issued a subpoena (*See Exhibit 8*), to Dr. Patricia Aronica the Medical Examiner for the State of Maryland and was served accordingly. On October 15, 2013 the OCME said the subpoena was lost and or never received. The M.E. office did not appear for deposition.
53. November 14, 2013 the Circuit of Maryland reissued the subpoena, conversations were held about the subpoena with the attorney for the OCME. The subpoena was received and signed for on Nov 16, 2013. (*See Exhibits 9 & 10*)
54. Depositions were held December 20, 2013 in which Dr. Aronica failed to appear. During a subsequent conversation Dr. Aronica told the Plaintiff that she “is paid for her court appearances.”
55. Significant time was lost in this case because in or around September of 2013 the AACPD under Police Chief Kevin Davis had appointed a Homicide Panel comprised of retired homicide professionals to review several cases of which Kathy’s death case was one of those cases.
56. For more than a six-month period of time the Plaintiff awaited the panels

review and response. MPIA responsive documents later revealed and confirmed that:

- a. This panel asked for three pieces of information from the AACPD; (*See Exhibit 36*)
- b. What they are only given for review was information that supported the suicide and any other facts, that may have raised the possibility of any other outcomes was deliberately and maliciously omitted;
- c. The AACPD claim the panel concurred with suicide finding. This cost the Plaintiff six months of appeal time and loss to other legal time statutes.

57. Significant time is again lost in 2015 because in or around January 2015 the AAC County Executive and AACPD representatives, along with others agreed to meet with the Plaintiff, family members, a representative of Fight Fraud America, and the NAACP. This meeting that finally occurred in February 2015 was to discuss the major growing inconsistencies around the death investigation:

- a. The County group refused to allow news reporters to sit in on the meeting.
- b. The County group did not provide for the recording of minutes.
- c. The Plaintiff, in anticipating this, had hired a stenographer to record and retain those minutes.
- d. Following the meeting, in March of 2015, in a good faith effort, the Plaintiff delivered boxes of documents containing evidence of inconsistencies to the AACPD for their follow-up. No response was received.

- e. In July of 2015, the Plaintiff made an email inquiry about the status of the review.
 - f. The AACPD failed to give an authentic explanation of the inconsistencies and in one instance, cited that the grills would not have initially flamed up because of the lack of oxygen in the car.
 - g. This cost to the Plaintiff was another six months of appeal time and a growing loss to other legal time statutes. (*See Exhibit 23*)
58. August 26, 2015 an inquiry was sent about the appeal process to Dr. Fowler because information previously received, was not accurate.
59. The Plaintiffs second inquiry was forwarded to the Attorney General's office by the OCME, with no response received.
60. September 4, 2015, a letter of appeal was sent to Van T. Mitchell, Dept. of Health & Mental Hygiene via Dionne Washington, Executive Assistant with no response received. (*See Exhibit 12*)
61. A review of the pattern of communications out of the OCME's office show that Dr. Fowler may never have personally reviewed any of the information submitted to his office, but instead failed the Plaintiff and citizens of the State of Maryland, by allowing a subordinate to repeatedly copy and paste information (*See Exhibits 11, and 14*), for which they had colluded with the AACPD in preparing. (*See Exhibits 13 and 17*). To support this theory:
- a. Records show the denial letter was submitted in draft form twice to the AACPD before being copied and pasted on OCME letter head. (*See*

Exhibits 13, 14, and 15)

- b. The letter callously reported false DNA findings to the family and the public. *(See Exhibit 15)*
- c. The letter was unprofessional in nature, contained personal conjecture and false statements unbecoming the office from whom it was issued. *(See Exhibit 15)*

62. Released MPIA responsive internal documents support a planned response devoid of being an independent opinion of the OCME's office:

- a. Prior to a meeting with NAACP's Anne Arundel County President Rev. Stephen Tillett who was looking into the concerns of the Morris family, MPIA responsive documents detail an email exchange between an AACPD officer and the OCME, the officer writes "I plan on giving you a call on Monday to touch base and make sure we're on the same page." *(See Exhibit 17)*

63. The OCME did not approach the case with an open mind, but instead with a form of what is known as "Confirmation bias" which is "when people observe more, give extra emphasis to, or intentionally look for evidence that would validate their existing beliefs and expectations and are likely to excuse or completely ignore evidence which could reject their beliefs. As such, it can be seen as a type of bias in gathering and analyzing evidence."² therefore prejudicing the outcomes: *(See Exhibit 18 and 93)*

² Publilius Syrus 1

- a. In AACPD Supplement NO. 0009 page 2 paragraph 3 and 5. Paragraph 3 references Dr. Aronica making a pre-autopsy statement chastising officers for considering any other possibilities, i.e questioning why the AACPD had bagged Kathy's hands, "because she had seen this type of suicide before". (*See Exhibit 18*)
 - b. Page 1 of the autopsy report reads that only a partial autopsy is performed.
 - c. The police report shows that the OCME called it a suicide before the examination (*See Exhibits 18 and 93*) and signed the death certificate "Suicide" less than 24 hours into the investigation. (*See Exhibits 2, 21, and 22*)
 - d. In addition, in paragraph 5 it is reported that victim had a carbon monoxide level of over 60 % with no other injuries which is false.
64. Because of the prejudgment error the OCME failed to follow industry standards of operation by:
- a. Omitting the potential significance of Kathy's bladder being empty with no sign or evidence that she had voided while in a vehicle for almost eleven hours;
 - i. When Plaintiff's raised this question to the OCME prior to July of 2013, Dr. Aronica stated Kathy had not voided on herself;
 - ii. When this same question was posed again in a 2015 meeting, Dr. Aronica stated Kathy must have urinated on herself, forgetting her previous commit that there was no physical

evidence in/or around the car, or on clothing supporting this new claim.

- b. Negating the importance of narrowing the twenty-four-hour window for the time of death, when a simple test requiring a temperature reading from the liver to achieve a realistic core body temperature, would have yielded better results;
 - i. The time of death on the death certificate states “found 5:30 a.m.”

65. May 26, 2015 an email is sent to the OCME with a copy of letter that was previously sent to the NAACP attached. The email requested to start the process of having the manner of death changed to “undetermined” and to consider the possibility of exhuming the body. (*See Exhibit 19*)

66. June 11, 2015 letter of denial is received from David Fowler OCME and references their June 4, 2015 meeting with the AACPD. It states that “Upon my detailed review of the case file, investigative information, police investigation and the information you provided, I agree with the initial classification of suicide and find no evidence to support changing the manner of death.” And makes the referral for appealing the denial to the Secretary of Health and Mental Hygiene. (*See Exhibit 20*)

67. Aug 7, 2015 the AACPD and OCME meet with the NAACP and the Plaintiff is not present.

68. In the August 25, 2015 letter, there exists the appearance of collusion between Officer John Poole of the AACPD and OCME, Dr. Aronica with whom records show repeated discussions in email exchanges including the co-authoring of the August 25, 2015 letter which claimed to be “..the Medical Examiner's Office has done an extensive independent investigation”. For reasons unknown:

- a. Dr. Aronica contacted the Maryland State Police to ask them to analyze phone records which she states, “they were not eager to do” and they would need to get approval from their legal counsel. This clearly should have been a function of the AACPD.
- b. Dr. Aronica solicits the IT guy in her own office (who happens to have a background in communications) to review phone extractions and then later refers to him as a cell tower expert. This clearly should have been a function of the AACPD and:
 - i. For proper assessment a cell tower expert would be needed;
 - ii. Actual phone records from the phone carrier would be needed;
 - iii. The raw data files used to create the PDF file may have been needed. (*See Exhibit 86*)
- c. She is party to a draft of a letter that again, claimed to be written independently by the OCME:
 - i. In an MPIA responsive document she sends the letter in draft to Poole on Aug 11, 2015, stating “Here is the draft of our letter to

Ms. Morris”. The email is titled “Second Morris Letter Draft”.

(See Exhibit 13)

d. In an effort to only support the possibility of suicide finding in the death of Kathy, the OCME searched 2012 court documents and then selectively reports statements from it.

e. MPIA responsive documents show most documents that were altered, and/or the facts misreported repeatedly involved an Officer John Poole.

69. The Plaintiff participated in a meeting at the OCME in Baltimore. Prior to that meeting, and as previously mentioned, she had reached out to the NAACP by letter and listing a number of concerns. This letter was copied to the OCME.

70. The following is the response issued by the OCME Officer David Fowler, that is a manipulation of verifiable facts to include the referenced statistics to deliberately support the OCME’s suicide ruling while disregarding any conflicting data.

August 25, 2015 OCME Denial Letter in Its Entirety and the Plaintiff’s Response

Please note: ***Bolded italic writing is the Plaintiff’s comments to those of Dr. Fowler’s.***

Start of exact wording

71. “This letter is in reference to our meeting on July 6, 2015 held at the OCME with you, your sister (Juanita Myrick), Ms. Leslie Kim, Reverend Stephen Tillet, Dr. Fowler, Attorney Erin Purdy for the Attorney General's Office and myself in attendance. We have reviewed the material you have provided and

done extensive investigation into your concerns about your daughter's, Katherine Morris's, death.”

72. Your concerns were numerous. Therefore, this letter will outline each of the points as you listed them in your original letter to Rev. Tillet that was attached to your first correspondence with us dated May 26, 2015 by email. First we will list some facts that were determined during this investigation.”

73. On 12/21/2011 Katherine was brought by the police to Washington Adventist Hospital for cutting out the screen to her third-floor window dwelling so that she could jump. The medical records from this admission were reviewed.”

a. The Plaintiff contacted emergency personnel to do a wellness check on her daughter because she panicked when her daughter notified her of having felt suicidal the day before and had not actually attempted to jump out of a window.

74. “Information gained from this review includes that Katherine had emailed her mother a suicide note and a note of emergency contacts was at the scene.”

a. False, Kathy did not email her mother a suicide note.

b. Univ. of Maryland campus police report makes no mention of a list of emergency contacts, such a list was not at the scene, nor has one been found in extracted data records. (See Exhibit 76)

75. “She was given a primary diagnosis of Major Depression and secondary diagnosis of Suicide with plan. She was given a high risk suicide score that day

and admitted to the psychiatric unit. Medical records state that Katherine had admitted to another suicide attempt in high school by overdose. Her alcohol screen and drug screen for drugs of abuse were negative. The discharge date was listed as 12/28/2011 which indicated a week long in-patient stay.”

- a. *Because person have shown depression, had thoughts of, or even attempted suicide does not make them immune to homicide as in someone with motive staging a scene to resemble suicide.*
- b. *This does not definitively mean that Kathy took her own life.*
- c. *It does show that she, Kathy, was addressing her mental health challenges.*
- d. *Most medical facilities as a part of standard operating procedures require a week long in-patient stay in cases such as this.*

76. “Court documents in the ESTATE of Katherine Sarah MORRIS v. Isaac Jerome GOODWIN, Latoya KING, Damaris Rosa BROWN ,and Silver GOODWIN were filed. Directly quoting from the documents, it is clearly stated "Plaintiff alleges that this email exchange and phone call "placed by Defendant King and Defendant Brown pushed the already fragile Katherine ... into taking her life [approximately] 72 hours later." (Id. i 110). On May 5, 2012, Katherine Morris committed suicide by carbon monoxide poisoning. (Id. ,i 10)." There was no question of homicide or overt foul play in these documents.”

- a. *The OCME took the time to search out a 2-year-old court pleading by the Plaintiff to prove a claim of suicide.*

- b. The family/plaintiff has been led down many alleys by the misreporting of facts to them by the AACPD, thus the statements in that pleading were made before many of the facts presented in this pleading were known.*
- c. This pleading is following five years of investigative services by experts from around the country, several of whom have more than 40 years in the field;*
- d. The OCME's statement of "There was no question of homicide or overt foul play in these documents" is an outright false statement. The referenced case was charging persons of interest with plotting/contributing to the death of Kathy but was withdrawn because it was not actionable under the suicide ruling in the State of Maryland.*

77. "On August 4, 2015, a meeting was conducted with Reverend Tillet in attendance at AACPD Headquarters in Millersville. All of the information described below was discussed with him at this meeting. Including, DNA testing that was performed on the lighter and the grills by AACPD. Katherine's DNA was found on one of the grill's outer packaging and on the lighter."

- a. False. DNA reports received from the MPIA show a different outcome to the DNA. (See Exhibit 50)*
- b. Kathy's DNA is not found on the outer grill packaging;*
- c. There are two different sets of DNA on the lighter and this was never reported to the family or the public.*

- d. The interior door panel has two different sets of DNA, neither of which were contributed to Kathy, and this was never reported to the family or the public.*
- e. There is no record of spoilt DNA.*
- f. MPIA responsive records released by the AACPD show that they knew there would be a problem with the DNA before it was tested. (See Exhibit 48)*

78. “On August 7, 2015, Dr. Aronica discussed the findings of her research (to be discussed in more detail below) with a Fire Investigator with Baltimore County. In her research none of the 13 vehicles which had grills lit inside them, showed any fire damage. He stated that this would be expected as the heat being produced by the grills would not be high enough to reach ignition temperatures or even melting temperatures of the materials of the interior of the motor vehicle.”

- a. False and misleading. Research shows that in several cases where grills were found in the vehicle they had been lit outside of the vehicle and then after the flame is down, moved inside of the vehicle;*

79. “Point 1 in the letter to Reverend Tillet concerns the insurance policy by the husband. It is our understanding that this was the standard baseline military spouse policy. The no suicide clause was routine and the amount of \$100,000 was the baseline amount which could have been increased.”

- a. *It is a known and established fact that Kathy was the victim of a military scam for money and that hours before her death she had threatened to go to the authorities with the details.*
- b. *Jennifer Norris of “Military Justice For All” reports that “Life Insurance Fraud is a Common Motive for Murder in the Military”. She emphasizes the fact that military men and women are at risk of becoming victims of murder by their abusive, manipulative spouses, or those who benefit from the large financial payout that comes with the death of a service member.*

80. “Point 2 concerns adulterous relationships between Katherine's husband and Katherine's threat to go public with this on May 4, 2011. It is not contested that the husband was lying to many women and carrying on multiple simultaneous relationships. The numerous texts to her husband on May 4, 2011 stated "look u need2 answer ur phone or respond to my txt messgae or I will go to ig&ur chain of command &trust me I have proof... And continued with "I am not tryna to get you in trouble I really just want to move on with my life & forget I ever met u". It can be interpreted that she just wanted him to answer her texts or phone calls.”

- a. *Plaintiff states that it is not the job of the OCME to make a personal interpretation in the matter presented above, as there could be several different conclusions drawn from these communications.*

81. “Point 3 and Point 4 are statements.

82. Point 5 concerns the disruption of the scene by a mall security officer. What did or did not happen by the security officer has been addressed in deposition. If the security officer did indeed "disturb the scene", it remains unclear how this impacted the investigation. In addition, the officer had to check to see if Katherine was alive first and foremost. If life saving techniques needed to be started, they would be done so in a timely manner."

- a. *The OCME own autopsy report states that no signs of medical intervention were noted.*
- b. *In depositions done by the Plaintiff, the security guard, Stephen Howard, acknowledged:*
 - i. *Having touched both doors and searched the trunk on the vehicle;*
 - ii. *Removed the keys from the ignition of the car, but he states he did not remove the keys;*
- c. *The responding security guard took several photos of Kathy. His employer claims there were no photo's; (See Exhibit 52 & Exhibit 24 page 30)*
- d. *Photos taken before emergency personnel arrive show Kathy's keys lying beside her body;*
- e. *In his deposition he even disagrees with the police reporting of suicide;*
- f. *There is no report of spoilt evidence by the AACPD.*

Note: Missing video footage would have shown what time the officer arrived, any delays there might have been in him calling 911, as the Plaintiff claims there were.

83. “Point 6 concerns AACPD Googling the method of death. Despite the validity of this claim, suicide by charcoal grill in Maryland represents 10% of the non-fire related carbon monoxide deaths in the past 10 years. Drs. Aronica and Fowler have reviewed the last 10 years of cases in Maryland and found 204 cases of non-fire related carbon-monoxide deaths. Of these, 20 involved charcoal grills and 13 of these were in motor vehicles. None of the cases were classified as Homicide. Foul play was not involved in any of the cases reviewed.”

a. Irrelevant as the lack of a prior classification does not nullify the possible outcomes in this case.

84. “As for the case of Kanae Kijima, this case represents that of a "black widow" type case. She had very close contact with all of the men she killed and there was already an established trust between them. The case of Katherine Morris and that of Kanae Kijima do not represent similar type cases.”

a. False and personal conjecture. Kanae Kijimi was suspected of murdering several persons she met on dating sites. How does Dr. Fowler make such an assumption from a news article as to there being an “established trust between them”? (See Exhibit 136)

b. Dr Fowler makes a seriously misleading statement about the lack of similarities in the cases when:

- i. Both persons were killed with carbon monoxide from charcoal grills;*
- ii. Both were sedated with sleeping pills;*
- iii. Both were ruled suicides;*
- iv. Both were possibly murders disguised as suicides;*
- v. In both police had made certain assumptions. (See Exhibit 24 page 62)*

A Chart of Quotes From Articles About the Kanae Kijimi Carbon Monoxide Murders An Internet Story on April 12, 2012
<p>Dubbed the 'Black Widow Case,' Kijima allegedly killed the men for financial gain. ..., the defendant fed them sleeping pills and burned briquettes until they died of carbon monoxide poisoning.</p>
<p>..Terada and Ando, were found dead at their homes in Tokyo's Chiba prefecture, while Oide's body was discovered in a rented car in Saitama Prefecture.</p> <p>All three men it was determined, had died as a result of carbon monoxide poisoning, and two of them were found to have traces of sleep-inducing drugs in their bodies. Japanese prosecutors said "these factors" alone, were "sufficient proof of her guilt." http://www.digitaljournal.com/article/322922#ixzz54yqJPH6k</p>
<p>"The indictment said Kijima used the briquettes and stoves to disguise the slayings as suicides." <i>JapanTimes.co.jp April 14, 2012</i></p>
<p>"Prosecutors pointed out that a component of sleeping pills detected in Oide's body was also found on a mortar and pestle police seized from Kijima's house after Oide's death...During its questioning, the defense also touched on the way Kijima took medicine, stating she took sleeping pills after grinding them with the mortar and pestle. <i>The Yomiuri Shimbun</i></p> <p>"The body of Yoshiyuki Oide, a 41-year-old company employee from Tokyo's Chiyoda Ward, and a charcoal burner, a common tool used for committing suicide, was discovered inside a rented car in Fujimi, Saitama Prefecture on August 6. ... An autopsy revealed that he had died of carbon-monoxide poisoning and that his body contained the remains of sleeping pills. Kijima was seen with him the day before his corpse was located.</p>
<p>Kenzo Ando, an 80-year-old invalid from Noda, Chiba Prefecture, died on May 15 in a house fire. Kijima had withdrawn money from his account and served as his nurse. She was seen at the residence the day before the incident. A charcoal stove was found at the scene and Ando's system as well contained a sedative." By Kenji Nakano</p>

85. “Point 7 concerns statements that were made concerning suicide before processing the body. Scene photo examination showed no trauma to the body except for postmortem burns and with the history of depression and prior suicide attempt, initial evaluation is consistent with a suicide. The body was examined at the OCME and showed absolutely no signs of antemortem trauma. Dr. Aronica conducted the examination herself and examined the brain to ensure that no underlying injury to the scalp, skull or brain was noted. They were not.”

a. “Becoming emotionally involved in a case can also allow bias to enter the analysis of the scene or evidence. The more our emotions are involved with a belief, the easier it is for us to disregard details and opinions that may have a tendency to challenge that belief. .. An example of this would be at a crime scene where .. because of the information obtained from the investigating officer .. that information” is used “to determine how the crime scene was committed, what needs to be collected, and what needs to be processed.”³

i. Dr Aronica had already made a prejudgment of suicide before examining the body, before looking for other causes of death, and only performed a partial autopsy;

ii. Dr. Aronica left a 24-hour window as to the time of death.

³ Confirmation Bias, Ethics, and Mistakes in Forensics

“The eyes are not responsible when the mind does the seeing.” – Publilius Syrus 1

b. We concur death by carbon monoxide poisoning, but this does not establish how it was introduced to Kathy's body.

86. "Point 8 is a statement."

a. Necessary to note and OCME should have had some response to this.

The OCME's Dr. Aronica made the suicide ruling in less than 48 hours signing the death certificate as soon as May 6, 2012 and notating the manner of death a suicide while the investigation was still on going. (See Exhibit 2)

87. "Points 9 and 10 concern the surveillance video. Chief Gary Lyle stated during a deposition that he had viewed the entire video before it lost footage. From your letter he states that "it does not appear that anyone ever exited or entered the deceased vehicle". There is no reason not to believe him."

a. Lends to Plaintiff claims of "credibility by status";

b. This 27-year veteran of the AACPD did not follow standard operating procedure protocol; (See Exhibit 91)

c. His statements were inconsistent with fact as he states the footage is missing because of the video being motion sensitive and later claims an error in uploading to a thumb drive;

d. His statement that no one exited or entered the vehicle contradicts with:

i. GPS readings from Kathy's cell phone after arrival in to the mall parking lot.

- ii. *Another AACP officer's statement that it appeared to show a person standing by the vehicle. (See Exhibit 55)*

88. "Point 11 is a statement."

- a. *Plaintiff's concern at this point were the refusal of mall security agencies to respond to subpoenas for documents and depositions.*

89. "Point 12 concerns fingerprints. Usable "viable" fingerprints are not left everywhere. The surface needs to be ideal for leaving good fingerprints and often smudges are found. Many of the surfaces inside a vehicle are not ideal for leaving fingerprints. Dusting was performed on Katherine's vehicle. However, no viable prints were found."

- a. *Again, the internal MPIA released documents reflect "no prints" when a dusting was done with a new brush; (See Exhibit 45)*
- b. *Even in light of the security guard's statements of touching doors, the trunk, and other objects in and around the car.*
- c. *Fingerprints were not checked until Nov. 2013 and again in 2015.*
- d. *The report says nothing about smudges.*
- e. *Kathy would have had to handle the sleeping pill bottle with the palm of her hand in a normal grasp to open – no prints were found on the bottle.*
- f. *Kathy's DNA is reported to have been found on the lighter, but MPIA document reflect that there was more than one source of DNA found on the lighter.*

90. “Point 13 concerns the releasing of the phone and iPod to the family and then returned to the police after 48 hours. Although this does interrupt the "chain of custody", as long as you and the family did nothing to the phone during that time, the data retrieved would still be correct, truthful and usable data.”

a. This is the broken chain of custody that would be important for charging persons with a crime and the first of several significant errors by the AACPD. The OCME seems to be coming to the defense in every point for the AACPD when their job should have been to remain neutral and just report the facts.

91. “Point 14 concerns an SUV pulling away after the brake lights were noted. At the meeting on July 6, 2015, you discussed this being a white SUV, the significance of which is that one of the women the husband was involved with drove a white SUV. According to Kelley Blue Book website, white is the most common color for SUV/Minivans/Light Trucks up to 19.3%. In addition, numerous cars were in the mall parking lot that night which was noted by the video.”

a. Assuming “The Suicide Position” At the Crime Scene. It has been my experience that when police officers or detectives hear the word “Suicide” they go into what I describe as the “Suicide Position.”

Suicides are non-amenable offenses that are not recorded in the UCR and therefore are considered less important than other events.⁴

- b. The coincidence attached to the photographed Ford Explorer if taken one step further:
 - i. At the time of Kathy's death, this model/exterior configuration of the Explorer model had only been manufactured/sold for 18 months.*
 - ii. Utilizing strict mathematical extrapolation of production data, distribution by population statistics, and vehicle color, it was reasonably estimated that approximately 18 vehicles of this description might be expected to be in the whole of Anne Arundel County.**
- c. At the time of the Explorer sighting, there was very limited traffic moving around and through the overflow parking where the 2006 Pontiac had been for a span of up to ten hours.*
- d. The chances that one of the 18 similar vehicles in the entire county being in that parking lot at that time were "extreme" in estimation.*
- e. The other coincidence is that a named "person of interest" in this death investigation was in possession of a white 2011 Ford Explorer during*

⁴ Mistake#2 *The Seven Major Mistakes in Suicide Investigation* By Vernon J. Geberth, M.S., M.P.S.
Homicide and Forensic Consultant

this same time frame, brings us full circle to the need to move this suicide ruling to that of undetermined.

f. To have checked this info should have been standard operating procedure for the AACPD not the OCME to attempt to explain it away;

g. This argument is clearly from a defense point of view and the OCME is not remaining neutral, but attempting to explain away, justify, and or defend the actions of the other agency.

92. “Point 15 concerns a deposition of a woman who claims there was another vehicle (SUV) in the parking lot the night Katherine dies with a woman sitting in it between 2 am and 4 am. There is no indication that this woman ever got out of her SUV or approached Katherine's car.”

a. In appropriate personal conjecture because:

i. The witness seeing the person sitting in the car was never questioned by AACPD, but her deposition was taken by the plaintiff;

ii. No attempt was ever made to contact or identify the person sitting in the parked car.

93. “Point 16 concerns Leslie Kim's statements about cell phone data. Our office independently had the data reviewed.”

a. We believe this statement to be false.

b. MPIA responsive records show that Dr. Aronica had a person in her office that happened to know something about IT.

- c. MPIA reports show the OCME asked the State Police to review the data extractions from the phone and they would not without checking with legal. The OCME then decided not to pursue that course.*
- d. This clearly show bias and collusion between the agencies, as it would not be the OCME's responsibility or duty to pursue such review for the AACPD.*
- e. The only GPS phone extractions made available for review by the plaintiff were in a PDF file created by AACPD. For an accurate review, the raw data files would be needed and to-date the AACPD have failed to produce those files leaving the Plaintiff seeking the courts intervention.*

94. "It is clear from both the read out by the Las Vegas company and the AACPD, that the phone absolutely did not move that evening from when Katherine was noted to pull in the parking lot to the morning when she is found. Additionally, review of the data showed Tweets starting on the 4th of May, that were suicidal in nature. These include "I just feel like going MIA indefinitely", "I don't feel like dealing with this BS", "Ready to just do this and get it ALL over with", and "Sleep for the rest of the day and possibly the rest of the weekend."

- a. Plaintiff states that a review of extracted records show that all of these tweets were not definitively suicidal in nature:*
- b. These statements were posted previously by Kathy and there were alternative ways of interpreting them. (See Exhibit 124)*

- i. *Kathy could have made the MIA statement because of simple fatigue. (See Exhibit 124)*
 - ii. *"I don't feel like dealing with this BS" is not indicative of suicide. Kathy had also made a statement about "grownups acting like children" during this same time-frame and could have been interpreted as expressing a healthy frustration over the situation.*
 - iii. *"Ready to just do this and get it ALL over with" is not indicative of suicide unless you just want it to be. Clearly, the capitalization could be interpreted as, in the divorce and the entire situation. Kathy had made this statement and was referring to her plans to divorce her husband, but having to wait until he returned to the country the following December. Her friends said when they saw the post, they also thought she was referring to her plans for divorcing the husband;*
- c. *In addition, on "May 3, 2012 at 9:33 pm in a Facebook posting Kathy says "smh wow it all makes sense. I knew that name seemed somewhat familiar. & at this point I truthfully don't trust anybody involved in this situation so I'm just washing my hands of the whole ordeal. December 29 can't come soon enough...my independence day."*

d. "Sleep for the rest of the day and possibly the rest of the weekend.", is clearly a statement of temporary rest because Kathy had expressed being physically tired. It does not state ready to go to sleep forever.

95. “During the time the vehicle was parked in the lot on 5th of May, Tweets included "When all this is said and done all you really have is yourself" (7:16 pm), "Fear??? I thought I was fearless" (8:02 pm), and "waiting for this to be over" (9:50 pm; last communication from the phone). A suicide note was left at 7:47 pm in the notes section of the phone. Two web searches were for Bible.com and a Google search for "near to those whose hearts are breaking" (which is Psalm 34:18) . This history would not be consistent with a cover-up of a suicide . They appear genuine and from Katherine herself.”

a. Extracted records show that Kathy herself complained about something happening to her phone on April 27, 2012 that she had never seen before so there is again more than one way to interpret as well as we do not know definitively where Kathy was, nor who she was with.

i. It has been confirmed over the course of this investigation that one of the persons of interest (King), in this case itself, was borrowing persons phones to make calls, used several aliases to contact Kathy, and used and posted information using someone else’s social media accounts. (See Exhibits 62, 65, 74, 128, 129 and 123)

b. The suicidal tweet reference is again a personal opinion that could be construed in more than one way, as well as being faked and there are numerous murder cases where a person sent tweets or made phone calls from an already deceased persons phone.

96. “Point 17 concerns Eliya Azoulays statements. The cell phone data is very clear that the phone never moved from its location. A sworn Police Officer stated under oath at a deposition he had viewed the entire video.”

97. *The OCME again equates “credibility with status”;*

a. Here, clearly the OCME accepts what is presented regardless of evidence contradicting the statement;

b. This is regardless of the fact that a 27-year veteran of the AACPD, with a background in special investigations, did not following standard operating and investigative procedures by making a master copy of the surveillance video, in which a person dies on their watch;

c. His timeline reporting discrepancies;

d. This police officer’s word is taken, regardless of mounting inconsistencies like that of motion sensitive camera’s not recording movement in a parking lot full of cars;

e. He did not specifically report on footage from a camera that was approx. 60 feet from the alleged death scene, with a direct view of Kathy’s car;

(See Exhibit 24 page 27)

f. The OCME deliberately discredits forensics experts that examined the evidence while prime time television cameras recorded.

98. “Point 18 concerns a controlled burn. This was done in an open area full of oxygen. In reality, a car is considered an enclosed space with a limited amount of oxygen. Oxygen is necessary for the fire to burn. The portable grill on EZ grill.com states it lights with just one match (allowing a just a lighter to be used). These grills are ready to go. On review of the 13 cases of charcoal grill in vehicles, none had interior damage other than a burn on the rug beneath. No fire damage was noted. Scene photos were examined in all cases. The heat produced by these grills would not be sufficient to reach melting or ignition temperatures.”

a. The statement is false.

b. The damage made have been absent because of the grills not being lit in the vehicles. Not even the OCME states any proof that the grills are actually lit in the vehicles, which in this case, would mean the grills were lit outside the vehicle and then moved inside because of the flame up (see Exhibit 107). Such an action would have drawn attention in a dark and busy parking lot on a Saturday evening.

c. It was also observed that when Kathy’s car arrived in the parking lot there are literally hundreds of cars and perhaps thousands of pedestrians. (See Exhibits 115, 116, 102-105)

- d. *Kathy in available surveillance footage is not searching for a remote parking space but the next available. (See Exhibits 102-105)*
- e. *OCME states “The heat produced by these grills would not be sufficient to reach melting or ignition temperatures” their temperatures by what they are manufactured for would surely reach a point to cook food product, burned Kathy and produced enough heat to disfigure Kathy’s ear. (See Exhibits 7, 108 and 109)*

99. “Point 19 concerns a medical expert {who is not willing to testify to anything), "the postmortem positioning of the body was not consistent with the manner of death". Katherine was found lying across the front seats across the console. The scene photos show a piece of cloth, possibly a piece of clothing or blanket, placed over/on the console so as to make lying there more comfortable. In addition, another case reviewed at the OCME, showed an individual in that same position across the front seats and console.”

- a. *Starts with conjecture and a personal and unprofessional remark based on hearsay:*
 - i. *OCME never offered to speak with any of the experts consulted in this case.*
 - ii. *With death scene photos available, there should not be the word possibly.*
 - iii. *Kathy was 4 inches longer than the car width from door to door;*

- b. The security guard that discovered Kathy's body said during deposition, that Kathy's back was arched over the console;*
- c. In the death scene photos, the security guard takes, the pillow that Kathy sat on when driving is not laying over the console as Dr. Aronica claims;*
- d. The police report states that someone at the scene placed a blanket or sheet under Kathy for ease of transporting her body.*
- e. Police records state Kathy's purse and other personal effects were on the seat which meant she had to have laid on top of them.*

100. "As for Katherine's bladder being empty at autopsy, Katherine may have voided at the time of death and the urine dried on the darkly colored jeans . She also may not have had much to drink prior to dying."

- a. In July of 2012 OCME Dr. Aronica was specifically asked about whether Kathy had any signs of having urinated on herself;*
 - i. Her response was no and there was no*
- b. There was no evidence to the contrary in her clothing or the vehicle;*
- c. The last sentence is conjecture as the OCME should have been able to examine the contents of Kathy's stomach and report accordingly.*

101. "Points 20 and 21 concern cell phone data which has, already been discussed in point 16."

102. "Point 22 concerns missing data that the Las Vegas company found and that the AACPD did not find. There is no mention as to what this missing data included and from our cell phone expert, it is understood that if the first

download was done in 2012 by AACPD and the Las Vegas company years later, the missing data is more a function of the software being better to extract the data years later.”

- a. *Conjecture and speculation.*
- b. *The most recent file extractions, using the most recent versions of Cellebrite shows files that are more orderly and more detailed.*
- c. *The 2014 file discrepancy with the AACPD extraction versus those done by Expert Data Forensics have to do with the location of Kathy’s phone, which if the software is better than it supports the better accuracy of the extracted data and the claim of GPS records showing the potential movement of Kathy’s phone.*
- d. *The Plaintiff consulted a cell tower expert who confirmed that there was no way to 100% state, where the phone was at all times on the night of May 5, 2012 and the morning of May 6, 2012, because the AACPD had failed to subpoena cell phone records in 2012 that would have allowed the triangulation of cell tower locations. (See Exhibit 86)*
- e. *In the Expert Data Forensic extractions, the files in question showed as deleted. The AACPD have only provided the family with a PDF file that could have been created after the files in question were deleted.*
- f. *Over the last few years multiple MPIA request were made for the raw data extractions used to make the PDF and the AACPD have failed to produce it.*

g. In 2018 Plaintiff's requested the Courts assistance in a separate case which is still ongoing. The AACPD now claim the files are no longer available because of a 2012 computer hard drive crash.

103. "Some additional points brought up at our meeting included that your medical expert stated Katherine's shoulder was dislocated. This is false. Examination at the time of autopsy would detect a dislocated shoulder. Dr. Aronica personally performed the examination. In addition, there was claim that the body was dragged into the car and placed there. There were absolutely no drag marks on the body and her clothing was in place as Katherine was found at the scene. This would not be expected if the body was dragged across the front seat."

a. "Confirmation bias is when people observe more, give extra emphasis to, or intentionally look for evidence that would validate their existing beliefs and expectations and are likely to excuse or completely ignore evidence which could reject their beliefs."⁵

b. Photos of Kathy lend to this possibility.

c. The OCME's report states only a partial autopsy was done on Kathy.

104. "As is evident by the above information provided, the Medical Examiner's Office has done an extensive independent investigation. None of the points brought to our attention lead us to believe foul play was involved in any way. In

⁵ Confirmation Bias, Ethics, and Mistakes in Forensics
"The eyes are not responsible when the mind does the seeing." – Publilius Syrus 1

fact, the manner of suicide is supported by the information gathered. Therefore, the manner of death will not be changed.”

- a. *A review of internal communications reflect that this report was sent to the AACPD twice for review and being signed by Dr. Fowler; (See Exhibit 13)*
- b. *The letter did not include any right to appeal notification and; (See Exhibit 15)*
- c. *The claim of an independent review is false. (See Exhibit 13, 16, and 17)*

Additional Appeals History

105. The Aug 26, 2015 Letter of Denial had no appeal rights notification. The Plaintiff notifies the OCME via email of appealing the denial, and stated;
 - a. the agency previous given did not seem to know how the process worked;
 - b. Requested the name of the person to specifically appeal to, along with phone and address. *(See Exhibit 33)*
106. Aug. 27, 2015 the OCME says they have forwarded the email to Nicholas Johansson of the Attorney General’s Office. There was no reply. *(See Exhibit 33)*
107. On Sept. 2, 2015, the Plaintiff’s appealed to the Secretary of Health and Mental Hygiene, Van T. Mitchell’s office who failed to respond accordingly.
 - a. The appeal letter contained a copy of an NAACP press release referencing concern over the handling of the investigation and the May 5, 2015 letter listing the numerous investigative discrepancies. *(See Exhibit 34)*

108. On Sept. 4, 2015 Dionne Washington acknowledged receipt of the appeal letter addresses Mr. Mitchell’s office. No response was received. (*See Exh. 35*)

109. There was no response from the Office of Administrative Hearings or the Secretary of Health and Mental Hygiene, either on the denial, on the establishment of the findings and/or conclusions as to the manner of death.

110. The facts in this case could not be appealed in a timelier fashion because:

- i. Facts were unknown;
- ii. the Plaintiffs faced numerous delays as documented in this pleading from the AACPD;
- iii. and awaiting the administrative process’ of other agencies who were misinformed by both the AACPD and the OCME.

Chart of Communications Between OCME, AACPD and Plaintiffs			
Date	Person Contacted	Subject	Disposition
5/6/2012			Per the police report – Dr. Patricia Aronica ...
5/6/2012		Death Certificate	A death certificate notation reflect that on the same day, at approximately 2 p.m. her death was ruled a suicide by Dr. Aronica Pollak of the OCME.
5/18/2012	Karen Maddox	Autopsy & M. E	Left 3 messages
Jul 29, 2013	Plaintiff’s phone call Dr. Aronica	Questioned about body position, burns	Stated full internal exam was not done. Found no trauma to head.

Date	Person Contacted	Subject	Disposition
Aug 2, 2013	Plaintiff's phone call Dr. Aronica	Asked about level of sleeping med in victim and why no performance of liver test for time of death	Said anything over 1.0 mg/liter or higher is lethal. Stated liver test did not work and was not required by the State of Maryland and was not a scientifically proven. Said tox report of heart at 2.0 mg/per liter peripheral at 1.7mg/liter. Toxicity depended on body weight and how she lived.
Oct. 9, 2013	Plaintiff's phone call Dr. Aronica	Request for review of records to include pictures	Stated a subpoena will not suffice for release to private citizen but I could email subpoena to attn: Bruce Goldberg at subpeona@ocme.org . Person to contact for record Michael Eagle
Oct 10, 2013	Plaintiff's through prose' court action	Subpoena issued by Circuit Court	Subpoena obtained for Medical Examiner's for the State of Maryland
Oct 15, 2013	Plaintiff's phone call OCME		Claimed subpoena lost and never received - reissued
Nov 8, 2013	Plaintiff's phone call OCME	Deposition held	Misunderstanding?? At OCME office about subpoena's
Nov 14, 2013	Plaintiff's through prose' court action	Subpoena reissued for deposition	
Nov 16, 2013	Plaintiff's phone call OCME	Subpoena received	Receipt acknowledged, and green card signed – no response even though conversation held with OCME attorney. Green card signed by L. Thomas

Date	Person Contacted	Subject	Disposition
Dec 20, 2013	Plaintiff's through prose' court action followed by call to Dr Aronica	Deposition held	Conversation held with Aronica who said she is paid for her court appearances
months		Waiting on AACPD Homicide Panel	Chief Kevin Davis
6 months		AACPD Case Review	Chief Altomare Feb 2015 through July 2015 as documented in email inquiries
May 26, 2015	David Fowler, via his Asst. David Goldfarb		Email sent requesting to again start process changing the matter of death from suicide to undetermined. Sent copy of May 5, 2015 letter to NAACP listing errors and issues with AACPD findings.
Jun 5, 2015	Dr. Patricia Aronica to Bruce Goldfarb	Draft of letter to be sent to the Morris from Dr Fowler	"Dr. Ms. Morris: I am in receipt of your letter to Mr. Goldfarb and your letter to Reverend Tillet. ..case 12-3499 has been reviewed..Upon my detailed review of the file..no evidence supports changing the manner..
Jun 11, 2015	Email to Dr. David Fowler	Right to appeal	Follow-up ltr. received citing our right to appeal, appeal sent
Jun 8, 2015	From John Poole to Dr Aronica	Katherine Morris suicide information	Follow up Jun 4 meeting, s alleged suicide note, screenshot of twitter feed provided by Michele Harper. Plan for meeting with NAACP's Rev Tillet

Date	Person Contacted	Subject	Disposition
Jun 11, 2015	From David Fowler to Ms. Morris	Response to changing manner of death	Ltr received and uses quotes fro, Dr. Aronica's Jun 5, 2015 letter word for word. Cites right to appeal to Secretary of Health and Mental Hygiene § 5-310.
Jun 15, 2015	Email from Poole to Dr. Aronica	Meeting for Morris Suicide	Schedule meeting
Jun 15, 2015	Email frm Dr Aronica to Poole	Meeting for Morris Suicide	Schedule meeting
Jun 15, 2015	Email from Poole to Dr. Aronica	Meeting for Morris Suicide	Poole also ask is she could remember who Kathys body was released to and who signed for the release of body.
Jun 15, 2015	Email from Dr Aronica to Poole	Meeting for Morris Suicide	Response release paperwork in or on file. Believes it was Briscoe Tonic funeral home and signed for by M. Morris
Jul 1, 2015	Email to Dr. David Fowler		
Jul 7, 2015	Email from Poole to Dr. Aronica	Katherine Morris Suicide Meeting	Sgt Poole in inquiring about how meeting with Mrs. Morris went.
Jul 17, 2015	Email from Poole to Dr. Aronica	Morris Case	Sgt Poole forwarding email from Chief office with instructions to coordinate meeting with Rev Tillett and others
July 17, 2015	From Chief Adjutant	Morris Case	Meeting request by Rev Tillett

Date	Person Contacted	Subject	Disposition
July 17, 2015	Email from Dr Aronica to Poole	Morris Case	Says "Hi..just talking about you. Our IT person has a background in communications and will be reviewing the cell phone data. I gave him your name and number.. I hope you don't mind. Maryland State police were not that wage to help and said they would need to get approval through their legal council. We decided to try this first. Also I have requested the medical records from Washington Adventist..And I would like to still meet with you to review everything before our letter goes out..if you are still agreeable.
July 17, 2015	Email from Poole to Chief Adjutant AAC Mike Galligan and cc others		Confirms meeting and notifies of the inclusion of Dr. Aronica in email chain. Mentions plans to meet again to review findings regarding the reexamination of the facts.. prior to meeting with NAACP rep.
July 17, 2015	Emails between Galligan & Maj. Hasenpuch	Morris Case	Follow-up email exchange – none mentioning any interest in attending pre- meetings with Poole and Aronica
July 19, 2015	Email from Poole to Dr. Aronica	Morris Case	Confirms Aug 4 meeting date and mention plans by Poole and Aronica to touch base prior to the Aug 4 th meeting
July 29, 2015	Email from Poole to Dr. Aronica	Meeting next week	Sgt Poole thanks her for her participation. Plans to give her a call on Aug 3 rd to make sure "we're on the same page." before the Aug 4 meeting with NAACP/Tillett

Date	Person Contacted	Subject	Disposition
July 29, 2015	Email from Dr Aronica to Poole	Meeting next week	Dr Aronica acknowledges premeeting request and set time for conference call.
Aug 11, 2015	Email from Dr. Aronica to Poole	Second Morris Letter Draft	Aronica "Here is the Draft of our letter to Ms. Morris."
Aug 12, 2012	Email from Poole to Chief and other CID		Sgt. Poole notifies them of his having received "this draft of her letter to Ms. Marguerite Morris on behalf of the OCME. <u>They are going to sent this letter directly from their office.</u> " "..She has provided this copy fr our reference and may still make minor changes. I wanted you to have a copy to send to our Executive Command Staff for their information."
Aug 25, 2015	From Bruce Goldfarb to Ms. Morris	The Death Investigation of Katherine Sarah Morris	The response from the OCME office. It's signed by David R. Fowler Chief Medical Examiner and Patricia Aronica, Assistant Medical Examiner
Aug 26, 2015	From Morris to Dr Fowler via Asst. Bruce Goldfarb	Morris Family Letter of Appeal	Appealing the Aug 25, 2015 finding
Aug 27, 2015	From Bruce Goldfarb to Ms. Morris. CC'd to N. Johanson	The Death Investigation of Katherine Sarah Morris	Forwarding email to Attorney General office for reply.

Date	Person Contacted	Subject	Disposition
Sept 4, 2015	To Mr. Mitchell via Dionne Washington from Morris	Morris Family Letter of Appeal	Letter of appeal ltr sent to Van T. Mitchell Dept. of Health and Hygiene
Sept 4, 2015	From Dionne Washington	Morris Family Letter of Appeal	Acknowledges receipt of appeal ltr to Van T. Mitchell
Sept 21, 2015	Email from Poole to Dr. Aronica	Letter to Reverend Morris	HQ wanted to know if their office had sent the letter Morris
Oct 12, 2016	To David Fowler	MPIA Request – Case # 12-3499	Requesting communication between Dr. Patricia Aronica and the Anne Arundel Police Department dating back to 5/6/2012.
Oct 18, 2016	From Bruce Goldfarb	Response to MPIA Act Request	Release of Internal Communication to and from AACPD and Dr. Aronica

The AACPD Pattern Of Corrupt Behavior That Lead To Falsification Of This Investigation

An Affirmed Climate of Corruption

111. The June 2012 timing of Kathy's death and the flawed investigation occurred in the midst of the then, County Executive John Leopold being faced with, and eventually convicted of corruption charges. (*See Exhibit 25*)
112. The then Police Chief James Teare was asked to resign in lieu of facing criminal charges for his part and/or connection to John Leopold's illegal activities. (*See Exhibit 25*)
113. Coinciding with those events was the arrival of a Congressional Inquiry directed to Chief James Teare, sent by Congressman Steny Hoyer on behalf of the families mounting concerns over the handling of the investigation. (*See Exhibit 26*)
114. Coinciding with the above in June of 2012 the parents asked for a reinvestigation of the case and cited their belief that it would be a conflict of interest if the original investigating AACPD Officer were involved. The officer's name was Officer Keith Clark.
 - a. The parents were distressed that it appeared he remained involved. (*See Exhibit 27*)
 - b. A MPIA responsive documents states in an *Incident Briefing*, titled *Suicide – Katherine Sarah Morris b/f/031190 22yoa* that Col Teare assigned Detective Carbonaro to replace Sgt. Clark because the Plaintiff called him

a racist. The Plaintiff did not call Sgt. Clark a racist but asked for his replacement because of potential conflicts of interest in a requested reinvestigation, since he was the original investigating officer. (*See Exhibit 27*)

115. MPIA responsive documents also show the following in reference to that reinvestigation:

- a. It was assigned to Detective Vince Carbonaro.
- b. Sgt. John Poole #1442 of CID would later make the following statement:
 - i. “Per the direction of Chief Kevin Davis (as a result of the Cold Case Review Team meeting) detectives have made attempts to prove Ms. Katherine Morris in fact purchased the charcoal grills utilized to kill herself. An attempt with Wal-Mart to track the purchases via UPC code and brand/product specifics yielded negative results. Wal-Mart advised the item is not tracked specifically enough to indicate when and where they were purchased. As a result of this information Detective DiPietro contacted the State’s Attorney’s Office in an attempt to retrieve a court order for Ms. Katherine Morris’ bank statements to reveal if she had a transaction related to the aforementioned materials. The State’s Attorneys Office has indicted this is a closed investigation and they may not have the legal ability to honor the request based on the fact we are not investigating a specific crime. This decision is *Not* final and Ms. Leitess is being consulted to see if our request may be honored.
 - ii. Evidence Collection has re-processed all of the grills, packaging as well as the recovered lighter and were not able to obtain any identifiable latent fingerprints.
 - iii. **As a side note:** Detective Carbonara, **who is an extremely thorough and capable investigator** did not originally acquire the above details due to the fact he was given specific marching orders regarding the initial investigation and instructed not to deviate from same.” (*See Exhibit 28*)

116. The AACPD and the OCME came to conclusions before the death scene was processed thereby immediately creating a bias of opinion in the investigation and as they interacted with others.

- i. “Becoming emotionally involved in a case can also allow bias to enter the analysis of the scene or evidence. The more our emotions are involved with a belief, the easier it is for us to disregard details and opinions that may have a tendency to challenge that belief. 5 An example of this would be at a crime scene where one becomes emotionally involved because of the information obtained from the investigating officer and then uses that information to determine how the crime scene was committed, what needs to be collected, and what needs to be processed.”⁶

117. MPIA responsive documents reveal the following questionable internal communications by AACPD Officers and other County personnel involved in this case.

- a. In an interoffice memo dated Feb. 7, 2014 called “*The Katherine Morris Suicide Review Summary*” reflects Sgt. John Poole’s deliberate and vicious suppression/concealment of key evidence and facts relevant to a possible error in the suicide ruling in the death of Kathy. (*See Exhibit 36*)
- b. The Homicide Panel reviewed financial information that reflected that several AACPD officers (Det. Vince Carbonaro, Sgt. John Poole and a Det. Dipietro) deliberately and viciously suppressed and concealed key

⁶ **Confirmation Bias, Ethics, and Mistakes in Forensics** “The eyes are not responsible when the mind does the seeing.” – Publilius Syrus 1

evidence (credit card use) (*See Exhibit 39*) relevant to a possible error in the suicide ruling in the death of Kathy.

- c. The AACPD report is reflective of Detective Vince Carbonaro's deliberate and vicious suppression/concealment of potential facts as evidenced by his selective reporting of communications to and from Kathy i.e his reporting of only two phone calls when there were six. (*See Exhibit 57, 58 and 74*) This suppression of information had a clear effect on the suicide ruling in the death of Kathy.
- d. The AACPD Report is reflective of Detective Vince Carbonaro's deliberate and vicious suppression/concealment of potential facts/evidence in his selective reporting of remarks made by two witness;' (*See Exhibits 60, 61, and 75*)
- e. Proof that Det. John Poole and others in the AACPD knew, by having reviewed the letter the OCME was releasing to the family that it contained false DNA finding. (*See Exhibit 13 and 50*)
- f. The malicious and repeated offense of the AACPD in concealing facts about the DNA of others that was found on key items at the crime scene. This this information was not made available in internal or external reports for others to review. (*See Exhibit 50*)
- g. The AACPD failure to repeatedly confirm GPS cell phone locator records or any facts in this case that did not support, a suicide finding. (*See Exhibit 84B*)

- h. The AACPD internal remark revealing the AACPD was aware of problems with DNA findings before the DNA is tested. (*See Exhibit 48*)
- i. On Oct. 2, 2013, when asked to provide the Plaintiff with a copy of the 911 tape, an officer responded, “We did not burn a digital copy of the 911 call by the security dispatch due to the Keith”. Keith Clark was the responding officer. (*See Exhibit 29*)
- j. In a Dec 2, 2013, an internal email exchange between Melissa Beardsmore, AAC Community President, she asked if Chief Kevin Davis has seen a news article about the case, he responds “Yes...nothing that’ll hurt us. (*See Exhibit 32*)
- k. Jan 22, 2015, when Officer William Krampf expresses frustration over the Plaintiff’s persistence and that “It has to stop.” an internal response is “That may not be in our cards.” (*See Exhibit 30*)
- l. In an Aug. 10, 2015 press statement by AACPD, when it is sent for review before release, the only correction is in a line that read “Detectives have reviewed all the facts and evidence in this case,..”. The corrected and released wording reads “Detectives have reviewed the facts and evidence in this case,..”. (*See Exhibit 31*)

Instances Where AACPD Officers Were Selective About Which Facts To Report To Others Which Lead to the Falsification of this Death Investigation

The Homicide Panel

118. MPIA responsive documents show that in late 2013 Police Chief Kevin Davis appointed a Cold Case Review Team (also called the Homicide Panel) comprised of retired homicide detectives from around the State of Maryland to review unsolved cases in Anne Arundel County. Their meetings were held at the AACPD's central location in Millersville, Maryland. Chief Kevin Davis assured transparency and yet:

- a. Until a MPIA request was made the identity of persons serving on the panel was not released to the public;
- b. The Plaintiff was allocated fifteen minutes to address the panel, and internal notes reveal fifteen minutes was only allocated to confirm the suicide ruling.
- c. Following addressing the group the Morris family were required to leave the building;
- d. No notes or minutes were taken by the panel;
- e. Chief Davis' public promise that an independent person selected by the NAACP would be appointed to the panel was not kept;
- f. Press reported making numerous request to be permitted to sit in on the panel and were never allowed to.

119. MPIA responsive documents contained an Inter-Office Correspondence dated Feb.7, 2014 and is directed to Chief Davis. The Subject is *Katherine*

Morris Suicide Review Summary and is from Sgt. J. Poole. It stated that “Per the request and recommendation of the Cold Case Review Committee the following points/facts were reexamined and reviewed regarding the Katherine Morris Suicide.” (*See Exhibit 36*). The Cold Case Review Committee asked the AACPD about things they deemed necessary to review and/or reexamine to confirm a suicide finding. They were:

- a. “Obtain particulars on the surveillance video activity capturing Ms. Morris’ as she committed suicide and answer Mrs. Margarite Morris request regarding “missing” footage;
- b. “Attempt to establish if Katherine Morris purchased the disposable grills utilized as the method...”;
- c. “Forensically examine the packaging of the disposable grills, nighttime sleep aid pill bottle, and lighter recovered from within Ms. Morris vehicle to ascertain if any foreign fingerprints are present.” (*See Exhibit 36*)

120. To question “a” about the video the AACPD reported to the Panel that:

- a. The video was recorded by Anne Arundel Community College security cameras being motion sensitive were the reason for the missing footage. (*See Exhibit 36*)
- b. The Plaintiff expressed concern that portions of the video were missing or the video had been disturbed.
- c. AACPD state the following falsehood and or manipulation of facts:

- i. That the missing video footage “was most likely due to the fact there are several hours of footage where there is no motion the screen and it appears as if the recording is “paused””.
- ii. “The video is motion activated and will only record if the cameras observe movement within the recorded area.” This is true but clearly not the reason for the missing May 6, 2012 footage. (*See Exhibits 37 and 38*)
- iii. Poole further states that Chief Gary Lyle, Dir. Of Public Safety at Anne Arundel Community College (a 27 year veteran of AACPD) “has offered to write Chief Davis a letter regarding the functionally and integrity of the footage captured and said letter should have already been received.” *Note: No such letter has been written or released in any MPIA and Plaintiff charges that no such letter exist.*
- iv. Poole further states that Chief Lyle stated this same fact by deposition to Mrs. Margarite Morris attorney. This recorded deposition is enclosed, and no such statement was made. (*See Exhibit 132 Gary Lyle Deposition*)

121. The second point the Panel ask is to “Attempt to establish if the Victim purchased the disposable grills utilized...”. In response to the above, released internal documents show:

- a. AACPD detectives filed court orders for the financial records of Kathy. (See Exhibits 39 and 40). Subpoenaed financial records would have revealed all accounts Kathy had.
- b. **AACPD officer Sgt. Poole reports Kathy had only one credit card** which is true but is selective and manipulative in the reporting of the facts. The credit card he reports about to the Panel showed:
 - i. Showed **no activity on credit card** after requesting “detailed purchase and billing records, covering the time period of March 17, 2012 through May 16, 2012.
 - ii. Poole reports “*No Transaction Activity at This Time*” and *Account had a balance during time period noted, however no transactions came through*”. (See Exhibit 39) Indicating Ms. Morris had not made any purchases in the time frame examined with said credit card. **This is true but again lends to the selective reporting of facts.**

122. A Crime Scene Unit Supplement dated May 6, 2012 states that Kathy’s purse **had “several credit cards” in it.** (See Exhibit 46)

123. Here again AACPD officers have participated in viciously suppressing and concealing key evidence relevant to a possible error in the suicide ruling in the death of Kathy. These officers are Det. Vince Carbonaro, Sgt. John Poole and a Det. Dipietro and explains why:

- a. MPIA responsive records in an email dated 12/30/2013, Sgt. John Poole **references multiple financial institutions** as he writes “.. We have received today ..the bank statements/reports from Ms. Katherine Morris’ **financial institutions** and Detective DiPietro will be checking same to ascertain if we are able to confirm a purchase from Walmart which might match..” the grill purchase. (*See Exhibit 39*)
 - i. Det. DiPietro name is also connected to a complaint lodged in the death investigation of Clarence Edward Woods III and is charged with allegedly manipulating investigation outcomes for racially motivated reasons. (*See Exhibit 41*)
 - b. In a follow-up email on the same email string Sgt. Poole types in all caps “CORRECTION ON ABOVE POSTING...We received statements back verifying her credit card accounts. There is only one (1) and those records are being subpoenaed. (*See Exhibit 39*)
124. A true examination and accurate reporting of facts would have revealed the following:
- a. Kathy had at least two other cards one of which she used on a daily basis. (*See Exhibit 42*)
 - b. From the time period of May 1, 2012 to May 24, 2012 there were more than 23 transactions. (*See Exhibit 42*)
 - c. Among these transactions was a Walmart (May 2, 2012) and CVS (May 3, 2012) purchase and an examination of those

receipts showed Kathy had not purchased any of the items used to end her life. *(See Exhibits 43 and 44)*

- d. There was a withdrawal after the date of her death for a food order, to which no follow-up is reported.
- e. Kathy purchased a tank full of gas the day before she is found dead from an alleged suicide. *(See Exhibit 42)*

125. Receipts for the purchase of grills used to end the life of Kathy have never been found in her vehicle, bank records, or belongings.

126. In early 2013 the Plaintiff through prose' court proceedings obtained a subpoena to serve on Walmart for video surveillance tapes and records of purchases for the type of grill used. She needed and requested information about the grill packaging (that was in the possession of the AACPD), to include the bar coding. This request was made directly to a Lieutenant T.J. Smith:

- a. It was not provided to the family because of an alleged still open investigation;
- b. MPIA responsive documents contained an email referencing the bar codes, far after such records have been destroyed by the merchant and or the expiration of a valid subpoena;
- c. The UPC codes in that email were incorrect;
- d. MPIA responsive documents show there was a chain of custody issue in the handling of the packaging. *(See Exhibits 96 & 97)*

127. The third point asked by the Cold Case Review Panel was to “Forensically examine the packaging of the disposable grills, nighttime sleep aid pill bottle, and lighter recovered...for foreign prints”
128. The forensic examination of items yielded:
- a. Poole states that The Evidence Collection Unit attempted to process the recovered grills, pill bottle and lighter for latent prints. What was reported was “no viable prints” and another internal documents say “no prints” or “nothing” found. (*See Exhibit 45*)
 - b. What is recorded in Supplemental Report #12-716431.4 dated 11-22-13 is:
 - i. “Negative Results” for the sleeping pill bottle;
 - ii. “Negative Results” for the recovered grills;
 - iii. “Negative Results” for the lighter.
 - c. The report further reads:
 - i. “no possible latent lifts were obtained from any of the packaging material”;
 - ii. “No possible identifiable latent lifts were obtained from any of these surfaces.”
 - d. No fingerprints were found including Kathy’s on the pill bottle.

AACPD and OCME Deliberately Mis-reported DNA Findings That Lead To The Falsification of This Death Investigation

129. The AACPD knew there would be a problem with the DNA before it was tested.

130. MPIA responsive documents contained the following internal communication in reference to the crime scene DNA:

- a. “On Mon, Apr 27, 2015 AACPD officer Lt. Richard Alban wrote: “In regards to this investigation, as the evidence is processed lets go ahead and have all DNA evidence tested. A This will make us transparent in our attempts to pursue any and all evidence in this investigation.”
- b. “This may open up questions from the family as to the results but not doing so will definitely open up questions. A”. (*See Exhibit 48*)
- c. The OCME reported to the family and the public false DNA findings that were reviewed by the AACPD prior to being released.
- d. In a letter from the OCME it states “..DNA testing that was performed on the lighter and the grills by AACPD. Kathy’s DNA was found on one of the grills outer packaging and on the lighter.”
 - i. This is not only false but misleading because if on the packaging, meant the Kathy opened the package herself.
 - ii. It contradicts the internal Mon., Apr 27, 2015 email exchange with Lt. Richard Alban.

131. The Forensic Biology report actually states:

- a. The DNA conclusions on the packaging for the two disposable charcoal

grills was that “..due to degradation or an insufficient amount of recoverable DNA..no conclusions can be made regarding this item”;

b. that Kathy’s DNA is found on one of the grills;

i. Would be consistent with the fact that she had burns to her body.

132. A MPIA responsive document written by Lt. Alban on May 27, 2015 states that DNA came back on the lighter and one of the burned grills to be Katherine Morris’ and there was “No Other DNA.” (See Exhibit 49)

133. This is false and misleading:

a. The DNA conclusion in the Forensics Biology Report on the lighter was that “A mixture of DNA from at least two individuals was obtained from this item. This is a partial mixture..which may be due to degradation or an insufficient amount of recoverable DNA. Katherine Morris cannot be excluded as a possible contributor to this mixture.” (See Exhibit 15)

134. The AACPD did not report to the public or inquiring agencies that there was also a mixture of DNA from at least two individuals found on the interior front passenger door and no conclusions could be made regarding that item.

135. No testing was done to the exterior of the vehicle.

136. No spoilt evidence is reported by the AACPD.

137. The DNA is not tested until 2015 and other items with potential DNA findings still remaining untested. (See Exhibit 47)

Kathy's Body at the Time of Death Does Not Support A Suicide Determination

138. Experienced law enforcement professionals having viewed the actual death scene photo's state they are not consistent with the manner of death.
139. Kathy's body was approximately nine inches longer the distance across seats from door to door. Distance across seat from door to door is 4.7" Kathy was 5'4". (See Exhibits 6, 51 and 108)
140. She was found lying across bucket seats not reclined back in a seat. a review of the written report by Valor Security Company guard, Stephen Howard states that when he came upon her body, that Kathy's feet were resting UP on the driver's side armrest.
141. Her purse was under her...and photos show her car keys on the seat beside her, which contradicts a statement made by an officer that the car was running. (See Exhibit 52)
142. An Orthopedic MD/Surgeon, Dr. Robert Hamblen, was provided with (1) pictures of the Kathy's post-mortem positioning in her 2005 Pontiac G6, (2) photos (from GM) of the configuration of the vehicle interior, (3) information on the disposable grill placement and (4) a photograph of the burn/pattern on her back. He was also provided height/weight information on Kathy and specific distance/spacing information relative to the center console of the car. It was his opinion that: (See Exhibits 53, 108 and 109)
- a. That Kathy was placed in the vehicle post mortem;
 - b. The burn was sustained post mortem;

- c. expressed concerns with the positioning of her arms, believing that her right arm could have been used as a lever to drag her over the center console; *(See Exhibits 53 and 54)*
 - d. post-mortem photos exclude, rather than support, a suicide finding;
 - e. and a carbon monoxide death is not conducive to post mortem movement as suggested by the States Attorney for Anne Arundel County.
143. In photo's Kathy's body is contorted or seeming to be twisted in an unnatural position. *(See Exhibits 52, 54, and 55)*
144. When Dr. Aronica of the OCME is asked about this she states Kathy had placed a pillow over the middle console.
- a. In reality, death scene photos taken before the OCME arrived show the pillow Dr. Aronica is referring to, still on the driver's side seat, not on the middle console. *(See Exhibit 52)*
 - i. Note: Kathy usually sat on this pillow while driving.
145. In these same photo's:
- a. Kathy's keys are seen laying at the end of the seat by her feet rather than in the ignition, as reported by some personnel.
 - b. Kathy is burned on the left ear which is inconsistent with the position of her body.
 - c. Her body is stretched long ways across the console, not reclined in the seat as most assume. Her feet are up on the armrest, the grills are on the floor board of the passenger side of the front seat.

The AACPD Deliberately Suppressed Facts Which Contradicted Their Suicide Determination And These Contradictions Were Documented In Several of Their Own Investigative Reports

146. In June 2012, Det. Vince Carbonaro is given a direct order, from a person in authority over how to handle his reporting in this investigation and is told not to deviate from those orders. (*See Exhibit 28*)
147. On June 25, 2012 in an AACPD *Criminal Investigation Division Investigative Report*, (*see Exhibit 60*), completed by Det. Carbonaro he reports the following in his interviews with only two persons in this case who are:
- a. Brown, a friend of the woman having a three-year affair (before, during, after), with Kathy's husband of a nine-month-old marriage and;
 - b. Michelle Harper (Harper) Kathy's roommate.
148. Damaris R. Brown, (Brown) is a friend of Latoya King (King) and the following facts can immediately be noted:
- a. Brown would not give him permission to record the conversation
149. Brown has a degree in forensics. (*See Exhibit 56*)
150. He writes that:
- a. "Ms. Brown told me that at about 1700 hours on May 2, 2012, Miss Morris called and spoke with Sergeant King. Sergeant King used Ms. Brown's cellular phone to speak with Miss Morris. Call history obtained in an examination of Miss Morris's iPhone confirmed that she made two calls to (347) 931-8643 at 1726 hours and 1727 hours on May 2, 2012. Ms.

Brown told me that she was present during the conversation and heard it on speaker phone.”

- b. Ms. Brown told him the call lasted approx. 5 minutes and the conversation is sweet and calm. She said that King revealed that Goodwin had previously discussed marriage with her. He says that Brown said that King had never met Kathy and had no plans to.

151. Det. Carbonaro goes on to say: “In the outgoing call section of Miss Morris’s call record, I observed two calls to (347) 931-8643 on May 2, 2012. I obtained subscriber information and call records for this number by subpoena from Verizon and confirmed that this number /account belongs to Brown. This supports what Ms. Brown told me regarding the approximate date and time of the conversation between Sergeant King and Miss Morris.” (*See Exhibit 57*)

152. Carbonaro further references in the *Conclusion*, “After speaking with individuals knowledgeable of Miss Morris’s conversations in the days prior to her death, there is no indication of foul play or other suspicious circumstances. **There is no additional information and this case is closed.**” (emphasis added).

153. This statement proves false in that extracted records show that what Det. Carbonaro does not report is that on May 2, 2012:

- a. At approximately 2:07 pm King and/or Brown initiated a series of emails and phone calls to Kathy using the alias Kristinarobins, Damaris Brown, and Damaris Caraballa. (*See Exhibit 65*)

- b. These calls were from their office at the 55th Sustainment Brigade located at Ft. Belvoir, VA.
- c. Records reflect that they spent approximately three hours trying to get Kathy on the phone.
- d. In these emails, Kristina (alias King) under the cover of Damaris Caraballo used the email address of bluerush007@gmail.com King gave the telephone number of (347) 931-8643 which records show is Brown's phone number.
- e. Kathy receives an email dated May 2, 2012 sent at 2:20 pm from Damaris Caraballo at bluerush007@gmail.com Kathy is called an "Email gangster!!!!". The extracted electronic record reads "Sent from my iPhone Begin forwarded message: From: damaris caraballo <bluekrush007@gmail.com> Date: May 2, 2012 2:20:18 PM EDT To: isaacgoodwinswife <isaacgoodwinswife@gmail.com> Subject: I guess no response!!!! Email gangster!!!!". (See Exhibits 58, 59 and 67)
 - i. "Email Gangster" is an Urban slang term and is a challenge to a physical/in person confrontation to a person that portrays themselves as being tough in emails but they are not so tough in person.
- f. AACPD reports repeatedly refer to there having been a "matter of fact tone" or "cordial" conversation between Kathy and King but a review of the forensic extractions showed Kathy herself referencing the "red flags" she got from the exchange. (See Exhibit 66)

- g. Kathy receives several other emails incoming from King at 4:17 pm, 4:26 pm and at 4:57 and 5:10 pm; *(See Exhibit 65)*
- h. In the series of the two calls reported by Det. Carbonaro, there were three additional calls placed to Kathy from Brown's phone number (347) 931-8643 at 4:11 pm, 4:16 pm and at 4:21 pm., **making his statement about there being no additional information about the case false.**
- i. Kathy receives an email at 5:10 p.m. from bluerush007@gmail.com;
- j. A military investigation confirmed that these emails were from King using the Kristina alias. **She is also admitting on May 2, 2012 to adultery with Goodwin a punishable offense in the military;**
- k. Kathy returns a phone call to Kristina (alias King). The call lasted for approx. 5 min. This call occurred 72 hours before Kathy's death.
- l. In addition, from these communications Detective Carbonaro failed to follow-up on King's alias Kristina's use of the alias' back in March of 2012 while communicating with the husband: *(See Exhibit 69, 70, & 129)*
 - i. inferring that King is a direct person of interest, who was aware of his marriage to Kathy prior to March of 2012. If not then, she is never questioned about why the use of the alias in communicating with him.

154. In the alleged reinvestigation Det. Carbonaro, only reports on the two calls made by Kathy, not the multiple calls and emails Brown and King make to Kathy three days before her death.

155. In a recorded statement (available with this pleading), on June 13, 2012, Det. Carbonaro interviews Kathy's roommate, Michelle Harper who tells him that the May 2, 2012 phone calls from Latoya King and Brown to Kathy, **that occurred 72 hours before Kathy's death, occurred two weeks prior to her death.** (*See Exhibit 61*)

156. In a June 13, 2012 interview, and according to Det. Carbonaro's handwritten notes Michele Harper allegedly tells Det. Carbonaro the following:

- a. During the May 2, 2012 phone call that Kristina (alias Latoya King), told Kathy that Mr. Goodwin was planning to divorce her. The report actually reads that, "Based on the conversation and discussion with her roommate, Miss Harper knew that Mr. Goodwin planned on divorcing Miss Morris and continuing his relationship with "Kristine."

157. Forensic phone extractions show that in a May 3, 2012 posting in "chats" by Kathy herself, reflects that this was an inaccurate statement because:

- a. Kathy writes to Kristina "Hello again, I know we spoke yesterday and you said that you were done with Isaac.. and whatever y'all had but I honestly feel like I stole/took him from you... If you want him you can seriously have him... I will step back and as soon as he gets back in the United States I will file for divorce." (*See Exhibit 62*)

158. In a June 25, 2012 recorded interview when Det. Carbonaro asked Miss Harper if she had any other information that she believed was pertinent to this case and she allegedly tells him:

- a. That after learning of her roommate's death, she went into her bedroom and found a phone card, printed e-mails, a marriage license, and letter to Goodwin neatly clipped together and placed on a laptop computer.
- b. The letter to Goodwin stated that Miss Morris could not believe what he had done to her. It also said that this would soon be over and mentioned the divorce.

159. To-date no expert forensic extractions have produced such a letter.

160. On the evening of May 4, 2012 and the morning of May 5, 2012 Kathy Morris, Michele Harper, a male friend named Eddie and a friend named Brandon are allegedly together in the home of the men but they are never questioned. One of these men is the boyfriend of Michele Harper. (*See Exhibit 63*)

161. Det. Carbonaro asks Michele Harper if she knows the address, phone number or even a landmark near where her boyfriend (Michele's) lives which is allegedly the last place Kathy was before her death and her response was "no".

Yet:

- a. The address is one that would have been frequented by nature of her relationship with one of the men;
- b. Internal communications show that Ms. Harper had accompanied and/or been invited by Kathy to accompany her, to the Laurel Walmart for school supplies on May 2, 2012;
- c. The two men lived in the community adjacent to the Laurel Walmart;

162. A simple check of facts by Det. Carbonaro who was ordered not to deviate from the original finding of suicide would have also revealed the following:
- a. Some of the statements by Michele Harper are either mistruths, gossip or unfounded.
 - b. In his handwritten notes about the interview he notes “got Mcdonalds 9:30 a.m..” Allegedly at 9:30 a.m. Michele and Kathy are together in the same vehicle, yet there is a text exchange between them about McDonald’s.
 - c. On the eve of May 4, 2012 there is a text exchange between Kathy and one of the men about Michelle having invited Kathy to the movies at the Arundel Mills Mall the night of May 4th and the movie being sold out when they arrived on the evening of May 4th. (*See Exhibit 63*)
 - d. Michele Harper (and her sister, a non-student) were alone for a week in the Univ. of Maryland Campus apartment, she shared with Kathy and:
 - i. had access to her computer; (*See Exhibit 71*)
 - ii. The pass words to all of her social media accounts;
 - iii. and her personal effects.
 - e. The parents had gifted Kathy with many sets of solid gold earrings over several years and could not find a single piece of that jewelry in Kathy’s personal effects.
 - f. A recently purchased blue tooth was missing from Kathy’s personal effects.
163. Police never visit Kathy’s residence following her death nor question the

parents or any other family members.

To further demonstrate the perpetuation of manipulated facts to others to influence outcomes that were used in the falsification of the Death Investigation

164. A review of a third internal document is titled “Katherine Sarah Morris Case Review” Police Case Number: 2012-716431 states that “All of the evidence recovered within the vehicle to include the sleep-aid pill bottle, grills and their packaging and the butane lighter have been forensically examined for DNA and fingerprints evidence yielding negative results due to the level of heat and Carbon Monoxide in the vehicle.” (*See Exhibit 75*)
- a. False see section on DNA results not reported to family;
 - b. The DNA Forensics report; (*See Exhibit 50*)
165. MPIA responsive documents show that in a Cold Case Review Sheet (*See Exhibit 75*) dated Nov. 14, 2013 the following statements are told to those receiving the report:
166. On page 5 it reads that “Detective Carbonaro attempted to interview Sergeant Latoya King but she declined to be interviewed.”
- a. Note: In other reports it simply says that “King was unavailable for questioning”.
167. In Carbonaro’s Investigative Report dated June 25, 2012 on page 7, Det. Carbonaro’s states that he contacted the civilian workplace supervisor of King (aka Kristina Robins) at Ft. Belvoir, VA. and is told King has obtained an attorney and was not willing to speak to him. (*See Exhibit 60*)

168. On page 4 of the reports it states that “Michelle Harper explained that approximately two weeks prior to this incident the deceased had a phone conversation with a female identified as Kristine.
- a. This is false in two points because Kathy knew about Kristine as far back as December of 2011 and had copies of email communications dating back to March of 2012. (*See Exhibits 69 and 70*)
 - b. Det. Carbonaro knew the referenced calls occurred on May 2, 2012, and not 10 to 14 days prior.
169. The report goes on to say, “..they discussed that Isaac Goodwin was going to divorce the deceased and marry her.” There again is a statement that conflicts with actual data extractions posted by Kathy.
170. On page 5 of this report it reads “On May 10 2012 Detective Carbonaro met with the deceased’s mother, Marguerite Morris who turned over the deceased’s iPhone, iPod and a letter written by the deceased.”
- a. This again is a false statement. There was no meeting between Det. Carbonaro and the Plaintiff on May 10, 2012.
171. This same report further states that Det. Carbonaro learned that the deceased attempted to commit suicide on Dec 22, 2011, by jumping out a second story dorm window and was taken into custody by University of Maryland Police.
- a. This is false and inflammatory and paints a picture of someone being talked off a ledge. It conflicts with the actual Univ. of Maryland Police

report where Kathy was responsive and cooperative. (*See Exhibit 76*)

172. On page 5 of this same report it references the “video surveillance system is motion activated.”

a. This again falsely implies the reason for the missing video footage.

173. In the “*Conclusion*” section of the report it states:

a. the deceased recently discovered her husband infidelities;

i. No true, it was known for at least five months prior;

b. The “Investigation did not reveal any enemies or threats to the deceased”:

i. True – but that is because of the inadequacy of the investigation:

ii. Kathy was a victim of Basic Allowance for Housing scam by the soldier.

iii. Extracted communications from Kathy reveal the husband had threatened to kill her. (*See Exhibit 64*)

iv. When one reviews the punctuation used in the emails from King to Kathy it is indicative of a physical threat. (*See Exhibits 58, 65 and 66*)

174. Forensic extractions show the husband made a call to Kathy from Afghanistan on May 4, 2012, but there has been no inquiry as to content.

175. Kathy threatened to go to the authorities and had emailed King, Brown and Goodwin her proof of the scam perpetrated on her. (*See Exhibit 68*)

176. Screen shots of Kathy’s computer in the moments before she alleged leaves her apartment are of repeated visits to Browns Facebook page and visits

to the real page of Kings which would mean that Kathy had discovered Kings true identity. (*See Exhibits 72 & 73*)

177. A review of a third internal document is titled “Katherine Sarah Morris Case Review” Police Case Number: 2012-716431 reveals the following:
- a. It states the “recent discovery” about the affair, but documents show it was known about by Kathy for months. (*See Exhibit 77*)
 - b. She “attempted” to jump from her window but was stopped by campus police, which is deliberately inflammatory implying Kathy was physically in the act but was restrained.
 - c. It notes the detective’s re-examination of the surveillance footage and the Plaintiff’s reference to portions of “missing” footage. The report **falsely** states, “It was found this surveillance system will only capture footage if there is motion detected and the times when the video is “frozen or paused” is due to a lack of movement within the frames.”
 - d. In a final note this same report references the “Cold Case Review Panel (comprised of several homicide investigators) 2013 review and their finding of “no indication of foul play”, yet the panel was given false and misleading information to review.

Other Instances Where AACPD Manipulated Outcomes Of Material Facts Evidencing An Effort To Falsify The Death Investigation Outcomes

Cell Phone GPS Records

178. In this case there were multiple data extractions of several thousand files from Kathy's cell phone and IPOD.
179. Officers initially responding to the scene were not experienced in how to process this type of technology as evidenced by their:
- i. Releasing Kathy's electronics within forty-eight hours of her death and CID requested their return, yet in a supplemental report about the return it is implied that it was the Plaintiffs idea.
(See Exhibit 95)
180. The AACPD and Chief Gary Lyle report Kathy never exited her vehicle.
- i. Yet in the OCME report her bladder is reported as empty after allegedly being in a parked car for eleven hours, with no signs that she had voided in her clothing or the car.
181. The Plaintiff is given a PDF file of extracted reports by the AACPD and are told that Kathy's phone was stationary.
182. A review of their own PDF extractions shows the phone moving from wi-fi signal to wi-fi signals in a clear pattern inside and through the mall.
183. This assembled time line accomplished by hundreds of hours of work by the Plaintiff was never undertaken by any law enforcement agency and has documented location discrepancies.

184. The forensically sound data extractions, done by Expert Data Extractions, a licensed professionally sound extraction company reports reflect cell phone signals pinging from tower locations several miles away.
185. The extraction document given to the Morris family by AACPD show GPS readings away from the mall are missing or deleted.
186. This review of the extracted file discrepancies was recorded/documentated by ABC camera's.
187. To resolve and for comparison purposes of the discrepancies the Plaintiff was instructed by Expert Data Forensics to request the raw data extractions used to make the PDF files from the AACPD. (*See Exhibit 78*)
- a. To date they have not been received and a MPIA lawsuit was initiated in 2018 for the unreleased records.
188. In 2015, the Plaintiff hand delivered a thumb drive of both sets of extractions to AACPD with a request for an explanation of the anomalies:
- a. there was no response given to the Morris family.
189. MPIA responsive documents show that in a *Confidential Investigative Supplemental Report (See Exhibit 79)*, about this discrepancy site the UTC codes as the reason for the discrepancies, however:
- a. UTC codes do not affect GPS satellite locations signals;
 - b. The time missing is a block at 3:52 a.m. (UTC+0) on May 6, 2012 or 11:52 p.m. (UTC-4) on May 5, 2012;

- c. These time stamps do not affect the location of Kathy's phone which was potentially moving through ElkrIDGE/Howard County and potentially not at the Arundel Mills Mall. *(See Exhibits 84, 86, 80 and 81)*
 - d. Major companies like Google Maps *(See Exhibit 82)*, and T-Mobile state that the Wi-Fi and cell tower data reflect the phone was not stationary and that if GPS records were deleted it was done manually.
190. Officer Gary Lyle testified under oath that he watched the entirety of the mall parking lot video surveillance tapes and in his testimony Kathy's car did not move from the parking spot.
- a. Official reports contradict his statements.

Kathy's Electronic Device Shows the Download of a Video

191. On May 6, 2012 data extractions performed by *Expert Data Forensics of Las Vegas, Nevada* showed that a video was downloaded and played on one of Kathy's electronic devices at 3:18 a.m. UTC - 4, (actually 11:18 p.m. EST). *(See Exhibit 83)*
192. When the question of how this could have been downloaded on the device *Professional Digital Forensic Consulting, of Richmond, Virginia*, stated this was most likely manually done by someone using the device. *(See Exhibit 86)*
193. The AACPD did not investigate nor do they mention this in any of their reports to be viewed by others.

194. In reference to postings appearing to be coming directly from Kathy's phone, the AACPD did not acknowledge, nor investigate the possibility of a cloned phone.

195. The Plaintiff, inquired of cyber experts and was informed that:

- a. There is a number chip inside of the phone that is specific for that phone number;
- b. if cloned, it can send messages to and from external sources that will appear on the main phone.

196. The AACPD also did not acknowledge the fact that there may have been a person with Kathy that was borrowing her phone and sending the messages:

- a. as was their already documented behavior in the seventy-two hours prior to Kathy's death;
- b. and as documented in the records, used aliases and fake posting id's in the four to five months prior to Kathy's death; (*See Exhibits 128 & 129*)
- c. None of which is reported or documented in any of the AACPD reports.

AACPD Have Failed to Investigate a Crucial Window of Time Following the Last Known Voice Communication with Kathy

197 On May 5, 2012 an out of state relative reported allegedly speaking with Kathy by phone at 5:38 pm PST, (8:38 p.m. EST). Plaintiff, acknowledges and accepts that possibility. However, there is a crucial window of time occurring one hour later. The documented crucial window of time occurred at 9:39 p.m. to 9:51 p.m. on May 5, 2012, when the surveillance camera and the

AACPD report Kathy's brake lights as coming on and staying on for twelve minutes. *(See Exhibit 92)*

198. In the AACPD report itself there is mention of a person standing near Kathy's car in this crucial twelve-minute window of time;

- i. This added to the lack of alibiing other persons of interest, does not rule this possibility out;
- ii. One of the persons of interest has a degree on Forensics and could have easily manipulated or caused to have been manipulated the evidentiary elements of this case.

199. During this crucial window of time surveillance video also shows a white SUV pulling away from Kathy's car:

- i. An enclosed affidavit documents that the same person of interest previously referenced as having a degree in forensics, was spotted by a potential witness as having a Ford Explorer similar to the one caught on camera parked in her driveway. *(See Exhibit 117)*

200. Cell tower record extractions show Kathy's phone pinging from various WIFI, showing it moving though the mall in the hours prior to 9:39 p.m.
(See Exhibit 84A)

201. Within the two hours following the crucial window of time, extracted GPS records show Kathy's cell phone pinging from cell tower locations at various times in a pattern that followed along local streets miles away, in a driving

pattern that left the mall parking lot, and then circled back to the mall parking lot. (*See Exhibit 84B*)

202. AACPD record #144517 shows Kathy's phone inside Arundel Mills Mall. (*See Exhibit 84C*)

AACPD Officers Allow Key Evidence To Be Lost Or Destroyed To Falsify And Manipulate The Death Investigation

Reporting Officers Conflict in Timeline – i.e. 911 call logged at 5:30 a.m.

203. Chief Gary Lyles reports that the surveillance video showed mall security stopping at victim's vehicle at 5:32 a.m. and emergency vehicles are then seen arriving.
204. May 6, 2012 Valor Security officer Stephen Howard says he was radioed at 5:15 a.m. patrol for a lot check.
205. The Plaintiff was told over the course of approximately twelve months, (May 2012 through mid-2013), that available surveillance footage would not play because of compatibility issues.
206. Alleged records reflect that on the morning of May 6, 2012 sometime between 4:30 a.m. and 5:32 a.m. an employee of Valor Security⁷ (Stephen Howard) during a parking lot check comes upon the car with its engine running and all doors unlocked. By his own testimony he states that while Kathy lay stretched long ways across the front bucket seats of her car, with a

⁷. Valor Security is contracted by Simon Properties to provide security at the adjacent Arundel Mills Mall. Kathy was physically located in a parking lot owned by Anne Arundel Community College's satellite campus but patrolled by Arundel Mills Mall security.

smoldering grill nearby:

- a. He opened both doors but does not mention this in his written work-related *Incident Report* dated May 5, 2012. (See Exhibit 88)
- b. He opened the trunk of the car, which conflicts with his written incident report.
- c. He searched the trunk of the car, which conflicts with his written incident.
- d. He removed the keys from the ignition (even though he states he did not, pictures show he did).
- e. He took pictures of Kathy and her car. (See Exhibit 86)
- f. He states under oath that all of the above was done before 911 was called.
- g. He states that all four doors of the car were unlocked.
- h. He did not agree with the police ruling of suicide. (See Exhibit 132 *Stephen Howard Deposition on the thumb drive*)

207. Security Officer Stephen Howard's fingerprints are not reported on anything nor was there any spoilt evidence reported by AACPD officers.

208. The amount of time he actually spends at the scene before dialing 911 is unknown but could have been determined on the missing surveillance tape.

209. Contradicting the Chief Gary Lyle time-line the 911 report logs 911 as being summoned at 5:30 a.m. (See Exhibit 89)

- a. Responding was Officer N. Hollis #1821. Officer Hollis pronounced Kathy dead at approx. 0537 hours.
- b. Sgt. Keith Clark #1206 arrived and supervised.
- c. The Evidence Collection Unit (ECU) processed the scene.
- d. Forensic Investigator Abbey Glenn with the OCME arrived and processed scene.

210. June 25, 2012 Det. Carbonaro visits the Arnold location of Anne Arundel Community College to view surveillance video footage.

- a. He attempted to view original footage and found it had not been preserved by campus security, therefore there was no footage from May 6th, 2012.

211. After facing a year of resistance family members were finally able to see video footage from May 5th and 6th of 2012. All footage from May 6, 2012 is missing. (*See Exhibit 90*)

212. It is implied that AACPD officers had the entire surveillance video in their possession and it was viewed by Det. Keith Clark in its entirety. An email dated July 23, 2013 from Melissa Breadmore to the Plaintiff reads:

- a. “We cannot explain why the current thumb drive in the possession of Anne Arundel County police ends at 21:52 on May 5, 2012. We have been advised by Det. Clark that he viewed the original video which included activity on May 6, 2012, including the arrival of emergency vehicles at approximately 5:32. a.m.” (*See Exhibit 87*)

213. It is also implied that Chief Gary Lyle, a retired 27-year veteran of AACPD, and Chief of Security with the Anne Arundel Community College with a background in special investigations failed to follow standard operating procedures and *allowed the original surveillance footage to be destroyed*. A recorded deposition of Chief Lyles shows him testifying under oath and making false statements about this footage. His reporting is callus and inaccurate. (See Exhibit 132 on thumb drive and Exhibit 92)

- a. In the one-page incident report he writes, the date wasn't correct...
- b. In another report the time that he reports security vehicles arriving is false.

214. AACPD report states "no video" available for May 6, 2012 and:

- a. On June 18, 2013 Morris was finally provided with a copy of the video by Major Bergen of the AACPD and advised to take the video to the FBI for assistance in viewing. (See Exhibit 90)
- b. Morris has the video reviewed by Geek Squad and is informed that there are no apparent compatibility issues and the video does play.

215. Upon Plaintiff's review of footage which was created by Ocularis, on *Net Surveillance System*, the surveillance footage is missing major and crucial blocks of time, i.e. any footage from May 6, 2012 and the following is noted:

- a. The time stamp or clock on the video continues running as if showing recorded video, but the picture is a still photo.
- b. A still shot of where the surveillance picture freezes clearly shows

numerous cars still parked in the mall parking lot on busy Saturday night.

- c. There is no explanation or reference to the camera closest to Kathy's car and on-site security guards still refuse to confirm or disavow the existence of the closest camera pictured in exhibits 115 and 116. (*See Exhibits 115 & 116*).

216. In 2014 the AACPD changed the reason for the missing video was because camera was motion sensitive. However, in there are numerous other vehicles present in the lot. (*See Exhibits 37 and 38*)

217. AACPD created several reports for review and over the past five years inquiring agencies and personnel with the authority for review have repeatedly been presented with false, manipulated, and intentionally misleading documents as evidenced by:

- a. The OCME letter that was reviewed by AACPD twice before being released; (*See Exhibit 15*)
- b. Email statements about a person in authority giving the investigating officer marching orders to not deviate from the suicide finding; (*See Exhibit 28*)
- c. The email exchange about "it not being in the cards" for the inquiries into the handling of the investigation to stop. (*See Exhibit 30*)
- d. The email exchange about Kathy's credit card use. (*See Exhibits 39 and 40*)
- e. The interoffice report Katherine Morris Review Summary dated Feb 2, 2014 which went to the chain of command. (*See Exhibit 36*)

- f. The continued falsehood over the reason for the missing video footage that is repeatedly reported in several communications. (*See Exhibit 37*)
 - g. The 2015 emails with false information about DNA that were circulated internally. (*See Exhibits 48 and 49*)
 - h. The AACPD Case Information Sheet dated 6/25/2012 (*See Exhibit 60 &74*)
 - i. Det. Carbonaro's deliberate suppression of facts from witness statements. (*See Exhibit 61*)
 - j. The *Cold Case Review Sheet* dated May 6, 2102; (*See Exhibit 75*)
 - k. The Katherine Sarah Morris Review, Police number 2012-716431(*See Exhibit 77*)
 - l. *The AACPD Supplement Report misleading the readers about UTC Code discrepancies.* (*See Exhibit 79*)
 - m. *The email exchange between Anne Arundel Community College President Beardsmore stating Det. Keith Clarks having viewed the entire surveillance video prior to it going missing.* (*See Exhibit 87*)
 - n. *The repeated reporting of the erroneous information contained in the Anne Arundel County Community College Public Safety Officers Report.* (*See Exhibit 92*)
 - o. *The AACPD Briefing Incident Report titled Suicide - Katherine Sarah Morris b/f/031190.* (*See Exhibit 93*)
 - p. The chain of custody issues. (*See Exhibit 96*)
218. The following is the Briefing Incident Report for "*Suicide - Katherine*

Sarah Morris b/f/031190 22yoa Arundel Mills Mall, Anne Arundel Community College Complex” in its entirety.

i. Underlined emphasis added by plaintiff.

ii. Plaintiffs comments in bold italics.

219. “On May 6, 2012, at approximately 5:30am, the body of Katherine Morris was discovered deceased within a 2005 Pontiac G6 (gold) parked at the aforementioned location. The vehicle was displaying MD registration 3EXG24, which was running. She was lying with her feet across the driver's seat, and her head within the front passenger floor area. Ofc. Hollis#1821 noted the vehicle smelled of lighter fluid and charcoal, and her head was partially lying on two burnt pans of charcoals.”

220.. “Sgt. Clark, Homicide, was contacted by Patrol and elected to check out the scene before dispatching members of the Homicide Unit. He noted that Patrol had the scene secured, and they identified her as Kathy through an ID in her purse. The purse was on the front passenger floorboard. While awaiting the arrival of the Forensic Investigator, they researched this method of death and learned it was popular for suicidal subjects to kill themselves in this manner after taking sleeping pills. It is referred to as a "peaceful end."”

221.. ***Not initiating a call to homicide represented a serious misjudgment by AACPD and supports the rush to suicide allegation void of considering other potential outcomes.***

a. ***Kathy’s purse was under her body and or on the seat. (See Exhibit 52)***

- b. Crime scene photos taken before emergency personnel arrive show personal items including a small notebook laying in the middle of the passenger seat implying Kathy laid on top of several bulky items, which does not suggest physical comfort for an alleged “peaceful end”. (See Exhibits 51 and 52)*
- c. Researching a “peaceful end” involves several forms of death including assisted suicide.*
- d. Grill induced suicide from carbon monoxide, also referred to as “death by hibachi” did not always involve the use of sleeping pills.*
- e. The use of sleeping pills could have served more than one purpose.*
 - a. It was related to several murders where the pills were ground up and used to sedate the victims. (See Exhibit 24 page 62)*
 - b. Could have been used for the purpose described.*

222. “Forensic Investigator Glenn removed the body and determined the victim's death was consistent with carbon monoxide inhalation due to her skin color. No other signs of trauma were discovered, other than burns to her face from falling into the disposable charcoal tins. ECU Tech Pifer photographed the scene, bagged her hands for evidentiary purposes, processed the vehicle (DNA swabs, fingerprint), etc. An open bottle of sleeping pills were recovered within Ms. Morris' purse. A cell phone and another electronic device were sieved from within the vehicle.” and:

- a. Crime scene photos show Kathy face up in a contorted position;*
- b. Burns are to the left back and left ear;*
- c. Skin color changes from Carbon monoxide poisoning on a dark skinned African America may not be visually evident;*
- d. Receipt for purchase of sleeping pills, grill or lighter is not found.*

223. “The body of Ms. Morris was transported to the OCME. An autopsy was performed on May 7, 2012, and Dr. Pollak (OCME) determined that Ms. Morris had a lethal amount of carbon monoxide (60% concentration) in her system, with no other injuries. Dr. Pollak chastised Sgt. Clark for bagging her hands, until he informed him that he had never experienced this type of death. Dr. Pollak stated this was a common means in the Baltimore Metropolitan area.”:

- a. Autopsy and death certificate signed on May 6, 2012;*
- b. False, victim is burned on back and to the left ear;*
- c. Dr. Pollak alleged response goes to the error of prejudging and influencing respondents to not consider any other methods, BEFORE any investigative efforts are made. (See Exhibit 93)*

224. “Ms. Morris was a student at the University of Maryland, College Park. Investigation revealed that she had attempted to kill herself in December 2011 within her dorm. She attempted to kill herself through an overdose, but officers intervened when her mother had them check on her.”

a. False and misleading reporting reflecting poor research. (See Exhibit 76)

225.. “Chief Lyle, Anne Arundel Community College Security, reviewed the security tape of the location. He noted that the deceased parked near the wooded area at approx. 6:58pm on May 5, 2012, after driving around the lot. The brake lights illuminated at 9:39pm, and went off at 9:51pm. No other activity was noted until she was discovered by Mall security at 5:32 am on May 6, 2012. A copy of the tape was provided to Sgt. Clark, who reviewed the same. The video failed to play fully for him, but was reviewed in its entirety by Chief Lyle.”

a. OCME and AACPD refer to Sgt. Clark as having reviewed the tape in its entirety; (See Exhibit 93)

b. False in stating a copy of the tape was available

226. “An independent witness reported leaving the area in her vehicle at 3:40am, May 6, 2012, and observed a lone woman in the vehicle who appeared to be sleeping.” Emphasize added

a. Gives the impression that Kathy was witnessed sleeping in her car. This witness was deposed by the Plaintiff and the person seen sitting in a vehicle was a woman in an SUV.

b. Police never questioned this witness, she testified under oath that police never called her back, AACPD falsely infer it was Kathy.

227. “Sgt. Clark learned through her text messages and Facebook postings that Ms.

Morris was despondent after learning her husband had an affair. The husband was deployed overseas on a military assignment at the time of her death. Ms. Morris stated numerous times that she was suicidal, a suicide note was recovered, and she posted on FB and Twitter until her death that she was "waiting for this to be over."

- a. A search of thousands of records was done and nowhere in them did Kathy state she was suicidal as in stating she wanted to kill herself.*
- b. Kathy never once used the word suicide.*

228. “**Based on the above, Dr. Pollak ruled the death a suicide by carbon monoxide poisoning.

229.. Sgt. Clark met with Kathy's mother. and informed her of the circumstances surrounding her daughter's death. She informed Sgt. Clark that her daughter was a Christian and would never kill herself. The mother informed us that her daughter married a member of the US Army, who refused to provide her a military ID or any money. She was instructed to contact the Army for that matter.”

- a. Plays down persons having motive to harm Kathy.*
- b. No mention that Kathy was a victim of fraud and had threatened to go to authorities. (See Exhibit 93)*
- c. False. The Plaintiff states that she did not make a remark to Sgt. Clark about her daughter being a Christian and that she would not kill herself. It is one possible scenario but not the only conclusion that can be*

drawn.

d. This Incident briefing clearly omits any evidence submitted that would bring into question any other possibility of how carbon monoxide could have been introduced into Kathy's system.

230. "The following has occurred since that time, but is not all inclusive:

231. Lt. Col. Troy Glazier, Ft. Bragg (US Army) conducted a fraud investigation regarding the marriage of the deceased to Isaac Goodwin at request of Marguarite Morris. He was provided copies of all our documents."

a. Omits fact that three persons including the soldier were:

a. mirandized by the military;

b. Investigators confiscated their government issued electronics

c. Two of the three obtained lawyers

d. Records show the military needed the AACPD to move on the personal electronic and were told it was not necessary.

e. Records show that at least two of the three were ordered to have no contact and that written direct order was defied over sixty times in the first 30 days following Kathy's death.

232. "Facebook and Social media documents were provided by Marguarite Morris, which failed to show any indications of a crime."

a. No mention of calls or other attempted contacts made to Kathy over a three-hour period of time from a nearby military installation;

b. Those submissions presented an alternative series of events.

233. “Col. Teare met with Marguarite Morris and the NAACP. He directed me to re-assign the case and remove Sgt. Clark as she referred to him as a racist.”

a. False and inflammatory. Plaintiff never made this statement. Clark was asked to not be involved in a reinvestigation because the parents felt it was asking him to reinvestigate himself, and that presented a conflict of interest. (See Exhibit 27)

234. “June 12, 2012 Det. V. Carbonaro, AACO Homicide, was assigned to the case by Capt. Milligan to interview Isaac Goodwin's mistress friend (Damaris Rosa, Ft. Belvoir, Va.) and the roommate of the deceased (Michelle Harper). Both recalled a telephone conversation between the deceased and the mistress, and said it was amicable as both were shocked to learn of each other. Neither heard any threats. The mistress refused to speak with him due to the pending Army investigation.”

a. False, documents collected by Kathy herself labeled “What I found out today” clearly show Kathy had uncovered the fraud and knew about King alias Kristina;

b. The affair and scam was discovered back in March of 2012 by Kathy herself; (See Exhibits 69, 70, 128 and 129)

c. The call and communications made to Kathy on May 2, 2012 was not amicable as Latoya King refers to Kathy as an “email gangster!!!” Which in urban dictionary is a physical challenge. (See Exhibit 65)

d. The statement is false. “The mistress refused to speak with him due to

the pending Army investigation” as the AACPD narrative given by Det. Carbonaro states he was informed the mistress had a lawyer and was not available. (See Exhibit 60)

235. “Det. Carbonaro reviewed the video surveillance tape provided by Chief Lyle from AA Community College. There were brief periods missing, due to the manner in which they saved it. He saw nothing suspicious.”

a. False and misleading. Those brief periods of missing video were hours of footage after approx. 10 p.m. on May 5, 2012 and all of the May 6, 2012 tapes.

b. The statement conflicts with their continued statements to the homicide panel about the surveillance tape footage being motion sensitive as to the reason for missing footage;

c. He saw nothing suspicious on available footage.

236. “Det. Carbonaro had Det. Seegers conduct a forensic analysis of her cell phones and computers. All of which provided numerous implications of suicide, to include a suicide note.”

a. Suicide notes were not consistent in style and were typed on electronics, which others clearly had access to.

b. False. There was never any search of Kathy’s computers. The only alleged extractions were from the IPOD and cell phone.

c. Statements made by Kathy was a matter of interpretation as to their meaning and were not definitively suicidal in nature.

237. “Marguarite Morris accused Isaac Goodwin and his mistress of causing her to commit suicide. It was learned that Isaac Goodwin bought Suicide Insurance against the victim after the December 2011 suicide attempt. He was assigned to a duty station in a combat zone at the time of the victim's death.”

- a. A review of social media accounts show victim had threatened to go to the authorities on three persons – two of which had clear access to Kathy.*
- b. The husband was assigned outside the county, but his long-time mistress and her friend were within thirty minutes of Kathy and in contact with her using alias’ in attempts to hide their true identity.*
- c. Records show that Kathy was viewing the social media sites of both women involved and had posted the true identity of the one using alias’ to contact her. (See Exhibits 72 and 73)*
- d. Records show that the day before Kathy dies she threatens to go to the authorities on the three which created a clear motive, and none were alibied.*

238. “The information was presented to the SAO, who declined prosecution as there was no criminal wrongdoing performed in Anne Arundel County.”

- a. The assistant state’s attorney William Roessler did concur that there was motive to harm Kathy.**

239. “Marguarite Morris complained that we wouldn't get a search warrant to obtain Facebook records, and other Social Media. This was reviewed with the SAO and

we had no PC to do so.”

240.. “Marguaritte Morris met with the SAO and declined to charge or immerse their self into the case.”

241.. “Marguarite Morris complained to Chief Teare about not having access to property of the deceased. The Office of Law was briefed as well as the Army, and Isaac Goodwin agreed to turn over some sentimental items purchased by her mother. This was arranged and performed by Det. Carbonaro.”

a. The mother had requested the return of her daughter’s high school class ring and AACPD required she prove it was brought before the marriage.

242.. “A letter was sent by me explaining the matter was closed. A copy of which is attached.

243.. It should be noted that she subsequently believes her daughter was pushed into a depressive state that caused her to commit suicide. She was ticked that he failed to attend her funeral, failed to pay for the funeral, failed to contact her family when he was in town.”

a. All of the above actions can be interpreted to be the actions of someone guilty of committing a crime.

b. Uses of verbiage seems to imply a personal vendetta when the plaintiff is pushing for the checking of facts and to the ruling out of other potential causes of death.

244. “In MD, a charge of assisted suicide requires providing the physical means, participation in the act, or coercion/duress. MD Annotated Code CR 3-102(1), Cr 3-102(2), and CR 3- 102(3). None of which applied per review with the SAO.”

Errors In Chain of Custody To Reveal Systemic Departmental Investigative Weakness’ that Point To Gross Abuse’s by the AACPD

245.. May 8, 2012 just 48 hours after Kathy’s death the AACPD released her electronics and car to her parents:

- a. No data extractions had been done prior to the release;
- b. This was a clear break in the chain of custody;

246.. On May 10, 2012, AACPD’s CID contacted the Plaintiff and requested the return of Kathy’s IPOD and cellphone. On this same day, the Detective again contacted the Plaintiff, who was in Laurel preparing for her daughter’s upcoming funeral, stating he would not be able to meet her but could she meet another AACPD Officer in a nearby IHOP parking lot to return the requested items. The plaintiff complied and met Officer T. Heinecke, turning the items back over to police.

247.. In a means of continued manipulation of facts, the ensuing AACPD report Supplement 0008 completed May 22, 2012 reads: (*See Exhibit 95*)

- a. The Officer “responded to the IHOP at .. and met Marguerite Morris...” who had some of her daughters property “and wished to turn it over to assist in the investigation..”;
 - a. Giving the impression the Plaintiff had initiated the action;

b. No mention of the Plaintiff responding to a request from CID.

248.. MPIA responsive documents show another internal and questionable chain of custody occurred November 22, 2013 which mentions initials being missing per the following:

- a. Evidence Coordinator Craig Robinson as requested by the Homicide Panel, mentions attempts at processing items for latent prints and further DNA preservation for potential DNA analysis. He also inquired about the UPC codes from the grill packaging. The inquiry is sent to Katie Pifer;
- b. Crime Scene Technician, Katie Pifer mentions that she noticed that the Chain of Custody doesn't show Chanel opening "my packaging materials" to get UPC for detectives. Mentions doing a "little supplement" just in case. Just to be safe;
- c. Craig forwards to Chanel to add the "necessary date and time to the COC."

249. C. responds "It has been added to the COC." (*See Exhibit 96 and 97*)

250. Multiple inquiries were sent to the AACPD for information about the UPC codes from the grill packaging and not responded to.

251. In a released email listing the UPC codes, the codes have been found to be invalid.

Repeatedly Defying Maryland Public Information Act Request As A Means of Intentionally Denying Due Process to Further Support the Falsification of the Death Investigation

252. Since the inception of these events there have been numerous meetings and inquiries, the majority of which are MPIA requests. *(See Exhibit 99)*
253. On November 15, 2015 the Plaintiff filed a Maryland Public Information Act (MPIA) request with the AACPD.
- a. The Plaintiff was alleging that the AACPD manipulated the MPIA process to make it difficult to gain access:
 - i. Fees were excessive. AACPD charged required a \$5,300 to \$7,200 payment upfront for the release. Yet to companies like the Baltimore Sun the fees were negotiated on numerous occasions.
 - b. In results finally received in 2016 there were 9,269 pages released of internal email communications.
 - c. Over 7,000 pages were duplicative copies of eleven and fifteen-page interoffice newsletters.
 - d. Not one single page was from the year in which Kathy died, which was clearly the target and reason for pursuing the request.
 - e. The information sought included:
 - i. An electronic copy of electronic extractions from the deceased cell

phone and IPOD.

254. In May of 2015 Expert Data Forensics of Las Vegas, Nevada, as a pro-bono community project selected the Plaintiff's case.
- a. On or about May 5, 2015 data is extracted from Kathy's IPOD and cell phone.
 - b. During a comparison of the Expert Data Forensics raw data extracted files to the PDF reports generated by the AACPD, GPS discrepancies are discovered and there is a block of time missing from the AACPD version.
255. On July 8, 2015, at 5:47 p.m. another request is sent to AACPD via Chiimothy Altomare and copied to Herbert Hasenpusch for the raw data extractions of the AACPD for comparison. It was the second request for the raw data that was used to create the AACPD's PDF files. (*See Exhibit 78*)
256. In February of 2018 a lawsuit was initiated over the AACPD's failure to produce the Raw Data files. At the time of this pleading their response was that in 2012 the computer's hard drive that housed the Cellebrite software, used to perform the extractions crashed and the files were lost.
257. This is in spite of an internal report filed by that same officer that states he has performed over 500 of these extractions. There was no reference or comments as to any subsequent attempts to retrieve/recover the data housed by that computer. The pattern of behavior by the AACPD show a clear pattern of suppressing evidence.

258. Google Support states GPS files be deleted from a phone, but it has to be done manually. (*See Exhibit 98*)
259. In paragraph 3 of a Supplemental Report, it incorrectly states Plaintiff did not include certain records from Expert Data Forensics. (*See Exhibit 98*)
260. This same internal report generated by Officer Poole did not address the missing files nor offsite GPS locations even though their creation time, may have been at 11:52 p.m. instead of a 3:52 a.m. (*See Exhibit 79*)
261. Multiple requests are sent to the AACPD requesting raw data files and or all communications related to the GPS cell phone extractions, dating back to May 5, 2012;
262. Plaintiff is told that there are no records responsive to the request.
263. Therefore, the Plaintiff have charged in both instances that:
- a. The response of the AACPD to Plaintiff's request under the Maryland Public Information Act to inspect and to copy documents was incomplete, insufficient, inadequate and a blatant violation of the Maryland Public Information Act and have file suit accordingly. In particular:
 - a. The AACPD was in clear violation of failing to respond within the 30 days as required by statute;
 - b. The AACPD deliberately allowed documents relevant to the allegations of misconduct by public citizens to be destroyed;

- c. AACPD by their own actions and written statements previously waived attorney client privilege and found all records releasable;
- d. The AACPD have operated in a manner that is an abuse of power and process in having deliberately and repeatedly denied access to documents.

264. Plaintiff asks the court to please note that while the respondent to the MPIA request had no duty to create records, the County Records Manager had control over how records were displayed, and the Plaintiff believes that these options offered were deliberately complicated.

265. AACPD failed to produce documents relating to 2012 as well as attorney client privileged documents in which the privilege was waived.

266. The AACPD further stated that the above-referenced documents were being withheld on the basis of deliberate process privilege and because they contained investigative information, even though no person was charged in the death of Kathy, and her death was ruled a suicide. (*See Exhibits 100 and 101*)

267. The resulting inference is that there was an undisclosed deliberative process privilege that:

- a. occurred internally;
- b. that this case has been a part of;
- c. and that information has been kept from the public.

AACPD Ignore the Connecting Characteristics To A Murder to Support The Falsification of the Death Investigation

268.. Twenty-three days prior to Kathy's death a story appeared on the Internet of Kanai Kajimi (*See Exhibit 136*) who killed three men using carbon monoxide and sleeping pills. The deaths were originally ruled a suicide. Upon the third man's death, when police could not find the keys in the car, they realize the man was murdered. This case mirrored the death of Kathy almost point by point and no attempt to examine the possibility of a copycat murder was examined by the AACPD or mentioned in any of their reporting to others.

- a. In each of these cases the pills were used to render the victims helpless in preparation of a staged suicide involving putting the carbon monoxide emitting grills in place.

Obvious Contradictions to AACPD and OCME Theories of Self-infliction

- b. Kathy drove to a well populated area surrounded by thousands;
- c. Surveillance camera footage do not show Kathy deliberately looking for a secluded parking space. It can be seen that she turns on her blinker to take a parking space but is cut off by another vehicle. She chooses the spot where her vehicle is located because it was the next available space. (*See Exhibits 102 thru 106*)
- d. Due to the lack of interior burn damage above where the grills were physically located, and if Kathy died in that parking lot, the grills used to end Kathy's life would have to have been lit outside of the vehicle and then moved inside of the vehicle. (*See Exhibit 107*)

269. Data extractions² have not revealed Kathy researched any types of suicide methods on her cell phone iPod or computer.

To Further the Falsification of the Death Investigation AACPD Failed To Sound The Alarm When The Most Fundamental Of Evidentiary Items Could Not be Connected to Kathy

270. Three times the importance of finding receipts as proof of purchase of several key items used to end Kathy's life were deemed important by the AACPD and others:

- a. When detective's originally found Kathy's body they searched her car for receipts.
- b. By the homicide panel requested them.
- c. By the Plaintiff in reviewing items on Kathy's receipts from the last purchases made by her.
- d. To date, no receipt was found of Kathy's last month of transactions that showed a sleeping pill purchase. (*See Exhibit 42B - 44*)
- e. To date, no receipt was found of Kathy's last month of transactions that showed a lighter purchase. (*See Exhibit 42B - 44*)
- f. Kathy's fingerprints are not found on any of the items especially the pill bottle which would have required a full hand grip to open. (*See Exhibits 45 & 46*)
- g. To date, no receipt was found in Kathy's transactions that showed a grill purchase.

Second Suicide Method is an Unsubstantiated Possible Method And Illuminates The Weakness in OCME's Analysis

271. The OCME's Dr. Aronica, when questioned about the eight pills missing from the bottle of 32:

a. She stated that the pills were a second method of suicide attempt.

272. Two independent Pharmacists opined with regards to the timing and the effects on cognition upon consuming eight OTC Sleep Aids. The active ingredient is diphenhydramine. Regular strength is 25 mg per capsule; Extra Strength is 50 mg per capsule. Recommended "not to exceed" adult dose is 400 mg per day.

According to both expert sources, eight Sleep Aid capsules, of either strength, is - - at most -- 400 mg. Except for an allergic reaction, even taking all 32 capsules would NOT have resulted in a fatal dose.

273. A Pediatric Oncologist indicated that diphenhydramine is routinely given to children as a Sleep Aid. This OTC medication is, by nature, one that causes the sort of drowsiness that would be "snapped out of" almost instantly by painful stimulus, such as a burn.

Where There's Smoke There's Fire!

274. The evidence log indicates the vehicle had two burned trays of charcoal with visible fire damage to the floor from one grill; (*See Exhibit 109*)

a. In this case, Kathy had burns to her back and ear, the ear burn being inconsistent with the position of the body.

275. The Plaintiff was originally told by the AACPD that burns on Kathy were caused by combustible heat. When the Fire Marshal was contacted he stated that he had never examined the body and had not told the AACPD this.

a. In this case there was a failure to have a Fire Investigator summoned to the scene.

b. An Anne Arundel County Fire Marshall, formed his 2012 opinion from photo's he was shown afterwards.

276. Experts consulted found that disposable grill trays of the type listed contain accelerant-infused charcoal briquettes encased in a wax-coated bag and the instructions call for opening the wax coated bag and introducing a source of flame as a means of ignition.

277. Research shows that grills when initially lit, flame up, therefore it had to be lit outside the car and then moved inside. Available camera's footage does not show outside activity such as this. (*See Exhibit 107*)

278. The nationally recognized expert who reviewed the Plaintiff's file was a former President of The National Association of Arson Investigators and the author of numerous textbooks that are used in the training of arson investigators.

279. Plaintiffs acknowledge that there were a number of outstanding variables that blocked his ability to be precise in all calculations such as:

a. The cubic feet of air within the car was a known factor and the vent settings were unknown;

- b. Numerous requests were made to obtain official scene photos of the vehicle interior, visual representations that might have revealed open/shut fan settings;
 - c. There was zero cooperation forthcoming from AACPD.
280. Photographs taken of the interior of the vehicle provided a clear view of heat-melt burn in a circular pattern near the center of the passenger side floor mat.
(See Exhibit 109)
281. Fire/heat patterns can be discerned by accurate measurement capabilities provided by the different melting points of materials used in the interior.
- a. One of the lowest material melt point belongs to the Styrofoam that cushions and stabilizes the glove box.
 - b. There is a molded piece of vinyl which is the outer layer of the Styrofoam. The importance of this is that rising heat would be expected to be intense enough in that limited space to quickly begin the melting process of the vinyl and the Styrofoam.
 - a. There was no residue from this noted on the floor carpet burn.
 - b. There is no melting of the passenger seat front-facing vinyl.
282. The Plaintiff believes the plausible explanation for the lack of burn was that the two grills were placed in the vehicle after the flame phase had been completed. There were several cases where it describes this as a part of the process as noted in the following:

- a. “Another method of generating carbon monoxide is to use a charcoal grill or hibachi, again within something like tent or a car. Ideally getting the grill burning well before bringing it in to the enclosed space.”
<http://lostallhope.com/suicide-methods/carbon-monoxide-co-poisoning>.
- b. Another attempted suicide by grill wrote “I burned charcoal in my backyard in 3 small hibachis then brought them in my small bathroom and sealed up the door.” <https://suicideproject.org/2013/12/my-first-post-10/>.

The Failure of AACPD to Take Reasonable Investigative Measures and Procure Interview of Attainable Witness’

283. Only two statements were taken by AACPD from the onset of this investigation, up to and including to the present date:
- a. Michelle Harper, roommate of the deceased, whose statements contradict facts found in extracted records;
 - b. Brown, who Kathy had threatened to go to the authorities on the day before she dies;
- 284.. Mall Security Officer, Stephen Howard who by his own sworn testimony, spent enough time at the scene before dialing 911 to do the following: (*See Exhibit 132 Stephen Howard Deposition on Thumb Drive*)
- a. Took at least four postmortem pictures of Kathy before emergency personnel including the OCME arrived, even though his employer,

(Michael Maresca of Valor Security) responded to a subpoena for deposition stating there were no photos; (*See Exhibit 121B*)

- b. States under deposition that he searched the trunk of the car but does not put that in his original report;
- c. Removed the keys from the ignition of the car. (*See Exhibits 52, 121B, and 132*).

285. A person of interest King immediately obtained an attorney and was never questioned by the AACPD. She also defied a direct order for no communication with Goodwin, and who Kathy had threatened to go to the authorities on the day before she died.

Chart of Official/Discoverable statements (NOT) taken by law enforcement nor any information gathered from	
1.	Any member of the Morris family, multiple of whom could have contributed important information as to Kathy's state of mind in the days or hours prior to her death.
2.	The responding AACPD officer who “googled” to arrive at a Cause of Death.
3.	Two witnesses sitting in an adjacent parking lot to the parked Pontiac G6.
4.	LaToya King, the girlfriend/fiancé of Goodwin before-during-after the sham marriage between Goodwin and the deceased.
5.	Charlotte Breeden, step sister of the deceased who knew Kathy's passwords and had the wherewithall to phone the strange number within short hours from the discovery of Kathy's body.
6.	The Medical Examiner once critical irregularities came to light.
7.	Any expert within the Accident Reconstruction industry who could reasonably make sense of the post mortem positioning.
8.	The Mortician who prepared Kathy's body for burial.
9.	Any Fire Cause Analysis person – as this “suicide” was highly unusual.
10.	An expert of some standing regarding methods of suicide.
11.	The Doctor who treated Kathy for three months between December 2011 and March, 2012.
12.	Brandon and Eddie who communicated with Kathy in the 24 hours prior to the time her body was discovered.
13.	Isaac Goodwin, Kelsey Green and Brittany Jenkins
14.	Mall Security Guards Nathan Douglas Lasher and William Anthony Boone.
15.	ANY Data Extraction Expert.
16.	Whomever handled the “evidence” that day, including all of the discrepancies which later came to light.
17.	A burn expert
19.	Follow up on statements of the two individuals (Michelle Harper and Damaris Brown) upon whom officials relied to arrive at the suicide finding and the closure of the file. Both of these original statements are now known to be incomplete, non-truthful, or both.
20.	Anyone associated with the Army; the benefits specialist, the Army paymaster, etc.

Failure of AACPD to Identify the Vehicle Seen Leaving the Death Scene

286. AACPD Officer Nathaniel Hollis's May 6, 2012 original report states that in the available surveillance footage someone is reported as standing next to Kathy's vehicle **before** the tail lights go on.
287. Kathy's tail-lights come on at what is now identified as a crucial window of time, 9:38 p.m. to 9:51 p.m. (*See Exhibit 110*)
288. At exactly, 9:38 p.m. the video shows a white SUV pulling away from Kathy's car. (*See Exhibit 111 and Exhibit 132 Evening of May 5th Side Bldg*)
289. On May 6, 2012 at 1:20 a.m. a vehicle is reported as possibly pulling up nearby off camera.
- a. The question that arises here is that when AACPD officers viewed the entire video then why did they not make a master copy of the footage?
 - b. In addition, it also contradicts their later claim that the video's missing footage was because of a lack of motion.
290. Kathy's body is discovered somewhere between 4:00 a.m. and 5:15 a.m. on May 6, 2012.
291. On May 7, 2012 a witness contacts the AACPD about being in the parking lot with friends from 2:00 a.m. to approx. 3:40 a.m. and seeing an SUV with a woman sitting in it. She also gave sworn testimony to this statement when later deposed. (*See Exhibit 114*)
- a. Records do not reflect any follow-up with this potential witness.

292. In 2012 the Plaintiff and the now deceased Willie J. Morris visited the Arundel Mills Mall parking lot where their daughter, Kathy's body was discovered. They noted what appeared to be a camera and asked a security guard that approached about camera's in the immediate area. His response was that for security purposes they could not tell exactly where those cameras were located, but they did believe there was a camera there.
293. In November 2013, it was confirmed during an NAACP press conference held on the spot where Kathy's body was found that there was a camera approximately 60 feet from her vehicle:
- a. AACPD have not offered any footage or comments about this camera;
 - b. The Anne Arundel Community College Public Safety Officer Gary Lyle, a twenty-seven-year veteran of the AACPD, did not offer any late night footage and/or comments from this camera.
294. The Plaintiff and a potential witness's drove by the reported home of a person of interest and observed a white SUV parked in the driveway. (*See Exhibit 112*)
295. For further confirmation the tag number was recorded and was later shown to belong to a white SUV out of Texas, believed to be a previous state of residency for the person of interest. (*See Exhibit 113*)

No Handwritten Suicide Notes to Support a Suicide Determination

296. The Investigative Report by Det. Carbonaro and the OCME do mention two suicide notes but those notes do not definitively prove suicide for the following reasons:
- a. They were not hand written nor sent electronically so they could have been authored by someone other than Kathy.
 - b. There were others that had complete access to her electronics.
 - c. The “construction and language” used in the suicide notes could possibly be taken as cut/paste snippets from previous writings that could be accessed from the phone/pad/laptop.
 - d. The notes were inconsistent in nature, demonstrating possibly being authored by different people.
 - e. There were those that had motive but were not alibied or questioned by police.
 - f. Kathy’s GPS on her cellphone show it moving through a mall so it is not affirmative that she was alone at the mall, and a person of interest showed a pattern of behavior consistent with borrowing other person phones and media accounts.
297. The final alleged suicide posting occurs the last time there allegedly is activity at Kathy’s parked vehicle and is in that now critical and very crucial “twelve-minute window of time” when her break lights are on, and the police reports states “someone is seen standing near” the car.

Addressing the Alleged History of Suicide Attempts and the Exaggeration by AACPD of Suicide Intervention

298. The OCME, as a means of justification for the rush to judgment about suicide, cites a previous attempt:

- a. An examination of the actual records reveals instead a situationally depressed young woman who willfully signed herself into the hospital for six days of observation;
- b. then took prescribed anti-depressants;
- c. Was under the care of a counselor to deal with her difficulties;

299. The AACPD and OCME reference prior suicide attempts.

300. MPIA responsive documents show a clear pattern of manipulating facts in the case.

301. The Plaintiff states that there was something that happened in Kathy's school involving pills was in 2006. What was told to the parents was never labeled a suicide attempt and in addition, there was:

- a. No school nurse or school notification;
- b. No medical assistance required and;
- c. No emergency room visit.

302. The Dec. 2011 incident was the result of a mother's response when her daughter said she had felt suicidal the night before, however she:

- a. Did not make any social media postings;
- b. Had not actually gone through with an attempt;

- c. The Plaintiff does acknowledge that Kathy was having difficulties with a new husband who had abandoned her and had told him of her plans and quite possibly was a ploy to get his attention. He did not respond or notify any authorities the night before.
303. Kathy's crisis time had passed if it was the breakup of the marriage:
- a. She cited several times about her plans to divorce her husband;
 - b. She discovers in March of 2012 of his marrying her as a scam for military benefits; (*See Exhibit 128*)
 - c. She found out in February of 2012 of his ongoing adulteress relationships with multiple other women, and social media postings show Kathy fighting back; (*See Exhibits 125 through 129*)
 - d. She demonstrated having clear plans for the future.
304. Statistics do show that persons with a prior history of a suicide attempt may attempt again, however. before that erroneous assumption can be locked in the circumstances around Kathy's death the extreme number of other irregularities must be first ruled out.

Flawed AACPD Analysis of the Significance of the Alleged Suicide Postings

305. Kathy noted on April 22, 2012 that something strange was going on with her phone that she had never seen before; (*See Exhibit 133*)
- a. Research and interviews with cyber experts both military and civilian reveal that phones can be cloned. Note : "Phone cloning is the transfer of identity from one cellular device to another." "What clone phone refers

to? Cell phone cloning is a technique wherein secured data from one cell phone is transferred into another phone. The other cell phone becomes the exact replica of the original cell phone like a clone. As a result, while calls can be made from and received by both phones, only the legitimate subscriber is billed as the service provider network does not have a way to differentiate between the legitimate phone and the “cloned” phone.”

<https://www.movzio.com/howto/cell-phone-cloning-guide/>

Chart of Key Activity from May 2, 2012 to Nov 2016	
Date	Activity
8/3/2011	Kathy becomes a victim of a military scam for money. Finds out about the scam March 2012
May 2, 2012	Kathy receives communication or communication attempts over a 3 hour period from persons in an office located on a military installation in Virginia.
5/4/2012	Kathy emails those persons and another person involved in scam, threatens to go to authorities.
5/4/2012	Kathy's husband made a phone call to her from Afghanistan that lasted 9 seconds on May 4, 2012 at 8:39 pm. AACPD have never questioned him about the nature of the call or why. You can say a lot in nine seconds including "Meet Latoya at Arundel Mills at 6 pm tomorrow." Their primary mode of communications was in writing and there are hundreds of texts back and forth.
Afternoon of May 5, 2012	Person of interest allegedly tearfully tells her friends that Kathy is deceased, she then leaves their home leaving her children with them.
5/5/12 at approx. 6:45 pm	Kathy's car is seen entering Arundel Mills Mall parking lot. The car comes under the scrutiny of at least 3 different security camera's
5/5/2012	Kathy is last allegedly heard from around 8:30 p.m. EST
5/5/2012 9:39 pm	Available video shows break lights of Kathy's vehicle come on and stay on for approx. 10 minutes
"	Almost at this exact moment a white SUV is seen speeding away from the area of Kathys car
"	Last known posting to Kathy's media accounts are seen
"	Police report states someone is seen standing by Kathy's car at time break lights are on.
5/5/2012 9:51 pm	Approx. time break lights on Kathy's car go out
May 5, 2012 and May 6	Kathy's cell phone GPS switches from Wi-Fi to cell towers and is pinging off of towers several miles away
5/5/2012at approx. 11:50 pm	Phone extractions shows download of a video
5/6/2012 4:30 am to 5:30 am?	Kathy's body and car are found by Arundel Mills Mall security officer Stephen Howard

Date	Activity
5/6/2012 4:30 am to 5:30 am?	Officer Howard touches all 4 doors to the vehicle, removes victim's keys from the ignition, but claims he did not. Takes several pictures of Kathy in the car. Searches the trunk of the car leaving it open. All allegedly before calling for backup and/or 911.
Approx. 5:32 am	Initial investigating police officers arrive at scene. Google method of death (car side) and it came back a way to commit suicide.
5/6/2012 at 8:00 am	Surveillance tapes are said to be available for viewing and allegedly are viewed by a retired 27 yr. veteran of the AACPD (Officer Gary Lyle) with a background in special investigations who did not preserve an original copy
June 2012	Initial investigation lasted 48 hours. Family request a reinvestigation and Det. Carbonaro is placed in charge. He interviews two persons. Both persons statements contain several untruths and/or he is selective about what he puts in his report
June 2012	MPIA document state that Det. Carbonaro was given specific marching orders and told not to deviate from those orders
June 2012	Police tell family the surveillance tapes don't fully play because of system compatibility issues. Tell Plaintiff to take the file to the FBI
7/3/2012	Congressmen Steny Hoyer sends letter of inquiry – no record of response by AACPD
August 2012	Chief Teare resignation become effective allegedly in lieu of criminal charges being brought against him.
7/18/2013	Police finally provide family with copy of surveillance tapes. Tell them to take it to the FBI for assistance in viewing because of system compatibility issues
2013	Police change story and state surveillance tape footage is missing because camera's were motion sensitive
11/5/2013	Witness spots white SUV parked at the home of a person of interest
11/8/2013	Valor Security employee Stephen Howard appears for deposition. Other Valor Security guard employee's defy subpoenas
Nov 2013	Chief Kevin Davis' appoints Homicide Panel who meet to review case allegedly for 15 minutes
Feb 2014	Homicide Panel asked AACPD to respond to three questions
2/7/2014	MPIA internal doc review show memo reflecting police responded with false answers
5/22/2014	Chief Kevin Davis visits family out of county, acknowledged the lack of experience of responding officers, that errors we made and stated measures were put in place to prevent whatever happened from happening again. Family requested this be put in writing – no response ever received.
1/2/2015	Venting frustrations over inquiries into the death investigation an internal doc. show an AACPD officer states "That may not be in our cards"
4/27/2015	MPIA Page Confirms Police Knew DNA Testing Results would Raise Questions

Date	Activity
Aug 2015	False DNA results reported to family and the public by AACPD and OCME
9/30/2015	Location of victim's cell phone is challenged following GPS extractions by Expert Data Forensics an outside company
11/18/2015	Family files MPIA request for internal communications dating back to May 6 2012 the day of Kathy's death
Mar 2016	Family Alleges an Abuse of Power as AACPD demand advance payment of \$5,300
Oct 2016	After payment is made, AACPD release internal communications. Not one page is from the year 2012

Chart of Kathy's Predeath Activities One Year Prior to Her Death
In or around June of 2011 the Goodwin received an Article 15 from the United States Army for misappropriation of government funds and was in dire financial straits.
Because of the Article 15 conviction, in July of 2011 financial sanctions were levied against Goodwin's pay of \$545 a month.
The purported marriage did not consist of children, acquired marital property, no residence was ever shared, no wedding rings were exchanged, and no name changes
The spouse Goodwin did become the sole benefactor of a \$100,000 life insurance policy with no suicide clause.
In August 2011 following the marriage Goodwin returned to his new installation at Ft. Bragg, NC, where he presented a marriage license with fraudulent information. He then began collecting the spousal housing benefit called Basic Allowance for Housing (BAH).
On December 22, 2011 Kathy notified her mother of having felt suicidal on the previous evening of December 21 st but stated she had not acted on it.
As a precautionary measure the plaintiff, Marguerite Morris responded by contacting emergency personnel to do a wellness check.
As a precautionary measure Kathy was transported to a local hospital and on December 22, 2011 as a part of standard operating procedures Kathy was hospitalized for one week for an emergency evaluation.
On December 24, 2011 the parents, Willie Morris (now deceased) and Marguerite Morris requested the assistance of the American Red Cross to have Goodwin's Command contacted for him to be able to travel to Maryland.
Subpoenaed phone records showing call origination points show that upon Goodwin's arrival in Maryland that from Dec. 26, 2011 to Dec. 31, 2011 Goodwin spent his days with Kathy and his evenings with his longtime girlfriend King at Ft. Belvoir, VA.

Chart of Kathy's Predeath Activities One Year Prior to Her Death
On Jan. 3, 2012 with Goodwin's commanding officers, Kathy, her parents and Goodwin were scheduled to participate in a conference call. On the morning of Jan. 3, 2012, the mother of Kathy suspicious of the motives of Goodwin, emailed a formal written request for assistance to a Goodwin's Commanding Officer's. This letter stated "It ..is my belief that in the aftermath of these events, that Specialist Goodwin's continued disregard for the truth represents a disregard for human life, a blatant disrespect for the uniform he wears and the country he serves."
In the subsequent conference call Goodwin agreed to voluntarily forward the full Basic Allowance for Housing (BAH) to support his spouse, but he continued to falter, be both verbally abusive and manipulative sending as little as \$200 one month.
In March of 2012 Goodwin received a direct order to put in place an allotment directing the BAH allowance to his spouse. He faltered again in April and on May 1, 2012 Kathy received her largest payment of \$600 ⁸ .
Sometime in late February early March Goodwin is stationed in Afghanistan. King and Brown remain at Fort Belvoir, Virginia.
On or about March 9, 2012 Kathy sees and captures Facebook and email transmissions between Goodwin and other women. Kathy saved these pages in multiple files in varying locations naming them "learned today".
These March 2012, communications confirmed that Goodwin had married Kathy for financial gain (the BAH fraud), a crime punishable by the military.
In those communications to Goodwin, a woman going by the name of Kristina ⁹ using the email Kristinarobins@gmail.com sends communications directly to Goodwin
In April of 2012, believing the marriage was over, Kathy had an out of marriage relationship which she then confessed to Goodwin in April 2012.
In spite of this on April 27, 2012, Goodwin's last known electronic message to Kathy was that he loved her, wanted the marriage to work, and when she asked, "are you sure" his response was "have faith
Goodwin makes an unexplained phone call to Kathy on Friday, May 4, 2012

⁸ In May of 2012, a military investigator conveyed to the parents that records showed that Goodwin had stopped the allotment as if her knew that Kathy would not be around for a June allotment

⁹ A United States Army investigation later revealed and confirmed that Kristina is actually Sgt. Latoya King. In addition, she communicates directly with Goodwin using her alias Kristina even though she alleges to have not known Goodwin was married

Narrative of Kathy's Predeath Activities May 1, 2012 – May 5, 2012
On May 1, 2012 Kathy received the first and only automated financial allotment since the marriage in the amount of \$600.
In the morning hours of May 2, 2012, Kathy visits Walmart and purchased school supplies for a school project.
In a post death police interview on June 12, 2012 Michele Harper tells police this call took place ten to fourteen days before Kathy's death.
May 3, 2012 at 11:57 pm Kathy informs Goodwin she has a recording of the May 2 nd call from King and proof of the adultery to get them dishonorably discharged.
May 3, 2012 at 9:33 pm in a Facebook posting Kathy says "smh wow it all makes sense. I knew that name seemed somewhat familiar. & at this point I truthfully don't trust anybody involved in this situation so I'm just washing my hands of the whole ordeal. December 29 can't come soon enough...my independence day." Which documents determine that she was referring to her planned divorce action.
May 3, 2012 at 11:57 pm Kathy text Goodwin saying "look u need 2 answer ur phone or respond to my text messages or I will go to ig/ur chain of command abd trust me I have proof 2 actually get u dishonorably discharged on the basis of adultery from the email I received yesterday from Kristina 2 phone call we had That I recorded.."
On May 4, 2012 Kathy emailed a copy of the collected adultery and fraud evidence to isaacgoodwinswife@gmail.com Mizzuz Goodwin To bluekrush007@gmail.com :)*;kristinarobins@gmail.com Timestamp: 5/4/2012 12:12:40 AM. Attachments called : learn today 2.png, learn today 3.png, learn today 4.png, learn today 5.png, learn today 6.png, learn today 7.png, learn today 8.png, learn today 9.png, learn today 10.png, learn today 11.png, learn today 12.png, learn today 13.png, learn today.png.
May 4, 2012 at 12:02 AM Kathy text Goodwin. "I just want to hear it from you personally. If I don't gear from you by this time next week I will go to us chain of command & let them know I haven't heard from u but received both phone calls and email from Kristain, ur girlfriend."
May 4, 2012 phone records reflect that Goodwin placed a call to Kathy that lasted nine seconds.
May 4, 2012 at 5:59 PM twitter posting by Kathy reads, "There are a lot of holes in her story & the way she came at me in those emails she sent me kinda raised a red flag, so idk".
May 4, 2012 at 9:48 PM records reflect a series of text messages exchanges between Kathy and a person named Eddie that discuss plans by Kathy being invited to attend a movie at the Arundel Mills Mall. In part they read: Eddie ask "What you getting into tonight?" Kathy texts to Eddie "Supposed to be going to movies" at 10:33 PM Kathy responds with "...I think Brandon is supposed to meet me and Michelle at the movies." May 4, 2012 at 10:51 PM send Eddie "O ok, I didn't actually talk to him that's what Michele told me."

Narrative of Kathy's Predeath Activities May 1, 2012 – May 5, 2012
May 4, 2012 at 10:25 PM Kathy responds to her half/sister Charlotte Morris with plans to attend her niece's birthday party. It reads "sure, just let me know when. Do I need strawberry shortcake outfit ???"
May 5, 2012, receipts show Kathy purchased a full tank of gas.
The police interviewed witness Michelle Harper states that she and Kathy are together in the same car, at approx. 9:30 a.m. yet electronic records show that on May 5, 2012 a 9:24 a.m. Michelle Harper sent a text to Kathy asking, "Do you want to IHOP"
May 5, 2012 at 9:32 AM Kathy responds text "I kinda need to go back to apartment..."
May 5, 2012 at 9:32 AM a text from Michelle to Kathy reads "Oh sh*t. Let's be out". Which is the last time Kathy is allegedly seen alive.
May 5, 2012 Michele Harper reports that around 6:30 pm she heard Kathy leave their apt slamming the front door as if she "left in a hurry".
May 5, 2012 electronic time stamps capture Kathy or someone repeatedly on the Facebook pages of Brown at approx. 5:00 pm and 6:00 pm.
May 5, 2012 Kathy's computer shows a picture of King, who had been previously using the alias Kristina.
Early Saturday afternoon on May 5 th Latoya King allegedly tells friends, Brown and her Husband Jerome Brown that Kathy is deceased. In a post-death interview Brown reports that King arrived at their home on Saturday May 5, 2012 during a children's birthday party crying, dropped her children off and left.
May 5, 2012, at least three surveillance cameras owned by Anne Arundel Community College show Kathy's car arriving in the parking lot of the Arundel Mills Mall at approx. 6:55 pm on. Available video footage shows the car circling several parking lots in search of a parking space and eventually parks toward the rear of a satellite location of the Anne Arundel County Community College building where another car has just pulled out of. This lot also provides overflow parking for the Cinemax movie theater. From 6:54 to 6:58 victim's car is seen
On Saturday May 5, 2012, at approx. 7:15 p.m. a tweet is sent appearing to come from Kathy's phone "When it's all said and done all you really have is yourself."
On Saturday May 5, 2012 at approx., 8:32 pm someone post "The Lord is close to the brokenhearted and saves those who are crushed in spirit. (Psalm 34:18 NIV)".
May 5, 2012 at approx. 9 p.m. the police report states that someone is seen standing next to Kathy's vehicle at the time break lights are on.
May 5, 2012 at 9:39 p.m. Kathy's rear lights come on.
May 5, 2012 at 9:51 p.m. Kathy's rear lights go off
On Saturday May 5, 2012 at approx. 9:49 p.m. someone post "Waiting for this to be over.

Other Related Activities

306. May 6, 2012 – Kathy’s half-sister Charlotte Morris gains access to Kathy’s email account. She then notifies the family about discovering several May 2, 2012 email exchanges between Kathy and a krsitinarobbins, who we now know to be King, and King’s friend, Brown alias Carabella. She reports a conversation with a person identifying themselves as Kristina who tells her of Goodwin’s arrival back in the country and makes reference to a life insurance policy that the family knows nothing about. (*See Exhibit 123*)
307. May 6, 2012 Charlotte Morris, with family listening in makes a second call to (347) 931-8643. The call was answered by a woman and Charlotte asked to speak to “Kristina” and was asked to hold on. The phone was then picked up by a person identifying themselves as Kristina and it is now known that the woman was King using the alias Kristina.
308. In subsequent communications it is revealed that King was in direct communication with Kathy’s husband and was scheduled to pick him up from the airport upon his arrival back into the United States.
309. On May 8, 2012 a direct order is issued to King to have no communication with Goodwin and to not pick him up from the airport.
310. Phone records show that from approx. May 6, 2012 to June 6, 2012, King violated that direct order over 60 times. (*See Exhibit 119*)
311. May 11, 2012 when family view body at funeral home, they are pulled aside by the funeral director who tells them of burns on Kathy’s body.

312. Parents meet with whom they believe is Det. Clark at CID Headquarters. He meets with them alone. They question him about unexplained burns on Kathy.
313. In or around June of 2013, the Plaintiff and Kathy's father, seeking answers about the location of a security camera and surveillance tape in the area immediately adjacent to Kathy's car.
- a. Make a visit to the area of the parking lot where Kathy's car is found and question a nearby security guard about camera's in the immediate vicinity of Kathy's car.
 - b. The security guard, responded with the words "there might be" another camera in the area but for security reasons they could not confirm where.
314. On that same day the Plaintiff and Willie Morris visited the mall security office and the head of Arundel Mills, mall security, Michael Maresca, Director of Valor Security.
- a. The Plaintiff observed what appeared to be a very elaborate mall surveillance system and when she commented on it is told by an employee:
 - i. The system was sophisticated enough to "literally look down your blouse if you are walking through the mall".
 - ii. They needed a subpoena to see any of the footage.
 - b. Michael Maresca stated to the Plaintiff and Willie Morris that he would

not make any statements to them that conflicted with what they were told by the AACPD.

- c. Michael Maresca told the Plaintiff to never contact him again.
- d. He states in his written response to the court that there were no documents responsive to the subpoenas to include pictures yet:
 - i. His employee Stephen Howard testified under oath that he took photos and searched Kathy's vehicle before emergency personnel arrived. (*See Exhibits 86, 120, 121A 121B & 122*)

CONCLUSION

- 315. The Plaintiffs do not dispute the cause of death but rather the manner of death for Kathy.
- 316. The Plaintiff, has made several requests to the OCME to review and hear its mounting concerns over the death investigation of Kathy.
- 317. Subsequently, there were several letters of denial issued by the OCME's office, one of which on many points based on personal conjecture, unscientific opinions, contained false DNA findings and woefully failed the citizens of the state of Maryland.
- 318. The Plaintiff made several appeals to the office of the Secretary, in the Office of Health and Hygiene who also failed the Plaintiff and the citizens of the State of Maryland, by not responding to the appeals requests.
- 319. Plaintiffs believe that they have presented clear, factual, and documented evidence that the rush to suicide error by the AACPD were known and there was

a 2012 order given, by a person in a position of authority, that clearly effected the outcomes of their alleged investigation.

320. For the record and as documented in 2012, there were two persons of authority with the AACPD who had valid and documented questions of corruption associated with their names. They were County Executive John Leopold and former Police Chief, James Teare.

321. Therefore, the Plaintiff's believe that they have overwhelmingly presented evidence of the AACPD deliberately manipulating and falsifying the reporting to the OCME and other agencies to cover interdepartmental and internal corruption.

322. Grievously there was an "assumption of credibility based on status", by the OCME's i.e. "it's the police department" and as Dr. Aronica says "there is no reason not to believe them". (*See Exhibit 15*)

323. The Plaintiff respectfully believes that a complete investigation should be determined by two elements.

- a. What is contained in the cumulative file.
- b. What is not contained in the cumulative file.

324. A problem is posed by the second because integral aspects of what should have been a full and fair investigative effort by AACPD, who were charged with reporting accurate and clear facts to the OCME, are either missing, hidden, produced far out of sequence or have been demonstrated to be elusive in nature, thereby effecting the ability of the OCME to give a fully justified and accurate conclusion.

- 325.. “Numerous coincidental occurrences that converge during an exact crucial time span, involving the same materials are most surely NOT what they are professed to be by AACPD”¹⁰. Therefore, we respectfully refer the court to the:
- a. Accidental override or deletion of five hours of surveillance footage captured by Arundel Mills Mall security cameras allegedly allowed by a 27-year veteran of the AACPD, with a background in special investigations. No master copy was produced;
 - b. The "lack of following standard investigative procedures" by several other seasoned officers, to include the same officers names (Sgt. J. Poole, Det. V. Carbonaro and Det. DiPietro), repeatedly appearing on reports that have been proven manipulated, false, or where information was selectively suppressed.
 - c. The computer override and alleged deletions of ALL internal 2012 electronic mail records relating to the death of Kathy from the AAC computer system, except for those now referred to as containing **“attorney-client privileged, confidential work production, and deliberative process material”**, for which AAC county attorneys, have not clarified what the death of Kathy, has to do with that since no one was publicly charged and the AACPD allege no crime was committed.
 - d. The crashing of another and separate AACPD’s hard drive that contained the raw data files (requested via MPIA) and needed to help determine the

¹⁰ Leslie Kim of Fight Fraud America

disputed location of Kathy's cell phone in the hours preceding the discovery of her body.

326. Additional separate yet highly coincidental occurrences happened in a **crucial and critical twelve-minute time span**, that was captured on the available surveillance footage of May 5, 2012 during which time:

- a. Kathy's car break lights came on and stayed on;
- b. At the exact moment the lights came on there is a time-stamped appearance of a white SUV pulling away from Kathy's vehicle and identified by a vehicle configuration expert as a 2011 Ford Explorer;
 - i. Both the Plaintiff and a witness observed a white SUV parked at the residence of a person of interest, with motive, that has a degree in forensics, and is never alibied.
- c. The alleged last posting, to social media occurs. "Waiting for this to be over¹¹."
- d. A witness reports seeing a woman parked in an SUV for several hours in an adjacent mall parking lot on the morning of May 6, 2012;
- e. The AACPD's own police report dated May 6, 2012, reflects that someone is seen standing outside of Kathy's car during that same time period.

¹¹ Which could have been done by Kathy, or someone using her phone, which was the demonstrated pattern of behavior of a person of interest in this pleading.

327. Repeatedly and consistently, facts relevant to any other possible conclusion as to how carbon monoxide was introduced to the system of Kathy was omitted, manipulated, suppressed, and/or falsified by the AACPD such as:
- a. Kathy's credit card purchases in their response to the Homicide Panel;
 - b. The DNA reporting;
 - c. The facts about the May 2, 2012 phone call exchange;
 - d. The facts contained in written and recorded witness statements;
 - e. The reason King was not available for questioning;
 - f. The date and facts surrounding when certain information was known by Kathy;
 - g. Facts relevant to the location of any proof of purchases of any of the items used by Kathy to end her life in its reporting to the Homicide panel;
 - h. Facts about the missing video surveillance tape being based on the camera's being motion sensitive;
 - i. Facts about the GPS locations of Kathy's cell phone;
 - j. Facts supporting phone cloning
 - k. Strikingly similar details of several murders that were disguised as suicides that surfaced main stream on the internet 23 days before Kathy dies, alluding to the possibility of a copycat killing;
 - l. Facts contained in any internal reports, about several persons of interest Kathy had threatened, Kathy being a victim of marriage fraud,

and the \$100,000 life insurance policy that was on her life with no suicide clause;

m. The lack of any fingerprints at the scene;

n. Chain of custody issues;

o. Facts about the position of Kathy's body;

328. Based on the above list, it would be a failure of justice to definitively hang an entire case on two typed notes and alleged social media postings that could have been typed by anyone, and/or other persons having full access to all of Kathy's social media accounts as fully addressed in this pleading.

329. Therefore, the OCME did not follow its own mandated protocol to do a fair, independent, and unbiased investigation when presented with information that possibly contradicted those presented by another agency, where conflicts of interest existed.

330. Therefore, the OCME did not follow its own mandated protocol to do an independent unbiased approach to the autopsy of Kathy, ruling on the manner of death in less than twenty-four hours as noted on May 6, 2012, and with an open investigation still underway.

331. The OCME then continued its failure to the citizens of Maryland by not fully considering the full scope and credibility of evidence presented by a private citizen, evaluating it on its own merits, when there clearly existed a conflict of interest with the other presenting agency.

332. In addition, the AACPD was involved by their representatives in an abuse of power, thereby resulting in negligence and the manipulation of facts in the falsified death investigation of Kathy.
333. Because of departmental corruption, the AACPD deliberately manipulated government systems to deter a private citizen's access to equal treatment in a non-discriminatory and unbiased manner.
334. The continuation of the assumption of credibility based on status, has and will continue to prove prejudicial and harmful to the general public in cases of dispute similar to this one.
335. In summation, the Plaintiff has proven that the OCME was predisposed to a suicide finding, thereby failing to do a full and complete autopsy, signed the death certificate prematurely entering the manner of death and doing so before an investigation, even though brief, was completed.
336. In further summation, Anne Arundel County Community College Office of Public Safety headed by Chief Gary Lyles with links to the Anne Arundel County Police Department, due to major conflicts of interest, failed to address and properly investigate the circumstances surrounding the death of Kathy and as such allowed the reporting of false and misleading information.
337. In addition, the Simon Corporation as represented by Michael Maresca, Director of Valor Security with links to the Anne Arundel County Police

Department, due to major conflicts of interest failed to address and properly report facts surrounding the death of Kathy and as such allowed the reporting of false and misleading information.

338. This request to the court is not the result of pulling possible scenarios out of the air. The evidence has shown clear and precise instances of bias on behalf of the OCME's office as a result of their being manipulated by the AACPD who failed to report, examine, and or disprove alternative possibilities, due to internal corruption to cover a flawed investigation.
339. There is no Citizen's Review Panel for Anne Arundel County. Therefore, in instances of alleged police or other agency misbehavior, there was no agency to ensure that an unbiased, clear, appeals process was honored and documented regardless of the reporting individual's status.
340. The Defendant, Dr. Fowler and the Secretary of the Office of Health and Hygiene had a clear duty to fully review, and consider all the facts in this case, especially when information given was challenged, and one of the parties had existing conflicts of interest.
341. The Court respectfully as a matter of government transparency and in public interest, should order the office of OCME to reclassify the manner of death to "Undetermined" as such a classification is used when the information provided

points towards the fact that one manner of death is no more compelling than any other.

342. If the Court does not rectify this wrong, Maryland State agencies leaders will have cleverly failed to honor truth by their lack of transparency to the detriment of a county resident and depriving Kathy of her civil rights.

343. In addition, and in light of the administrative abuses and failings outlined in this pleading, the Plaintiff respectfully ask the court to not bar the issuance of the Writ because of possible timeliness allegations that may be argued by the Defendant because:

- a. In cases that may lead to a potential homicide finding there are no statute of limitations;
- b. Plaintiffs were repeatedly deterred by the lack of transparency, suppressing, manipulation, and falsification of material facts by the AACPD that the public had a right to be informed of;
- c. The falsification of facts around the death investigation effected outcomes;
- d. Delays caused by the falsification of outcomes effected the timeliness of this pleading.

344. To not grant this Writ would further allow state government agencies to successfully manipulate the law, time statutes and deter the pursuit of truth and justice in the death of Katherine Sarah Morris as it is evidentiary in this pleading.

345. *The Plaintiffs have no adequate remedy by which they can obtain the action requested to include no administrative or judicial remedy to compel the Defendant to perform the said duty.*
- 346.. *The Defendant has a clear duty to review, consider and grant the request of the Plaintiff.*
- 347.. *The Plaintiffs have a plain and clear right to have their request approved because they have submitted adequate documentation to bring into question how the carbon monoxide got into the system of Kathy.*
- 348.. **WHEREFORE**, Plaintiffs respectfully demands that this Court issue a *Writ of Mandamus ordering the Defendant to approve said request.*
- 349.. In addition, because of the grievous negligence of State and County agencies reflected in this pleading, the Plaintiffs request an amount less than \$75,000 to include \$25,000 in damages that occurred when the Plaintiff's 2012 life insurance policy on Kathy was denied because of the suicide ruling. (*See Exhibit 135*)
- 350.. In addition, because of the complexity and labor-intensive nature of this complaint, Plaintiffs respectfully request that they be awarded the maximum amount allowable by law of \$7,500 in attorney fees.
- 351.. In addition, if appropriate, the Plaintiff, respectfully request the court to order such remedies as it deems necessary and appropriate in this pleading, and its impact on the citizens of Maryland.

352. I solemnly affirm under the penalties of perjury that the contents of the foregoing Complaint are true to the best of my knowledge, information, and belief.

Respectfully submitted,

MARGUERITE R. MORRIS *PRO SE*
701 Harvest Run Drive #104
Odenton, Maryland 21113
Ph. 301-408-8833
morrisrite@msn.com

Plaintiff's request a jury trial if applicable.

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

THE ESTATE OF KATHERINE
SARAH MORRIS &
MARGUERITE R. MORRIS
701 Harvest Run Dr. #104
Odenton, Maryland
Plaintiffs

v.

DR. DAVID R. FOWLER, CHIEF MEDICAL
EXAMINER for the STATE OF MARYLAND
900 West Baltimore Street
Baltimore, Maryland 21223
Defendant

Case No.

* * * * *

WRIT OF MANDAMUS ORDER

THE ABOVE CAPTIONED MATTER having come on for hearing on _____, it is
this _____ day of _____ 2018 ORDERED that:

1. The Court finds that the Plaintiff's, The Estate of Katherine Sarah Morris and Marguerite Morris properly made a request to the Defendant, The Office of the Chief Medical Examiner to correct the manner of death for Kathy from suicide to undetermined.
2. The Court further finds that the Defendant was not given a clear and unbiased opportunity for review and consider all facts relevant to the death investigation of Kathy and in the interest of public justice shall correct the record accordingly.

3. The Court finds that the Plaintiffs were damaged in the amount of \$25,000 and shall be reimbursed accordingly upon the correction of the record.
4. The Court further finds that the Plaintiffs while not attorneys, but because of the complexity and labor-intensive nature of this pleading, shall be awarded \$7,500 the maximum allowable in fees upon the correction of the record.
5. The Court further finds that the Plaintiffs have no administrative or judicial remedy other than a writ of mandamus to compel the Defendant to perform the said duty.
6. The Court therefore issues this WRIT OF MANDAMUS compelling the Defendant to grant the Plaintiff's request and to make the record correction in a reasonable time, not to exceed 30 days.
7. Upon Compliance, the Defendant shall file a certificate with this Court stating that all the facts commanded hereby have been performed.
8. The Clerk of the Court shall send a copy of this Writ of Mandamus to all parties.

Judge, Circuit Court