

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

MARGUERITE R. MORRIS
701 Harvest Run Dr. #104
Odenton, Maryland, 21113
Plaintiff

v.
ANNE ARUNDEL COUNTY, MARYLAND
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

CHIEF TIMOTHY ALTOMARE
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

JAMES TEARE, Sr.
1808 Wharf Creek Ct
Pasadena MD 21122-4884

SGT JACKLYN DAVIS
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

DET. VINCENT CARBONARO
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

DET. KEITH CLARK
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

OFFICER JOHN POOLE
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

Defendants

* * * * *

C-02-CV-19-003135

COMPLAINT

Plaintiff, Marguerite R. Morris (hereinafter “Plaintiff”) acting pro se and pursuant to Judicial Proceedings Section 5-105, files this complaint against Anne Arundel County, Maryland (hereafter AACM) (a unit, instrumentality or political subdivision of the State of Maryland, due to the libelous and fraudulent actions of its Police Department and/or representatives and as reasons therefore, states:

The Parties

1. Plaintiff Marguerite R. Morris is a resident of Anne Arundel County, and the mother of Katherine Sarah Morris (deceased), who was appointed by the Orphan’s Court for St. Mary’s County Maryland as the Personal Representative of the Estate of Katherine Morris.
2. Defendant # 1, Anne Arundel County, Maryland is a legislative branch known as the County Council and an executive branch that is headed by the County Executive. The County Executive, oversees the executive branch of the County government and is charged with implementing County law and overseeing the operation of the County government. Anne Arundel County, Maryland is also a unit, instrumentality or political subdivision of the Maryland State Government.
3. Defendant # 2, Timothy Altomare is an employee of AACM and the Chief of Police who reports directly to the County Executive. The County Executive, oversees the executive branch of the County government and is charged with implementing County law and overseeing the operation of the County government.
4. Defendant # 3, James Teare is a previous employee of AACM and served at the time

he resigned as the Chief of Police who reported directly to the County Executive. He was and is a resident of Anne Arundel County, Maryland.

5. Defendant # 4, Sgt. Jacklyn Davis is an employee of AACM and reports to the Chief of Police, who reports directly to the County Executive.
6. Defendant # 5 is Det. Vincent Carbonaro is an employee of AACM and reports to the Chief of Police, who reports directly to the County Executive.
7. Defendant # 6, Det. Keith Clark is an employee of AACM and reports to the Chief of Police, who reports directly to the County Executive.
8. Defendant # 7, Sgt. John Poole is an employee of AACM and reports to the Chief of Police, who reports directly to the County Executive.
9. The Anne Arundel County, Maryland has its principal offices in Anne Arundel County, Maryland.
10. Pursuit to the Local Government Tort Claims Act requirement, notice was given on November 24, 2018 and May 14, 2019 that Plaintiff's intended to bring legal action.
(See Exhibits 164 and 165)

Jurisdiction and Venue

11. 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 County, are organized under the laws of this State and County, and/or maintain their principal places of business in the County and State.
12. Venue is proper in this Court pursuant to Md. Code Ann., Cts. & Jud. Proc. § 6-201,

as the AACM carries on a regular business within Anne Arundel County.

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 | Latoya King, alias Kristine, Kristina, and Feb King | Female soldier in relationship with Goodwin before-during-after the sham marriage |
| 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 | Medical Examiner for the State of Maryland |
| 2013 | Officer John Poole | AACPD |
| 2013/2014 | Chief Kevin Davis | AACPD |
| Aug 2013 | Leslie Kim | Fight Fraud America & Private Investigator |
| 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 Executive Steve Schuh | Current County Executive |
| 2012 | Captain Norm Mulligan | AACPD |
| 2012 | Congressman Steny Hoyer | Issued Congressional Inquiry |
| 2013 | Chief W. Tolliver | AACPD |
| May 2012 | Michael Maresca | Director of Security, Valor Corp. |
| May 2012 | Melissa Beardsmore | President AAC Community College |
| 2013 | Reverend Stephen Tillett | 2017 AAC NAACP President |

Introduction

13. For seven years Plaintiff has alleged a less than stellar investigation into the death of Katherine Sarah Morris. After a series of serious investigative errors were revealed on the part of the Defendants, there was an ensuing cover-up, and someone in authority issued an order to reinvestigate but make sure the original suicide finding stayed the original finding, regardless of any evidence to the contrary.
14. This complaint remains timely as it arises out of the actions of the Anne Arundel County Police Department (hereinafter AACPD) an operating department of AACM where through and by its representatives, to include Chief Timothy Altomare repeatedly averred statements it knew to be false and harmful to the Plaintiff. By those actions it committed the tortious act of conspiracy, acted fraudulently, took part in the severe and intentional infliction of emotional distress and libel against the Plaintiff.
15. This repeated and deceptive aver of untruths or manipulated truths regarding matters related to the death investigation of Katherine Sarah Morris, was an ongoing pattern of malicious and reckless behavior by the department over a period of seven years.
16. These harmful and knowingly false statements were initiated by Defendant Chief Timothy Altomare, Defendant former Chief James Teare, Chief Kevin Davis, Defendant Sgt. John Poole, County Executive Steve Schuh, Defendant Det. Vince Carbonaro, Defendant Det. Keith Clark and Defendant Sgt Jacklyn Davis.
17. These libelous statements and actions were intentional and intended to cover-up departmental inadequacies and corruption, seeking to avoid full disclosure of truth and

transparency in the mishandling of the death investigation of an African American woman named Katherine Sarah Morris (hereinafter Kathy)

18. These morbid and libelous actions were recklessly reiterated in October of 2018 by Chief Timothy Altomare in a four page document, where he repeatedly and knowingly presented false and/or misleading information to community leaders including the editor of the local newspaper. (*See Exhibit 173*)
19. Defendants had repeatedly and knowingly presented false and/or misleading written information to the FBI, States Attorney's Office, Governor's Office on Crime Prevention, Homicide Review Panel, State and local NAACP, and the Caucus of African American Leaders, depriving Katherine Sarah Morris of her civil right to a fair and thorough death investigation, and causing loss of reputation to Plaintiff.
20. This harmful activity was initiated during a period of documented County government corruption in 2012, it was deliberately and maliciously repeated in 2013, 2014, 2015, 2016, and 2017. It was then carelessly, intentionally and recklessly reiterated on October 5, 2018 by Chief Timothy Altomare, who has repeatedly and knowingly with full knowledge of aforethought communicated false and slanderous information causing the mother of the deceased great and devastating mental and physical distress and anguish. (*See Exhibit 25and 173*)
21. These remarks were slanderous, meant to belittle, discredit and disparage support of and belief of Marguerite Morris and discourage support of her efforts on behalf of her daughter.

22. This repeated and intentional falsification of facts was extreme and outrageous conduct intended to cover up investigative inadequacies and has been proven relentlessly, malicious, vicious, and intentional in causing significant emotional harm to Plaintiff.

The Written Act of Libel and Intentional Infliction of Emotional Distress

23. In an attempt to discredit and or to foster disbelief in Plaintiff claims of a faulty investigation into the death of Katherine Sarah Morris the Defendant #1 and #2 repeatedly released or allowed to be released false and misleading statements.
24. To the harm and dismay of the Plaintiff from 2012 to 2018 the Defendants falsely and maliciously circulated written documents and reports stating that missing video surveillance footage was (in 2012) due to incompatibility of systems. Then in 2013 changed the story to the missing footage being due to several cameras at the death scene being motion sensitive so no movement no recording. (*See Exhibits 36 and 175*) On October 5, 2018, Defendant #2 then stated the footage was missing because it was deleted. (*See Exhibit 173*)
25. This false and libelous information was circulated in several different AACM written memo's and reports, then allowed to be reviewed by multiple agencies to include the Carl Snowden, Conveyor of Caucus of African American Leaders (CAAL), Federal Bureau of Investigations (FBI), Office of Chief Medical Examiner, for the State of Maryland, (OCME), States Attorney Office (SAO), Department of Justice (DOJ), National Association for the Advancement of Colored People (NAACP), the Capital Gazette, other persons and entities, which then based their own follow-up

investigations – or lack of any follow-up investigation on these deliberate misrepresentations. This to, deprived the decedent, Katherine Sarah Morris of her civil rights. These reports were:

- a. Email dated October 5, 2018 from Timothy Altomare to Carl Snowden (*See Exhibit 171, 172 and 173*)
- b. News Article, “*Odenton forum to take on issues of police transparency, accountability*” dated October 2, 2018. (*See Exhibit 167*)
- c. *Katherine Morris Suicide Review Summary* (*See Exhibit 36*)
- d. *Incident Briefing*, titled *Suicide – Katherine Sarah Morris b/f/031190 22yoa*
- e. *Katherine Sarah Morris Case Review*

26. In July of 2017 amidst her mental anguish and frustration over growing evidence of the continued release of untruths, the Plaintiff reached out to the then County Executive Steve Schuh and requested a meeting without the presence of his Chief of Police Timothy Altomare.

27. AACM by and through its attorneys issued a letter dated July 24, 2017 refusing to have a meeting, and to the mental anguish of the Plaintiff, copied Chief Timothy Altomare on the communication. The letter also referenced review of the case by the FBI and an independent review by the office of the Chief Medical Examiner for the State of Maryland. (*See Exhibit 166*)

28. In 2017 Plaintiff stated there was no FBI investigation into the death of Katherine Sarah Morris. The false allegations of an FBI investigation was repeatedly circulated to media and by slander as the intent was to cause disbelief and harm to Plaintiff in her allegations of a faulty death investigation amidst a period of documented corruption within the Defendants agency.
29. On or about October 2, 2018 an article appeared in the Capital Gazette where Defendant Sgt. Jacklyn Davis “..pointed to subsequent FBI and police investigations after the Chief Medical Examiner’s Office ruled Katherine Morris’ death a suicide. Police reopened the case after the initial investigation and gave the bureau access to the case file and both agencies confirmed the department’s original conclusion.” (*See Exhibit 167*)
30. This was once again making public reference to an FBI investigation into the death of Katherine Sarah Morris to debase belief, and or support of the Plaintiff’s allegations of a faulty death investigation.
31. The decedent Katherine Sarah Morris was entitled to a full, complete, and fair investigation regardless of her race, color, or national origin.
32. In August of 2018 and again in or around October 2018 Plaintiff filed Freedom of Information (FOI) request with the FBI seeking proof and or documentation of an FBI investigation. On August 29, 2018 and again on October 11, 2018, the FBI responded with no record of an investigation into the death of Kathy. (*See Exhibits 168 and 169*)

33. In November of 2018 Plaintiff filed a Maryland Public Information Act (hereafter MPIA) request with AACM requesting documentation, notes, memos and any communication with the FBI to which Defendant #1 responded that no such documentation existed. (*See Exhibit 170*)
34. In September of 2018 Plaintiff sought the assistance of Carl Snowden the Convener of the Caucus of African Americans. In response on October 3, 2018 Mr. Snowden sent an email to Chief Timothy Altomare. The email referenced an Oct. 2, 2018 newspaper article that referenced Defendant Sgt. Jacklyn Davis as having “pointed to subsequent FBI and police investigations after the Chief Medical Examiner’s office ruled Katherine Morris’ death a suicide”. In his letter he referenced being told by Deputy Chief Jerard Flemings that the FBI had reviewed this case and had reached certain conclusions that included suicide. Mr. Snowden requested clarification of that one point. (*See Exhibit 171*)
35. On October 5, 2018 at 4:52 pm Chief Altomare responded with “Thank you for providing me an opportunity to provide some clarification on the history of the multiple investigative additions and reviews conducted on the Katherine Morris death investigation. In the interest of continued transparency, I would like to share with you the below timeline of events related to reviews conducted of the Katherine Morris investigation:” He then went on to maliciously make numerous statements he knew to be false, thereby restarting the statute of limitations, and to once again attempt to debase

and cause disbelief in the Plaintiffs allegations of an inadequate and false full investigation into the death of Katherine Morris.

36. Altomare, as a representative of AACM, then went on to list the following:

- 1) **May 6, 2012:** Katherine Morris was discovered by Mall Security deceased within her vehicle.
- 2) **Review of video surveillance:** Katherine's vehicle arrived on May 5, 2012 at 1854 hours and parked at 1858 hours. Katherine was found deceased at approximately 0530 hours the next morning. In full disclosure, while downloading the video evidence, Anne Arundel Community College Security personnel accidentally deleted a portion of the video. Before this occurred however, Chief Gary Lyle of the Anne Arundel Community College Police Department reviewed the video in its entirety and confirmed that NO ONE entered or exited Katherine's vehicle in the time it was parked there prior to her body being found. Also, a forensic review of Katherine's cellular phone inside the vehicle showed messages clearly indicating her suicidal intent.
- 3) **May 2012:** The office of the Chief Medical Examiner officially ruled the cause of Katherine Morris death as Carbon Monoxide Intoxication with the manner being suicide.
- 4) **June 2012:** Upon hearing concerns brought forward by Reverend Morris, Chief James Teare directed that the case be reopened. It was assigned to Anne Arundel County Homicide Detective Vincent Carbonaro. Detective Carbonaro learned from a University of Maryland College Park Police report that Katherine had attempted suicide in December 2011. The additional investigation findings were consistent with the prior finding of suicide.
- 5) **August 2012,** Reverend Morris requested the US Army to conduct an investigation into Katherine Morris' husband (Isaac Goodwin) who was stationed overseas at the time of her death. They confirmed Mr. Goodwin was in Afghanistan at the time of Katherine's death.
- 6) **March 2013:** Chief Larry Tolliver, upon learning of continued concerns held by Reverend Morris, requested the investigation be reviewed by the Anne Arundel County State's Attorney's Office. That office reviewed our case file and

documents provided by Reverend Morris including military documents. The SAO concluded that while Mr. Goodwin's conduct in relation to Katherine was reprehensible, there were no criminal actions in Anne Arundel County.

- 7) **November 2013:** After taking office and hearing of Reverend Morris' continued concerns, Chief Kevin Davis requested that a panel of veteran Prince George's County Homicide detectives review the Katherine Morris investigation. In **February 2014** they concluded that Katherine's death was a suicide.
- 8) **November, 2013:** In the same time frame, again in response to Reverend Morris' concerns, we requested a retired Montgomery County Homicide detective then employed as Anne Arundel County Cold Case Analyst to review the investigation. They determined the findings were consistent and still remained a suicide.
- 9) **February 2015:** County Executive Schuh, State's Attorney Wes Adams and I met with Reverend Morris and her family. We heard her concerns and AGAIN re-opened the investigation. At this time I ordered further forensic examination of items recovered inside of Katherine's car.
- 10) **May 2015:** Reverend Morris turned over digital evidence to the Anne Arundel County Police Department. Reverend Morris believed this evidence showed Katherine's cellular phone moving in the hours before her body was found. I directed the data to be reviewed by a Digital Forensics Lab. An analysis of the data showed that the phone was maintaining a database of cellular towers surrounding it rather than it moving. The report from the lab was given to Reverend Morris.
- 11) **Summer 2015:** Again because of Reverend Morris' concerns, Dr. Aronica-Pollack of the OCME conducted in depth research into carbon monoxide deaths. She researched 204 CO2 deaths. 20 of these cases were suicides with charcoal grills and 13 of these were in a car. Reverend Morris provided a list of 22 concerns, including the same digital evidence provided to AACOPD in May was also turned over to the OCME. Finally, the doctor re-examined the positioning of Katherine's body in the car and burns she suffered. In conducting her research and review, Dr. Aronica-Pollack reached the same conclusion as the contract Digital Forensics Lab. After her further review, Dr. Aronica Pollack still concluded the death of Katherine Morris was a suicide.

- 12) It is important to note that the OCME is the entity that determines that cause and manner of death in Maryland. Dr. Aronica-Pollack concluded, “None of the points brought to our attention lead us to believe foul play was involved in any way. In fact, the manner of suicide is supported by the information gathered.”
- 13) **May 2015:** The Anne Arundel County Police Crime Lab prepared a DNA report after the examination of items recovered from Katherine’s vehicle. DNA testing results that were sufficient for comparison all matched Katherine’s DNA.
- 14) **June 17:** The Baltimore FBI Office contacted the Anne Arundel County Police after Reverend Morris requested the Department of Justice review the case. FBI Baltimore met with Anne Arundel County Police Homicide Unit and was briefed on the investigation. This briefing included each of the subsequent steps listed above and the exhaustive work put in by the OCME After this meeting, no further questions were posed by the FBI.
- 15) **Fall 2017:** In an effort to bring closure to Reverend Morris’ concerns, I requested Retired Baltimore City Homicide Detective/Sergeant currently serving as our cold case analyst again review the investigation and findings. After his review was completed he concluded the death of Katherine was a suicide.
37. Altomare concluded by stating “.. Despite exhaustive efforts spanning 7 years, we are, unfortunately, left to conclude that Katherine’s death was, in fact, a suicide.” (*See Exhibit 173*) With this statement Altomare uses the word “exhaustive” which when defined means to consider all elements or aspects or to be fully comprehensive.
38. However in the death investigation of Katherine Sarah Morris it is clearly a false and libelous statement, and the facts supporting that allegation are clearly and fully outlined in this comprehensive pleading.
39. In response Plaintiff wrote “..once again the AACPD have chosen to present false, misleading and or manipulated information to debase Rev. Morris’ efforts and those of forensic and investigative experts from around the country” In addition she responded

with the fact that “.. most responses and opinions that confirm the police department’s claims are based on persons solely only reviewing their file. The file that is put together by a biased police department where facts were suppressed, information omitted and truth manipulated.”

40. In addition Plaintiff responds with the following point by point narrative which is not contained in the police files or reports, even though much of it was passed on to them. They are the results of multiple MPIA request to the AACPD, the OCME, the AAC Community College and the University of Maryland Campus Police.

- 1) Chief Altomare states “May 6, 2012: Katherine Morris was discovered by Mall Security deceased within her vehicle.

Plaintiff’s Response:

1a. This statement omits the fact that Mall Security personnel admitted under oath to disturbing the scene and in a videotaped deposition (available on line) searched the rear and trunk of the car, opened all four doors, and handled the keys etc. However, there is no spoilt evidence reported by Defendants. AACPD report to the public “no identifiable prints” but internally they write “There are no prints. No prints found at the scene on key items the victim would have to have handled including the sleeping pill bottle found at the scene. (*See Exhibit 174 Page 1*)

1b. Defendants also state that the exterior of the car was not fingerprinted because it was raining, but a recent review of the death scene photos show dry ground and a dry car. (*See Exhibit 174 Page 2*)

1c. As support of a false and inadequate investigation the death scene photos show an open can of soda and water bottles - none of which (according to internal reports) are fingerprinted or checked for DNA. (*See Exhibit 174 Page 2*)

- 2) Chief Altomare states “Review of video surveillance: Katherine’s vehicle arrived on May 5, 2012 at 1854 hours and parked at 1858 hours. Katherine was found deceased at approximately 0530 hours the next morning. In full disclosure, while downloading the video evidence, Anne Arundel Community College Security personnel accidentally deleted a portion of the video. Before this occurred however, Chief Gary Lyle of the Anne Arundel Community College Police Department reviewed the video in its entirety and confirmed that NO ONE entered or exited Katherine’s vehicle in the time it was parked there prior to her body being found.” (See Exhibit 174 Page 2 and 3)

Plaintiff’s response:

2a. The hidden true facts that support not only a botched and substandard police investigation, but also point to intentional malice in which the Plaintiff was subjected to libelous and slanderous actions, is that for six and a half years the Defendants repeatedly, knowingly and falsely claimed other reasons, for the missing surveillance footage of Plaintiff’s deceased daughter’s death scene.

2b. This falsehood is documented in the Defendants own internal memos and other communications. They claimed for the first year that the video did not play because of system incompatibility reasons and sent the already grieving Plaintiff to the FBI for assistance in getting the surveillance footage to play.

2c. In 2013 they then subjected the Plaintiff to additional emotional horror and distress by changing the story about the missing footage from four different surveillance cameras of a movie theaters overflow parking lot, on a busy Saturday night, where the last footage that plays shows multiple cars still parked in the parking lot, at approximately 10 pm, showing an unknown male walking across the parking lot (*See Exhibits 37 and 38*) was missing additional footage because the cameras were motion sensitive. Therefore, falsely and deliberately inferring to any agency or person reviewing their written reports, no movement – no recording.

2d. To the Plaintiffs confusion, and abuse, the AACM now blame Chief Gary Lyle a 27 veteran of the AACPD with a background in special investigations for the missing footage. However, in Chief Lyle’s videotaped deposition he claimed repeatedly under oath that he gave the

AACPD exactly what they asked for in reference to the footage. (*See Exhibit 132*)

2e. In an email dated July 19, 2013, Melissa Beardmore, VP of Anne Arundel Community College, stated that they could not explain why the footage was missing and that not only did the Defendants have the original thumb drive, but verify that Defendant Detective Keith Clark and Defendant Detective Vince Carbonaro were aware of the real issues surrounding the missing footage. (*See Exhibit 175*)

2f. This knowingly false information was repeatedly reported to the FBI, the NAACP, the States Attorney's Office, the OCME and any other agency reviewing the AACPD file. They all saw the libelous statements.

2g. AACM now want to come with full disclosure about a manipulated truth and then rely on the credibility of unverified conflicting statements of the retired AACPD Officer reporting the info.

- 3) **Chief Altomare states** "Also, a forensic review of Katherine's cellular phone inside the vehicle showed messages clearly indicating her suicidal intent."

Plaintiff's Response:

3a. This is a false statement and the hidden true facts that support not only a botched and substandard police investigation, but also point to intentional malice in which the Plaintiff was subjected to libelous and slanderous actions is that this is a false statement and police only reviewed and or made available messages that supported a suicide. Defendant Detective Vince Carbonaro is at least one officer that repeated suppressed information to manipulate outcomes.

3b. In addition, and adding to intentional malice AACM's police department failed to interview one single family member There were also persons of interest, one of whom had a habit of borrowing other persons phones. In Kathy's case, the mistress Latoya King was never alibied, used various aliases on the computer and also had a habit of borrowing other person's identities. (*See Exhibit 55, 59 and 174 pg 4 and pg 7*)

3c. Another person viewed as a person of interest was the best friend of the mistress. This person of interest had a vehicle similar to one that is seen pulling away from Kathy's vehicle in a twelve minute window of time where the last communication came from her phone. That person has a degree in forensics, would not allow her statement to be recorded and was also never alibied. (See Exhibit 56 and 174 pg 23)

- 4) **Chief Altomare states "May 2012:** The office of the Chief Medical Examiner officially ruled the cause of Katherine Morris death as Carbon Monoxide Intoxication with the manner being suicide."

Plaintiff's Response:

4a. The cause of death is not disputed. It is the manner in which the carbon monoxide was introduced into Kathy's system that is disputed. MPIA responsive documents show that the suicide ruling by the OCME was done in less than 48 hours following Kathy's death with no investigation by Defendant. AACPD's own reports confirm that the M.E. was predisposed to suicide, only did a partial autopsy, and never considered any other possibility.

4b. The OCME did not do an independent investigation. The OCME relied on the information provided to them by the Defendants who in our opinion "played them like a well-oiled machine".

- 5) **Chief Altomare states "June 2012:** Upon hearing concerns brought forward by Reverend Morris, Chief James Teare directed that the case be reopened. It was assigned to Anne Arundel County Homicide Detective Vincent Carbonaro."

Plaintiff's response:

5a. The directing of the case being reopened in 2012 may or may not be true but MPIA responsive documents tend to support this being disingenuous statement.

5b. To-date Defendants had failed to explain an internal statement made about a direct order given to Defendant Det. Carbonaro in reference to the alleged reinvestigation. (See Exhibit 28)

In 2015 and under Chief Altomare's watch Defendant Sgt. John Poole writes that "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*)

5c. As a result of this directive it appears that Defendant Carbonaro was selective in his reporting and suppressed any facts that would have been relevant for a non-suicide finding, and did so on multiple occasions. *See Exhibits 42A-44, 57-59*)

It is now apparent in 2018 by confirmation from Chief Timothy Altomare that a 2012 directive about limiting the scope of the investigation came from Chief James Teare. (*See Exhibit 173*)

- 6) Chief Altomare states "Detective Carbonaro learned from a University of Maryland College Park Police report that Katherine had attempted suicide in December 2011. The additional investigation findings were consistent with the prior finding of suicide."

6a. Plaintiff's response: This is false and libelous. Plaintiff sent an MPIA request to UMC police and released documents were reviewed. Direct phone calls were made to Campus police about their records related to this claim. It was the Plaintiff who called 911 because she was over ninety minutes away from the campus requesting a wellness check on her daughter as a precaution. Her daughter had expressed feeling suicidal the night before, but had not acted on those feeling. 911 operators in turn contacted

campus police who assumed it was a suicide attempt in progress. Kathy was found sitting by her window, completely cooperative including voluntarily going with officers in what was standard operating procedure to be medically evaluated to ensure she was not a danger to herself. (*See Exhibit 76*)

- 7) **Chief Altomare states “August 2012,** Reverend Morris requested the US Army to conduct an investigation into Katherine Morris’ husband (Isaac Goodwin) who was stationed overseas at the time of her death. They confirmed Mr. Goodwin was in Afghanistan at the time of Katherine’s death.”

7a. Plaintiff’s response was to remind the Defendants that in their death investigation of a white female named Karyln Ramirez at the hands of another U.S. soldier, that soldier had convinced his long time mistress to do his bidding. Testimony and proof in that case relied largely upon the review and examination of thousands of text messages. In contrast, the death investigation of an African American named Katherine Sarah Morris, the same AACPD simply noted that there were over 2,000 text messages, that there were too many to review and simply noted that they had been placed on a thumb drive and filed away. (*See Exhibit 60, page 10*)

7b. In Kathy’s death investigation there should have been two clear persons of interest, the mistress Sgt. Latoya King and her alleged best friend Damaris Brown. At the time of Kathy’s death records show that both of those women lived within 40 minutes of the UMD campus and had initiated contact with Kathy 72 hours before her death. Both persons of interest,

spent three hours emailing and calling the deceased on the phone. She finally returns their phone calls. Neither individual was ever alibied.

7c. In Plaintiff continued response she states “In his 2012 police report Defendant Carbonaro chooses to only report a part of these important facts. Records show the mistress Sgt. Latoya King lawyered up immediately in this case. Defendants never attempted to question her. FOI’ed and subpoenaed documents show that Sgt. King was given a written direct order from the military to have no contact with Sgt. Goodwin. She violated that order over 60 times in the 30 days immediately following Kathy’s death.” *(See Exhibit 174 page 11)*

In his written report Defendant Carbonaro falsely stated that Sgt. King was not available for questioning omitting the fact that she had obtained a lawyer. She is never questioned.

7d. “The best friend of Sgt. King was Damaris Brown who conveniently and coincidentally has a bachelor’s degree in forensics, drove a vehicle similar to the one seen pulling away from the Kathy’s vehicle on the available surveillance tape; and who subsequently, (along with her husband) make statements that they are told on Sat. May 5, 2012 by a crying Sgt. Latoya King that Kathy was dead. Her body is not found until the morning of May 6, 2012.” *(See Exhibit 174 pg 4)*

Grievously Plaintiff noted that: “Phone records also show that Sgt. Goodwin made a nine second phone call to the Kathy from Afghanistan on May 4, 2012. He is never questioned about the content of that call.”

- 8) **Chief Altomare states “March 2013:** Chief Larry Tolliver, upon learning of continued concerns held by Reverend Morris, requested the investigation be reviewed by the Anne Arundel County State’s Attorney’s Office. That office reviewed our case file and documents provided by Reverend Morris including military documents. The SAO concluded that while Mr. Goodwin’s conduct in relation to Katherine was reprehensible, there were no criminal actions in Anne Arundel County.”

8a. Plaintiff's response: Quite simply the States Attorney's Office by AACM's own 2018 admission reviewed the Defendants case file which contained libelous misinformation, manipulated information, and where key facts that might have brought into question the erroneous suicide ruling were suppressed.

- 9) Chief Altomare states "November 2013: After taking office and hearing of Reverend Morris' continued concerns, Chief Kevin Davis requested that a panel of veteran Prince George's County Homicide detectives review the Katherine Morris investigation. In February 2014 they concluded that Katherine's death was a suicide."

9a. In the October 5, 2018 four page libelous reiteration, the reference to the year 2013 is where some of the most grievous and libelous acts by the Defendants are committed.

9b. The panel of homicide detectives were not all from Prince George County, as Defendant Altomare acknowledged in his next bullet where he would have us believe there is a second and separate review by an AAC Cold Case Analyst yet there is zero documentation in MPIA responsive documents that reference any such separate review or report.

9c. The February 2014 referenced conclusion was based on review, according to Defendant Altomare's 2018 statement, of libelous information.

9d. MPIA responsive documents revealed and confirmed that this panel asked for three pieces of information from the Defendants; (*See Exhibit 36*) . What they were given for review was only information that supported the

suicide finding and any other facts, that may have raised the possibility of any other outcomes were deliberately, libelously, and maliciously omitted or altered for desired outcomes.

9e. 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*).

9f. The Cold Case Review Committee asked the Defendants 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*)

9g. To question “a” about the video the Defendants reported to the Panel that the video was recorded by Anne Arundel Community College security cameras that were motion sensitive, falsely implying that there was no motion on the four separate parking lot cameras. (*See Exhibit 36*)

9h. Defendants then go on to make the following libelous, false, manipulation and grievous statements:

a. 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””.

b. “The video is motion activated and will only record if the cameras observe movement within the recorded area.” This may or may not be true but clearly is not the reason for the missing May 6, 2012 footage on 4 cameras. (*See Exhibits 37 and 38*)

c. Defendant Sgt. John 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.” To date, no such letter has been written or released in any MPJA and Plaintiff charges that no such letter exist.

9i. 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 obtained several grand jury subpoenas for the financial records of Kathy. (See Exhibits 39, 40, and 160). Subpoenaed financial records would have revealed all accounts Kathy had.

b. Defendant officer Sgt. Poole reports Kathy had only one credit card which was a clear and intentional manipulative in the reporting of the facts, intended to deliberately mislead the Panel. The credit card he reports about to the Panel showed:

i. 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) Falsely leading to the conclusion that Kathy Morris “had not made any purchases in the time frame..”. This grievously lends to the selective reporting of facts for controlled outcomes.

9j. In addition, a Crime Scene Unit Supplement dated May 6, 2012 states that Kathy’s purse had “several credit cards” in it. (See Exhibit 46)

9k. 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 Defendant Vince Carbonaro, Defendant Sgt.

John Poole and a Det. DiPietro. Further evidence of this manipulation of key facts is demonstrated by:

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)

b. In a follow-up email on the same email string Defendant 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) The detective also uses the plural inferring more than one.

10) **Moving back and continuing Chief Altomare states** “November, 2013: In the same time frame, again in response to Reverend Morris’ concerns, we requested a retired Montgomery County Homicide detective then employed as Anne Arundel County Cold Case Analyst to review the investigation. They determined the findings were consistent and still remained a suicide.”

10a. Plaintiff’s response: False and misleading as Defendants have acknowledged that reports reviewed contained false and misleading information. Altomare should have known and to not cease and desist circulating this was cruel and malicious.

10b. Again the false determination of suicide is after that person or persons both received and reviewed false misleading and manipulated information that was presented to them for the desired outcomes

10c. Released MPIA documents contain no reference, no information, no notes or reporting about any such review nor is it mentioned in any of the released internal email communications.

10d. Altomare's claim of a separate and additional review is questionable as well as, if the court would notice that he states a retired Montgomery County Detective employed by Anne Arundel County then closes with a references in the last sentence of point 10 with a reference to "they".

11) **Chief Altomare states** "February 2015: County Executive Schuh, State's Attorney Wes Adams and I met with Reverend Morris and her family. We heard her concerns and AGAIN re-opened the investigation. At this time I ordered further forensic examination of items recovered inside of Katherine's car."

11a. Plaintiff's response: Upon review, Altomare's all caps response of AGAIN re-opened the investigation case is libelous. Internal MPIA responsive documents show that the death investigation of Katherine Sarah Morris was never formally, nor previously reopened for they had problems getting subpoenas issued on a closed case. MPIA responsive documents state ". The State's Attorney's Office has indicated 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."

11b. Even Chief Altomare reference to further forensic examination proves problematic in that the examination yielded false and misleading

information about the DNA that was maliciously reported to the family and the public.

11c. MPIA responsive documents not only reveal that POLICE KNEW THERE WOULD BE A PROBLEM WITH THE DNA BEFORE IT WAS TESTED. (*See Exhibit 48*)

- 12) **Chief Altomare states “May 2015:** Reverend Morris turned over digital evidence to the Anne Arundel County Police Department. Reverend Morris believed this evidence showed Katherine’s cellular phone moving in the hours before her body was found. I directed the data to be reviewed by a Digital Forensics Lab. An analysis of the data showed that the phone was maintaining a database of cellular towers surrounding it rather than it moving. The report from the lab was given to Reverend Morris.”

Plaintiff’s’ response:

12a. This statement is cruel and false because Chief Altomare cannot, nor his lab, state with absolute certainty that Katherine Morris’s phone was not moving. This is in-part because they failed to request the appropriate phone records to properly determine what’s called cell tower triangulation.

12b. To support that assertion Plaintiff requested a copy of the cell phone extractions from Kathy’s phone. The Defendants gave her a PDF file of the extractions. However because of what Plaintiff called repeated misinformation and knowingly false statements about the missing surveillance tape footage she sought other assistance.

12c. The results were that a Las Vegas based forensics company called Expert Data Forensics selected the Morris case as a pro-bono project and performed the same data extractions as the AACPD using the same software as AACPD.

12d. The Plaintiff along with Kathy's electronics were flown to Las Vegas. They were met in Las Vegas by an ABC's 20/20 reporter who wanted to record the findings. So with TV cameras rolling the two copies were compared and it was found that there was a block of records showing to have been deleted from the AACPD PDF file. It was a block that in the Expert Data Forensic extractions copy reflected the phone at different GPS coordinates possibly reflecting movement.

12e The Expert Data Forensics' Company instructed Plaintiff to request the "Raw Data" files used to create the AACPD's PDF file they were given. Reason. The PDF file can be manipulated. The Raw Data files cannot.

12f. That request was sent to Chief Altomare in July of 2015 who for two years ignored it. In 2017 an MPIA request finally yielded a claim from the AACPD that now, the hard drive containing the "Raw Data" files had crashed and those files were "conveniently unrecoverable".

12g. In addition, if you review the report and accompanying note, you can see it is not from "a" Digital Forensics Lab", but from their own Digital Forensics Lab detectives.

12h. More importantly, it cannot definitively state where Kathy's phone was at all times on the night of May 5, 2012.

12i. It does not address the GPS location records that were deleted. It only talks about the phone storing locations. **This is another manipulated response.**

12j. In addition, Plaintiff has not received any report from a “Digital Forensics Lab”. What has been received is an AACPD CID Supplemental Report signed by a Det. Poole and Det. Seegers. Therefore that report is one prepared by the Defendants and Defendant Sgt. John Poole responses have shown themselves to be problematic.

12k. While “the report talks about the phone housing records this report does not address nor explain away the GPS extracted files that showed up as deleted from the AACPD’s PDF file given to the Morris family. Those files showed Kathy’s cell phone possibly away from the Arundel Mills Mall, at times throughout the evening on the night of her death”.

12l. In the report Defendants falsely reference how the downloaded GPS settings do not reflect where the phone is located. However, in contradiction to what the report says on page 1 and 2, on page 3, the AACPD report cites that at a particular time the phone was at a specific location that is according to the phones internal GPS data. It’s right there in black and white, the report contradicts itself.

12m. Plaintiff noted that in testing random GPS locations at known points of time prior to and following Kathy’s death, the phone locations identified were accurate.

12n. Plaintiff also reached out via phone to a Ben Lemere of the Berla Corp (digital forensics) for assistance and for some reason he reported the inquiry back to the AACPD. That communication elicited the following internal comments where the “AACPD officer was calling back the receptionist Plaintiff spoke with “for the details of the conversation.”. Plaintiff states that it lends to a pattern of libelous and manipulative behavior now evident with Defendants.

- 13) **Chief Altomare states “Summer 2015:** Again because of Reverend Morris’ concerns, Dr. Aronica-Pollack of the OCME conducted in depth research into carbon monoxide deaths. She researched 204 CO2 deaths. 20 of these cases were suicides with charcoal grills and 13 of these were in a car. Reverend Morris provided a list of 22 concerns, including the same digital evidence provided to AACOPD in May was also turned over to the OCME. Finally, the doctor re-examined the positioning of Katherine’s body in the car and burns she suffered. In conducting her research and review, Dr. Aronica-Pollack reached the same conclusion as the contract Digital Forensics Lab. After her further review, Dr. Aronica Pollack still concluded the death of Katherine Morris was a suicide.”

It is important to note that the OCME is the entity that determines that cause and manner of death in Maryland. Dr. Aronica-Pollack concluded, “None of the points brought to our attention lead us to believe foul play was involved in any way. In fact, the manner of suicide is supported by the information gathered.”

13a. Plaintiff’s response: First much of this is false and libelous. Here again, in MPIA responsive documents there are no such records from either the OCME or AACPD supporting the libelous claim. (*See Exhibit 176*) The OCME is an entity that relies on the input of the police department.

13b. They do not do DNA testing, they do not review video tapes, they do not collect and test evidence at the scene, nor do they investigate the circumstances around a victim’s death. Yet the Defendants want to tout the OCME involvement just like the alleged involvement of the FBI to debase Morris’ support.

13c. Our evidence shows that the letter listing the response to the 22 concerns was co-authored with the AACPD, cut and pasted on OCME letter head, and then signed by Dr. Fowler. The OCME did not do an independent investigation. An MPIA responsive document shows planned collaboration

between the two agencies as they prepared to meet with Rev Steve Tillett of the NAACP.

13d Also in this same letter the OCME report false DNA findings to the Plaintiff's family which the Defendants knew. Released MPIA information shows that the letter containing the response to the Plaintiff's family contained false DNA findings and was reviewed by the Defendants on at least two separate occasions before being released to the Plaintiff's family and the public. Kathy's DNA is not on the grill packaging. DNA from the lighter is from two different individuals. Yet they repeatedly reference this letter that containing false DNA findings as validation and confirmation of an erroneous suicide ruling. The OCME only sees the reports presented to them by the Defendants.

13e. In addition, the new claim by Chief Altomare, that Dr. Aronica reexamined the position of Kathy's body after her initial finding is highly questionable as there are no written remarks or notes to support that. The OCME office states that they have released all communications and records, and other than the 22 points that were responded to by Dr. Aronica, all subsequent MPIA request have yielded no new information.

13f. There is not a single notation of any such review by Dr. Aronica. Yet, what Chief Altomare is stating is that the Medical Examiner, Dr. Aronica has reviewed the following photos and on the record finds them consistent with suicide.

13g. Therefore, Katherine Morris after having allegedly ingested 8 sleeping pills and falling into a comatose state after inhaling carbon monoxide from charcoal grills would have fallen naturally in the position shown. *(See Exhibits 152 and 153)*

13h..The burns to her body are post-mortem which means she naturally moved on top of the grills after she died. *(See Exhibit 153 and 158)*

13i. Turned her arm in the awkward position and buried her own face down into the well of the door. *(See Exhibit 153)*

13j. This is the position of the body before emergency personnel arrived *(See Exhibits 52 and 153)*

13k. It also means that she would have laid on top of her purse that is showing to include a water bottle that is on the same seat. *(See Exhibits 146, 147 and 151)*

14) **Chief Altomare states “May 2015:** The Anne Arundel County Police Crime Lab prepared a DNA report after the examination of items recovered from Katherine’s vehicle. DNA testing results that were sufficient for comparison all matched Katherine’s DNA. “

Plaintiff’s response: Grievously, false, misleading, and is a clear manipulation in reporting to illicit a desired belief. What do they mean by “DNA testing results that were sufficient for comparison all matched Katherine’s DNA.” *(See the enclosed DNA Forensic Biology Report on Exhibit 174 pages 17 and 18 and Exhibit 50).*

Note: The report shows that there were also DNA hits from at least one other person that were found at the scene, with no documented attempts to identify it.

- 15) **Chief Altomare states “June 17:** The Baltimore FBI Office contacted the Anne Arundel County Police after Reverend Morris requested the Department of Justice review the case. FBI Baltimore met with Anne Arundel County Police Homicide Unit and was briefed on the investigation. This briefing included each of the subsequent steps listed above and the exhaustive work put in by the OCME After this meeting, no further questions were posed by the FBI.”

15a. Plaintiff’s response: REPEATEDLY THE AACPD MISLEAD INDIVIDUALS BY STATING THAT THE FBI HAD INVESTIGATED THE DEATH OF KATHERINE SARAH MORRIS. When in fact the FBI office only reviewed the AACPD’s case file with already documented misinformation, manipulated information, and where key facts that might have brought into question the erroneous suicide ruling were suppressed.

This is essence means that someone lied to the FBI.

15b. In addition, research shows that other than the 2015 meeting with OCME, the M.E. appeared to have pulled her data primarily from archived annual OCME reports and a review of those numbers showed exaggerated numerical results. It does not appear there was any exhaustive work done.

15c. Plaintiff has done at least four separate MPIA requests to the OCME none of which have yielded anything that reflects any extra effort or support to the Defendants allegations.

15d. However in one released document there is a notation that the M.E attempted to get the Maryland State police to examine evidence and when

they refused to do so without following proper protocol, Dr. Aronica had someone that worked in her office, that happened to know something about phones, but who “was not classified as an expert in the field” give an opinion.

16) **Chief Altomare states “Fall 2017:** In an effort to bring closure to Reverend Morris’ concerns, I requested Retired Baltimore City Homicide Detective/Sergeant currently serving as our cold case analyst again review the investigation and findings. After his review was completed he concluded the death of Katherine was a suicide.”

16a. Plaintiff’s response: The FBI office and this “Retired City Homicide Detective/Sergeant” reviewed only the AACPD’s case file with already documented misinformation, manipulated information, and where key facts that might have brought into question the erroneous suicide ruling have been continuously suppressed.

41. All actions done by the Defendant were done with such reckless disregard and carelessness as to their truth or falsity as to indicate an utter disregard of the rights of Plaintiff’s; and the consequences of Defendant’s actions maliciously, negligently, and inexcusably exposed Plaintiff to public hatred, contempt, and ridicule, and impeached Plaintiff’s honesty, integrity, virtue, and reputation as a person and as a member of plaintiff’s profession, and as a direct result of defendant’s acts, caused plaintiff substantial and great injury and damage.

BACKGROUND AND HISTORY

42. 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 her vehicle. (*See Exhibit 2*)
43. 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 24 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. analyzing any of Kathy's GPS records or other electronic media.
44. The Plaintiffs query of charcoal grills as a method of death 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 died. That method of murder mirrored Kathy's death almost point by point. (*Exhibit 136, Exhibit 24 pages 62-65*).
45. The Plaintiff and others supporting her like the NAACP, (*See Exhibit 3*), believe that the AACPD and OCME erred on many facets, mishandling the death investigation and at that time of that death investigation, the AACPD were embroiled in a major corruption scandal.
46. These investigative errors included but were not limited to:

- a. first on the scene mall 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 (See Exhibit 52)– which supervisors will say don't exist, opening all four doors of the car – searching the car, before dialing 911. (*See Exhibit 132, Stephen Howard Deposition*);
- b. death scene photos show Defendants failed to properly process the death scene because of the immediate assumption of suicide;
 - i. Failed to note regarding the massive burn on Kathy's back, that Kathy was fully clothed with clothing covering the burn marks, yet clothing, including the tag from her bra strap, are not burned. (*See Exhibit 135*)
 - ii. Failed to fingerprint two soda cans that were sitting on the floor behind the driver's side seat, one of the cans is open with a straw in it, as well as the bags of trash which could be indicative of someone having sat in the back seat. (*See Exhibit 137*);
 - iii. Failed to mention green iPod phone case in center cup holder (*See Exhibit 138*)
 - iv. Comparison of before-and-after photos of Kathy's face shows post-mortem bleeding from the lips and severe swelling of the lips which could have been a result of trauma to the face which was not considered by the OCME, who was predisposed towards a finding of suicide. (*See Exhibit 139 and 140*).

- v. In *Exhibit 139*, on the left side of Kathy's face is the imprint of grill grid marks, appearing to be from pressure, but not from heat, even though that side of her face would have been fully exposed to the heat from the grill.
- vi. Crime scene photos of the grills used to end Kathy's life reflect unburned newspaper which would have flamed up, but there is no damage to the underside of the dash where the grills were placed. (*Exhibits 141 and 142*).
- vii. Crime scene photo of the grill packaging (*Exhibit 143 and Exhibit 144*) misleadingly shows a receipt attached. When that receipt photo is enlarged, it shows the purchase of cutlery and candy from the Dollar Store. (*Exhibit 145*)
- viii. Items seen in *Exhibit 146* include a lighter and a water bottle. The lighter had a mixture of DNA from two different individuals, neither of which could be definitively tied to Kathy Morris. The water bottle was neither fingerprinted nor tested for DNA. No proof of purchase could be found tying the purchase to Kathy Morris.
- ix. *Exhibit 146* also shows a bottle of CVS Nighttime Sleep Aid, on which neither Kathy's DNA nor fingerprints were found. Nor has any proof of purchase been found.
- x. In *Exhibit 147*, noting the position of the two front seats, it appears unlikely for Kathy to have lain across the seats in this position.

- f. 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*) In September 2018 this case was dismissed because of the files allegedly no longer existing, but has been appealed to a higher court.
- g. 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*);
- h. 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, but do not attempt to link them to anyone other than the victim. Most items did not link to the victim Kathy's DNA;

- i. 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 Defendants 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;
- j. After an extensive MPIA request, failed 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. Note: Plaintiff initiated legal proceedings through Case #C-02CV-18000096 enclosed as *Exhibit 101* which was dismissed¹ because of the claim that the records no longer existed, so therefore there was no violation of the MPIA;
- k. 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*).

¹ This dismissal has been appealed to a higher court

1. 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*).
47. Concerns over these errors prompted the Plaintiff to seek Congressional assistance and in the same time period in which the Defendants were embroiled in the corruption scandal, a Congressional Inquiry from Congressman Steny Hoyer was sent to the then Defendant Chief James Teare and failed to receive an appropriate response.
48. 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*)
49. The Plaintiffs charge that the Defendants in their abuse of power deliberately and libelously manipulated systems to cover a series of errors and other corrupt internal activity, thereby depriving Plaintiff of her fundamental civil rights and have therefore impeded a clear and proper death investigation.
50. As a result of this abuse of power, several officers of the AACM have been found to have deliberately manipulated evidence, and/or misreported the facts surrounding the death investigation of this African American woman.
51. The Defendants did not approach the case with an open mind, but instead with a form of what is known as "confirmation bias" which occurs "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*)

- 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 and Exhibit 157*)
- 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 six 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. (*See Exhibit 157, 139, 140, 158, 159*)

52. As a result, AACM and its agencies have operated on an assumption of credibility, based on status. Such an assumption has repeatedly proven prejudicial and harmful to the general public.

53. The Plaintiff agrees that Kathy died from carbon monoxide toxicity. But what is still in dispute is who caused that poisoning and whether this was a suicide or murder.

54. Therefore, the Plaintiff challenges the suicide ruling in the death of Kathy and charge that the Defendants failed to fully and independently evaluate the circumstances

² Publilius Syrus 1

of this case, failed the public, and fell short of their responsibility to fulfill the fair and impartial responsibilities of their office.

SUMMARY BACKGROUND

55. 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.
56. 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.
57. 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. *Exhibit 131*)
58. A clear pattern of text messages and emails show that Goodwin was emotionally abusive.
59. Documents show that the soldier started collecting military benefits immediately while the young college student continued financially struggling to maintain her own 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 not produce a lease with his name on it.
60. 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.
61. 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.
62. 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.
63. 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*)
64. As a result of Kathy’s death, this of itself should have raised a red flag regarding motive and criminal intent.
65. Post death review of Kathy’s electronic communications revealed that two female persons initiated 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*).
66. 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*)
67. Using aliases King used Brown's accounts to send Kathy six email messages and then made 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.
68. In these May 2, 2012 communications, King admits in writing to the adultery. Adultery is a punishable crime in the military.
69. 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.

70. 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*).
71. 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.
72. Kathy died under controversial circumstances 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.
73. 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*)
74. 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 their home. (*See Exhibit 130*).
75. Kathy's body was not found by authorities until the morning of May 6, 2012.
76. Defendant never attempted to confirm whether or not King had an alibi for the time period the OCME identified as the time of death.

77. 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.
78. Subsequent communications show the military waiting for the Defendants directive, and records show that the Defendants told the military no action or assistance was needed.
79. After a year of pursuing answers from the military, in a requested conference call with Pentagon officials, the parents were 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 no judicial punishment to correct unacceptable military behavior.
80. Since her death it has been determined that she was a victim of Basic Allowance for Housing³ (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.

ADDITIONAL FACTS

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

³ 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.

82. The “means” of her death is ruled suicide by the OCME and the Anne Arundel County Police (AACPD) without any explanation as to how there could be an 11 inch burn mark in her back that was covered by clothing yet the clothing itself is unscorched by flame or heat. (*See Exhibit 2, 135, 158*)
83. Maryland Public Information Act responsive documents revealed that Kathy’s death was ruled a suicide by the Defendants even though the Defendants 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, key items within the car like an open can of soda with a straw in it sitting on the rear floor (*See Exhibit 137*) of the car and a bottle of water, are not tested for DNA or fingerprints.
 - d. The fingerprints that were taken were not be tested until 2013 with police reports stating “no prints” not even Kathy’s were found. (*See Exhibits 45 & 46 and 47*);

- e. NOT fingerprinted the exterior of Kathy's car on May 6, 2012 claiming rain prevented them from doing so yet death scene photos show what appear to be a dry car. (*See Exhibits 154-156*);
- f. Not definitively confirmed that an AACPD officer actually viewed the May 6, 2012 missing video surveillance tape. They instead falsely claimed the cameras did not record any May 6, 2012 footage from four different cameras;
- g. Not made a master copy of available surveillance video, as an investigative precaution, because the original footage would allegedly be destroyed. The missing video would later elicited conflicting statements from agency representatives including a 27-year veteran of the AACPD with a background in special investigations;
- h. Not forensically examined Kathy's electronics;
- i. Not called a Fire Marshal or Fire Investigator to physically examine Kathy's vehicle when:
 - i. two burning grills were 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 was allegedly no other interior burn damage to the vehicle from the initial flame-up that should have resulted from the lighting of the grills.

- j. Not found any proof that Kathy had purchased the grills or any of the items used to harm herself;
 - k. Not alibied any potential persons of interest with motive to harm Kathy.
84. 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*)
85. In 2013 the Plaintiff had several conversations with Dr. Aronica in reference to the oddities of the case and raised the following concerns:
- a. Kathy’s left ear was disfigured from fire, and she had an 11 inch burn mark to her back,:
 - i. On this point, 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*). Yet before and after photos show significant swelling to the lips and face with postmortem bleeding from her lips. (*See Exhibit 139 and 140*)
 - b. Kathy had allegedly consumed eight sleeping pills out of a bottle of thirty-two pills.
 - i. To that point on August 2, 2013, Dr. Aronica was 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. She also commented that taking the eight pills was most likely a second suicide attempt.

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.

d. 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";

86. Death scene photos show that Kathy had a one inch bruise on her forehead that was not addressed by Dr. Aronica. (*See Exhibit 157*)

87. **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, one of which was Kathy's death case.

88. **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 were only given for review was information that supported the suicide finding and any other facts, that may have raised the possibility of any other outcomes were deliberately and maliciously omitted;

c. The AACPD claim the panel concurred with the suicide finding. This cost the Plaintiff six months of appeal time and loss to other legal time statutes.

89. **Significant time was 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 occurred in February 2015 and was to discuss the major growing inconsistencies around the Katherine Sarah Morris 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 Defendants 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 Defendant 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, even though a subsequent examination of death scene photos of the grill contradicts that statement. The charcoals were ignited by the lighting of paper which lined the bottom of the trays.
 - 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*)

90. August 26, 2015 an inquiry was sent about the appeal process to OCME's, Dr. Fowler because information previously received was not accurate.
91. The Plaintiff's second inquiry was forwarded to the Attorney General's office by the OCME, with no response received.
92. 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*)
93. A review of the pattern of communications out of the OCME's office shows that in this case they had clearly colluded with the AACPD in preparing the letter. (*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 letterhead. (*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, containing personal conjecture and false statements unbecoming the office from which it was issued. (*See Exhibit 15*)
94. 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*)

95. 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 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 comment that there was no physical evidence in/or around the car, or on clothing supporting this new claim.

iii. a review of death scene photos does not show any physical evidence of Kathy having voided on herself.

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.”

96. May 26, 2015 an email was 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*)

97. Aug 7, 2015 the AACPD and OCME met with the NAACP and the Plaintiff was not present.

98. In the August 25, 2015 letter, there exists the appearance of collusion between Defendant Sgt 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 solicited the IT person in her own office (who happens to have a background in communications) to review phone extractions and then later referred 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 was party to a draft of a letter that again, claimed to be written independently by the OCME:

i. In an MPIA responsive document she sent 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 only the possibility of suicide finding in the death of Kathy, the Defendants searched 2012 court documents and then selectively reported statements from it.

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

99. 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.

100. 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 and the Defendants suicide ruling while disregarding any conflicting data.

OCME Denial Letter in Its Entirety and the Plaintiff’s Response Pages 57-83

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

Start of exact wording of letter

101. “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.”

102. 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.”

103. 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.

104. “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)

105. “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 persons 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.*

106. “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.*

107. "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 as 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 was attributed 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)

108. “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;

109. “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.

110. “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 messgaes 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.*

110. “Point 3 and Point 4 are statements.

111. 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's 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 delayed calling 911

ii. Having touched both doors and searched the trunk on the vehicle;

ii. Having 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 photos; (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 mall security officer arrived, any delays there might have been in him calling 911, as the Plaintiff claims there were.

112. "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.*

113. “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 convicted 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)*

| <p>A Chart of Quotes From Articles About the Kanae Kijimi Carbon Monoxide Murders An Internet Story on April 12, 2012</p> |
|---|
| <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> |

114. “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..” (in this case it’s the suicide 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 was committed, what needs to be collected, and what needs to be processed.”⁴*

b. *The above statement is evident in the failure of crime scene personnel to fully investigate the crime scene. For instance in reference to fingerprinting and DNA collection, only items supporting a suicide finding were collected.*

i. *In a death scene photo, you can see two cans of Pepsi sitting upright on the floor behind the driver’s seat. One can is open with a straw in*

⁴ Confirmation Bias, Ethics, and Mistakes in Forensics

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

- it. No fingerprints or DNA are collected from this item. (See Exhibit 137)*
- ii. A partially full bottle of water is seen on the front seat. No fingerprints or DNA are collected from this item. (See Exhibit 137)*
- iii. There appears to be a soot smudge on the sleeve of a sweater that is not near the lit grills. (See Exhibit 138)*
- iv. The front seats of the vehicle have numerous stains – no attempt is made to identify any of those stains. (See Exhibit 138 and 153)*
- v. 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; (See Exhibit 18)*
- vi. Dr. Aronica left a 24-hour window as to the time of death.*
- c. We concur death by carbon monoxide poisoning, but this does not establish how it was introduced to Kathy's body.*

115. “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 24 hours signing the death certificate as soon as May 6, 2012 and notating the manner of death a suicide while the investigation was still ongoing. (See Exhibit 2)*

116. “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 AACPD officer's statement that it appeared to show a person standing by the vehicle. (See Exhibit 55)*

117. "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.*

118. "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, there is no report of his fingerprints being found at the scene.*
- c. Collected fingerprints were not checked until Nov. 2013 and again in 2015.*
- d. The AACPD’s 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. 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.*

119. “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.*

120. “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.⁵*
- 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.*

⁵ Mistake#2 *The Seven Major Mistakes in Suicide Investigation* By Vernon J. Geberth, M.S., M.P.S.
Homicide and Forensic Consultant

- 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 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.*

121. “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. Inappropriate 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.*

122. “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; to-date the AACPD have failed to produce those files leaving the Plaintiff seeking the Courts intervention.*

123. "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.*

124. “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. In addition 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 person's phone.

125. “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.”

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

- a. Eliya Azoulay is with Expert Data Forensics and are part of the team of experts working with the Plaintiffs. Upon the teams review of the data it was determined that there was a need for a cell tower expert. Cell tower expert, Patrick J. Siewert, the Principal Consultant for Professional Digital Forensic Consulting, LLC (Pro Digital) joined the team.*
- b. Upon review of extracted data provided to him directly from Expert Data Forensics, Siewert issued an opinion that AACPD could not definitively state where Kathy's cell phone was located at all times on May 5th and 6th, of 2012. (See Exhibit 86)*
- c. Here, clearly the OCME accepts what is presented regardless of evidence contradicting the statement;*
 - i. 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 his watch;*
 - ii. His timeline reporting has discrepancies;*

- iii. *This police officer's word is taken, regardless of mounting inconsistencies like that of motion sensitive cameras not recording movement in a mall parking lot full of cars and people going to and from those cars;*
- iv. *He did not specifically report on footage from a camera that was approximately 60 feet from the alleged death scene, with a direct view of Kathy's car; (See Exhibit 24 page 27)*
- d. *The OCME deliberately discredits forensics experts that examined the evidence while prime time television cameras recorded the comparisons, therefore the results could not be manipulated.*

127. "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."*The statement is false since death scene photos show otherwise.*

- a. *What was she reviewing? With an issue about the grills why does the medical examiner not refer to actual pictures of the grills from this case file? Her own statements contradict the death scene photos.*
- b. *Not even the OCME states any proof that the grills are actually lit in the vehicle, but it is more likely that the grills were lit outside the vehicle and then moved inside because of the flame up (see Exhibit 107).*
- c. *Such an action occurring during the alleged last visible activity based on available video footage would have occurred after 9 pm and would have certainly drawn attention in the dark and busy parking lot on a Saturday evening.*
- d. *It was also observed that when Kathy's car arrived in the parking lot there were literally hundreds of cars and perhaps thousands of pedestrians. (See Exhibits 115, 116, 102-105)*
- e. *Kathy in available surveillance footage is not searching for a remote parking space but the next available. (See Exhibits 102-105)*
- f. *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 a food product, and produce enough heat to burn Kathy's body. (See Exhibits 7, 108, 109, 135, 137 and 159)*

- g. Death scene photos reveal that the actual written warnings on the grill packaging contradict Dr, Aronica's statement.*
- h. The charcoal briquettes are in a bag and when lighting the highly flammable product it must initially produce a flame to heat the briquettes. (See Exhibit 107, and 144)*
- i. A review of actual statements by persons who did attempt suicide with the product but were unsuccessful stated they lit the grills outside because of the flame up and then moved them inside.*

128. "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 9 inches longer than the car width from door to door;*
- b. *A review of the actual death scene photos by experienced law enforcement, fire and medical professionals caused alarm and according to them, the position of Kathy's body was not consistent with the manner in which she allegedly died.*
- c. *The security guard that discovered Kathy's body said during deposition, that Kathy's back was arched over the console.*
- d. *In the death scene photos taken by the security guard and AACPD takes, the pillow that Kathy sat on when driving is not lying over the console as Dr. Aronica claims and her claim is evidentiary that she hadn't reviewed the photos. (See Exhibit 52, 54, and 149).*
- e. *The police report states that someone at the scene placed a sheet under Kathy for ease of transporting her body.*
- f. *Police records state Kathy's purse and other personal effects were on the seat which meant she had to have lain on top of them which would seem unusual and uncomfortable. (See Exhibit 18)*

129. "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 and her answer was no;*
- b. There was no evidence to the contrary in her clothing or the vehicle;*
- c. The Plaintiff who drove the vehicle home from the impound lot affirmed that Kathy's vehicle did not smell of urine;*
- d. The last sentence is conjecture as the OCME should have been able to examine the contents of Kathy's stomach and report accordingly;*
- e. There were open cans and bottles of beverages in the vehicle.*

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

131. "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 show files that are more orderly and more detailed.*
- c. The 2014 file discrepancy with the AACPD extraction versus those done by Expert Data Forensics has to do with the location of Kathy's*

phone. If the software is better, then 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 for 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 requests were made for the raw data extractions used to make the PDF and the AACPD have failed to produce it.*
- g. In 2018 Plaintiff requested the Court's assistance in a separate case. The AACPD now claim the files are no longer available because of a 2012 computer hard drive crash.*

132. "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.”⁶

b. Photos of Kathy lend to this possibility as well as:

i. Blood on Kathy’s mouth that stained the transport sheet; (See Exhibits 139 and 140)

ii. A swollen lower lip; (See Exhibits 139 and 140)

iii. Burn pattern on back but no damage to clothing; (See Exhibit 135)

iv. An apparent bruise on her forehead; (See Exhibit 140)

v. A deeper but circular bruise on her arm near her wrist;

vi. A bruise on her side;

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

133. “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.

⁶ Confirmation Bias, Ethics, and Mistakes in Forensics

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

In 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 reflects that this report was sent to the Defendants 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 Exhibits 13, 16, and 17)*

| Chart of Communications Between OCME, AACPD and Plaintiff on pages 84-88 | | | |
|---|---|--|--|
| 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. |
| 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 attention: 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 |
| 6 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 8, 2015 | From John Poole to Dr Aronica | Katherine Morris suicide information | Follow up Jun 4 meeting, and plan for meeting with NAACP's Rev Tillett |
| Jun 11, 2015 | From David Fowler to Ms. Morris | Response to changing manner of death | Ltr received and uses quotes from Dr. Aronica's Jun 5, 2015 letter word for word. Cites right to appeal to Secretary of Health and Mental Hygiene § 5-310. |

| 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 from 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 Kathy's 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 7, 2015 | Email from Poole to Dr. Aronica | Katherine Morris Suicide Meeting | Sgt Poole in inquiring about how meeting with Mrs. Morris went. |
| 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 eager 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 Wash. 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 & Major 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 |
| July 29, 2015 | Email from Dr Aronica to Poole | Meeting next week | Dr Aronica acknowledges premeeting request and set time for conference call. |

| Date | Person Contacted | Subject | Disposition |
|---------------|---|---|--|
| 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, 2015 | 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 |
| 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 |

To the harm and malicious dismay of the Plaintiff the Defendant exhibited a pattern of corrupt behavior that lead to the falsification of this investigation

An Affirmed Climate of Corruption

134. 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)

135. 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)

136. 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)

137. 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 Defendant Det. Keith Clark.

a. The parents were distressed that it appeared he remained involved. (*See Exhibit 27*)

b. A 2013 meeting with Police Chief Kevin Davis revealed that Clark was not experienced in homicide investigations and that there were internal issues with his handling of the initial investigation.

- c. 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)

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

- a. It was assigned to Defendant Det.Vince Carbonaro.
- b. Defendant 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. Leites 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)

139. 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.

- 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. 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.”⁷

140. 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 Defendant Sgt. John Poole’s deliberate and vicious suppression/concealment of key evidence and

⁷ **Confirmation Bias, Ethics, and Mistakes in Forensics** “The eyes are not responsible when the mind does the seeing.” – Publilius Syrus 1

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 evidence (*the 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 Defendant Det. Vince Carbonaro's deliberate and vicious suppression/concealment of potential facts as evidenced by his selective reporting of communications to and from Kathy. An example is his reporting of only two phone calls when there were six. (*See Exhibit 57, 58 and 74*) This suppression of this information had a clear effect on the suicide ruling in the death of Kathy.
- d. The AACPD Report is reflective of Defendant Det. Vince Carbonaro's deliberate and vicious suppression/concealment of potential facts and is evidenced by his selective reporting of remarks made by two witnesses; (*See Exhibits 60, 61, and 75*)
- e. Proof that Defendant 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 findings. (*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 Defendant 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)

To the harm and malicious dismay of the Plaintiff, AACPD officers were selective about which facts to report to others which lead to the falsification of this death investigation

AACPD Report False, Libelous and Misleading Information to the Homicide Panel

141. 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.

142. 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*)

143. 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 that were motion sensitive, implying that there was no motion

on four separate parking lot cameras, after approx. 10:30 pm as being the reason for the missing footage. (*See Exhibit 36*)

144. Defendant then go on to actually state the following falsehood and or manipulation of facts:

- a. 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””.
- b. “The video is motion activated and will only record if the cameras observe movement within the recorded area.” This may or may not be true but was clearly not the reason for the missing May 6, 2012 footage on 4 cameras. (*See Exhibits 37 and 38*)
- c. Defendant 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 functionality 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, in addition in 2018 the Defendants claim via Chief Altomare that the missing footage was deleted.***
- d. Defendant 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*)

145. 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 obtained several grand jury subpoenas for the financial records of Kathy. (*See Exhibits 39, 40, and 160*). Subpoenaed financial records would have revealed all accounts Kathy had.
- b. **AACPD Sgt. Poole reports Kathy had only one credit card** which was selective reporting intended to manipulate outcomes. The credit card he reports about to the Panel showed:
 - i. **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. and 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 may or may not be true but again lends to the selective reporting of facts to manipulate outcomes.

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

147. Here again Defendants 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 Defendant Det. Vince Carbonaro, Defendant Sgt. John Poole and a Det. DiPietro. Further evidence of this manipulation of key facts is demonstrated by:

- 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 DiPietro⁸ 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*)
- b. In a follow-up email on the same email string Defendant 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*)

148. A true examination and accurate reporting of facts, or even a question to the family 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*)

⁸ 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. 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 on the morning of May 5, 2012, the day she allegedly committed suicide (*See Exhibit 42*)
149. Receipts for the purchase of the grills, sleeping pills or the lighter found at the scene and allegedly used to end the life of Kathy have never been found in her vehicle, bank records, or belongings.
150. 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 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;

- i. The UPC codes in that email were incorrect;
 - c. MPIA responsive documents show there was a chain of custody issue in the handling of the packaging. (*See Exhibits 96 & 97*)
151. 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”
152. The forensic examination of items yielded no prints and:
- a. Defendant 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.

- e. Crime scene photos show an open can of soda with a straw in it that was located on the rear floor board of the car behind the driver's seat. It is not tested. (*See Exhibit 45 and*)
- f. An open bottle of water is found on the front seat. It is not tested for prints or DNA.

To the harm and malicious dismay of the Plaintiff, AACPD and OCME deliberately misreported DNA findings that lead to the falsification of this death investigation

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

154. 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 deliberately misleading because if on the packaging, it meant that Kathy had opened the package of grills herself.
- ii. It contradicts the internal Mon. Apr 27, 2015 email exchange with Lt. Richard Alban.

155. 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. That would be consistent with the fact that she had major burns to her back, neck, ear, and face. (*See Exhibit 135, and 158*)

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

- a. This is false and misleading:
 - i. 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*) This statement is not definitive proof that it was Kathy’s DNA.

157. 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.
- a. Drinks were open in the back of the car but there is no evidence the rear doors were tested. (*See Exhibit 137*)
158. No testing was done to the exterior of the vehicle with the AACPD claiming rain prevented them from doing so yet crime scene photos all show a dry vehicle and dry ground with the vehicles doors open. (*See Exhibit 154, 155, and 156*)
159. No spoilt evidence is reported by the AACPD.
160. The DNA is not tested until 2015 and other items with potential DNA findings still remaining untested. (*See Exhibit 47*)

To the harm and malicious dismay of the Plaintiff death scene photos show that AACPD and OCME’s failure to summon a fire investigator to the scene left critical unanswered questions

161. Kathy died from carbon monoxide from charcoal grills lit in her vehicle. Photos and police evidence log indicates the vehicle did have two burned trays of charcoal with only fire damage to the floor from one grill; (*See Exhibits 109, 141 and 142*)
162. Experts consulted found that disposable grill trays of this type 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.

163. Death scene photos show that the disposable grills used were:

- a. Highly flammable requiring a single match to light;
- b. The briquettes themselves are contained in a bag that when initially lit flame up;
- c. Flame must be produced to heat the charcoal to a useable temperature;
- d. With no interior overhead damage the grills had to be lit outside the car and then moved inside; (See Exhibit 142)

164. Because of the high toxicity of the carbon monoxide in an enclosed space, one would assume both grills were lit at the same time. Yet one grill is only partially burned. One possible explanation with such a highly flammable product, needing oxygen to burn, would be if that grill were set in the car's floor board, and attempted to be lit at a later time. That would tie into the grill grate marks on Kathy's face with no fire damage. (See Exhibit 139) This also ties into Dr. Hablem and Fight Fraud America's theory that Kathy's body was moved around in the compartment post mortem. (*See Exhibit 107 and 159*)

165. The Plaintiff was originally told by the AACPD that burns on Kathy were caused by combustible heat. In 2012 after being told this the Plaintiff personally contacted the County Fire Marshal who 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 photos he was shown afterwards.
166. 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*)
167. 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 points 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.
 - i. There was no residue from this noted on the floor carpet burn.
 - ii. There is no melting of the passenger seat front-facing vinyl.
168. 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/>.

Medical, chemistry, fire and other investigative experts offer critical insights after review of reports and death scene photos that bring to light major insufficiencies with the suicide ruling made by Defendant and the OCME

169. A 2018 examination of the death scene photos by several experts offering their assistance yielded the following summation. (See Exhibit for full report)
Leslie Kim, the lead investigator for Fight Fraud America wrote “Upon receipt of the 36 Police Photographs, I electronically forwarded images to three of our experts..., Smoke and Fire, a Chemist with an extreme history of burns, and an Orthopedic MD/Surgeon, the following are their comments.
170. Dr. Schwartz primarily focused on the severe back burns shown in *Exhibit 135* He .. “utilized a process known as "color demarkation" to differentiate the burned area from the non-burned area in an attempt to discern if these were post or pre-mortem burns. What it revealed was a clear demarkation between the burn area and the normal surrounding tissue. Had the victim been alive, that

demarkation would have been a gradient across the interface of the two tissue types due to the subcutaneous circulation being compromised. With the color demarkation,.. “The victim was already deceased when the burns were sustained.”

He also wrote as follows:

- a. Damaged tissue releases chemistry that isolates the damage at its borders - peripheral inflammation, swelling, and contingent erythema (reddening).
 - b. Viewing color images of human branding (body modification), one can readily see this at freshly made brand lines, and then it spreads.
 - c. The victim shows no peripheral reaction at the burn-unburned tissue interface. The tissue was dead when burned.
 - d. Pigmented skin could arguably obscure inflammation discoloration.
 - e. One takes the color image and remaps the hue, red into green. Insulted tissue altered chroma visibly pops. It is not seen here.
 - f. One could also photograph the victim in near-infrared light only - lens filter to block visible light, ordinary silicon CCD camera with its internal IR blocking filter removed. Melanin is transparent in the near-IR. Demo: Take a dark Black and so photograph. The image shows internal vasculature.
 - g. It was Dr. Schwartz’s opinion that it was physically impossible for the tissue to be deeply burned and the overlaying garments to be unaffected.
171. Dr. Hamblen, Orthopedic MD/Surgeon also wrote in reference to the burns Kathy sustained in the same photo:

- a. this image was taken with the shirt being pulled down by the attendant to expose the complete burned area, showing the posterior bra.
- b. The left shoulder strap shows some minor discoloration and the right bra strap is not discolored at all..the burn is bilaterally widespread.
- c. The size tag/label which overlays the burned area is unaffected by either soot or heat and such tags are .. of synthetic fibers which have a low melting point.
- d. The shirt had to be pulled off of the burn in order to expose the area for the photographs.
- e. The shirt was not discolored nor was it burnt.

172. It is therefore my opinion that Ms. Morris was already deceased when these burns were sustained and they may NOT have been sustained while she was clothed. She was clearly dressed AFTER sustaining the burns and positioned in the vehicle sometime after her actual death.

173. Investigator Bi-Lu, a national authority on Fire and Smoke Inhalation. "Upon Examination, he concurred ABSOLUTELY with Dr. Schwartz's summation.

Crime scene photos of the position and markings on Kathy's body at the time of her death do not support a suicide determination

174. The Orthopedic MD/Surgeon, Dr. Robert Hamblen also focused on the positioning of the body. He 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) pictures and information on the disposable grill placement and (4) a photographs of the burn/pattern on her back, neck and face. He was also provided height/weight information on Kathy and specific distance/spacing information relative to the center console of the car. and wrote the following: *(See Exhibits 53, 108, and 109)*

- a. The photo..is visually representative of an impossible self-attained positioning.
- b. Considering the interior configuration of the vehicle, the size of the victim, and the now understood circumstances of the death demonstrated beyond doubt by the 36 official photos, **“The victim was too long to fit into the compartment”** *(See Exhibit 149)*

175. **“Based on the positioning of the left arm and the way it is resting, it is my opinion that it was used to drag her across the passenger compartment from driver’s side to passenger side.”** *(See Exhibits 53 and 54, 152-153)*

- a. Her right arm was tucked underneath in an unnatural position; not a position that she could have fallen into.
- b. The suggestion is that this positioning allowed both doors to close; her left foot flat against the driver’s door and the arms placed to clear the passenger door.
- c. Her back is arched and lividity of the left arm” is noted.
- d. “.. Examining this colorized photo along with other police photos, it is clear that the victim's face (shown on image 21in this series) is atop of an

apparently HOT grill. Yet there appears to be only edema and no actual burning on the left cheek.”

The photos also suggest that the victim sustained other non-associated injuries

176. Dr. Hamblen, also states “*The photos also suggest that the victim sustained other non-associated injuries.*”

- a. “An example is the lesion above her left eyebrow.. that does not appear to be a burn, nor does it line up with photo .. which demonstrates the positioning of the two grills.”

177. Several other experienced law enforcement, legal and fire professionals having viewed the actual death scene photos state they are not consistent with the alleged manner of death. (*See Exhibit 159*)

- a. The body appears to be crammed into the space with her face down in the well at the inner base of the front passenger door.
- b. 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, 51,108, and 149*)
- c. She was found on a contorted position laying 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 up on the driver’s side door armrest which would support the effort of someone attempting to make her fit into the

space that was 9 inches shorter than she was. (*See Exhibits 52, 54, and 55, 149-153*)

- d. One of the bucket seats was set several inches further back than the other. To lay across these seats means she choose to lay on top of her phone, Ipod, purse and a bottle of water;
- e. The burn marks on her body are not consistent with the clothing that allegedly was covering them as those clothes have very little if any burn damage;
- f. A grill grate mark is on her face in a place where there are no facial burns, was found to be alarming; (*See Exhibit 139*)
- g. There is no burn damage to the interior of the car except for one burned mat supporting the fact that the grills had to be lit outside of the car;
- h. There is a single unexplained green leaf pictured with her body when the death scene photos show the car in a parking lot; (*See Exhibit 160 and 161*);
- i. The pictures show a sweater with dark smudges on its sleeves that are entangled with Kathy's body. Her cell phone is laying in it and the sweater could have been used to wipe away fingerprints since none were found at the scene. (*See Exhibit 147*);
- j. post-mortem photos exclude, rather than support, a suicide finding;
- k. a carbon monoxide death is not conducive to post mortem movement as suggested by the Wes Adams, States Attorney for Anne Arundel

County in a meeting with Chief Altomare and County Executive Steve Schuh.

178. In the death scene 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. No prints were taken of keys.
- b. Her body is stretched long ways across the console, not reclined in the seat as most would assume. Her feet are up on the armrest, the grills are on the floorboard of the passenger side of the front seat.

179. In 2012, when Dr. Aronica of the OCME is asked about Kathy laying across the bucket seats and console in such an awkward position instead of reclining back in the seat. She stated that Kathy had placed a pillow over the middle console.

- a. That is false. The death scene photos 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 and the norm would be to place her purse on the passenger seat as seen in the photo.

To the harm and malicious dismay of the Plaintiff the Defendants deliberately suppressed facts which contradicted their suicide determination and these contradictions were documented in several of their own investigative reports

180. Released MPIA records show that in June 2012, Defendant Carbonaro was charged to reinvestigate and was given a direct order, from a person in authority

over how to handle his reporting of this investigation. He is told not to deviate from those orders. (*See Exhibit 28*)

181. In obeying that order, on June 25, 2012 in an *AACPD Criminal Investigation Division Investigative Report*, (*see Exhibit 60*), completed by Defendant. Carbonaro reports the following in his interviews with only two persons in this case who are:

- a. Damaris Brown, a friend of the woman having a three-year affair (before, during, after), with Kathy's husband of only nine months and;
- b. Michelle Harper (Harper) Kathy's roommate.

Note: Latoya King, the mistress had procured an attorney and there was no attempt by Defendants to question her.

182. 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
- b. Brown has a degree in forensics and while this may be coincidental, it does lend to possible knowledge about processes. (*See Exhibit 56*)

183. Defendant Det. Carbonaro 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 was 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.

184. Defendant 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*)

185. Defendant Det. 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).

186. **To the harm and malicious dismay of the Plaintiff this statement proves false in that extracted records show that what Defendant 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 the two women 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 Defendant 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 Defendant Det. 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. King is a direct person of interest, who was aware of Isaac Goodwin’s marriage to Kathy prior to March of 2012. If not then, why the use of her alias in communicating with him.

m. It's important to note that Latoya King's pattern of behavior was to borrow other person's phones or use fake email and Facebook accounts. This is substantiated by Damaris Brown's claim that King used her Facebook and email accounts without her knowledge.

187. To the harm and malicious dismay of the Plaintiff in following the orders he was given Defendant Det. Carbonaro, only reports on the two calls made by Kathy, not the multiple calls and emails Brown and King make and/or send to Kathy 72 hours before her death.

188. In a recorded statement (available with this pleading), on June 13, 2012, Defendant Det. Carbonaro interviews Kathy's roommate, Michelle Harper. She 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)

189. In a June 13, 2012 interview, and according to Defendant Det. Carbonaro's hand written notes Michele Harper allegedly tells him the following:

a. During the May 2, 2012 phone call that Kristina (alias Latoya King), allegedly 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."

b. However, forensic phone extractions show that in a May 3, 2012 posting in “chats” by Kathy herself, showed that Michelle had made an inaccurate statement.

i. 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*)

190. In the June 25, 2012 recorded interview Defendant Det. Carbonaro asked Miss Harper if she had any other information that she believed was pertinent to this case and she 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. She furthers states that in the letter to Goodwin, 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.

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

191. 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 the men are never

questioned. One of these men is the boyfriend of Michele Harper. (*See Exhibit 63*)

192. Defendant 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 she would have been frequented by the 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 and the two men lived in the community adjacent to the Laurel Walmart.

193. A simple check of facts by Defendant 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. A May 5th 12:05 a.m. receipt show Kathy at the McDonalds near the men's home. (*See Exhibit 162*)
- e. Michele Harper (and her sister, a non-student) were alone for a week in the Univ. of Maryland Campus apartment⁹, 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.
- f. A recently purchased blue tooth was missing from Kathy's personal effects.
- g. Police never visit Kathy's residence following her death nor question the parents or any other family members.

To the harm and malicious dismay of the Plaintiff there was the perpetual manipulation of facts to influence outcomes that were used in the falsification of the death investigation

194. A review of a third internal document is titled "Katherine Sarah Morris Case Review" Police Case Number: 2012-716431states that "All of the evidence recovered within the vehicle to include the sleep-aid pill bottle, grills and their

⁹ 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.

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*)

195. 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:

196. 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”.

197. In Defendant 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*)

198. 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.

- 199. 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.
- 200. 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 Defendant Det. Carbonaro and the Plaintiff on May 10, 2012.
- 201. This same report further states that Defendant 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*)
- 202. 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.
- 203. In the “*Conclusion*” section of the report it states:
 - a. the deceased recently discovered her husband infidelities;

- i. Not 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*)
204. 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.
205. 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*)
206. Screenshots 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*)
207. 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.

To the harm and malicious dismay of the Plaintiff there were other instances where Defendants manipulated outcomes of material facts evidencing an effort to falsify the death investigation outcomes

Cell Phone GPS Records Reflect Cell Phone Movement That Contradicts Defendants Claims

- 208. In this case there were multiple data extractions of several thousand files from Kathy’s cell phone and IPOD.
- 209. Officers initially responding to the scene were not experienced in how to process this type of technology as evidenced by their:

- a. 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*)
- 210. The AACPD and Chief Gary Lyle report Kathy never exited her vehicle.
 - a. 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.
- 211. The Plaintiff is given a PDF file of extracted reports by the AACPD and are told that Kathy's phone was stationary.
- 212. 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.
- 213. 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.
- 214. 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.
- 215. The extraction document given to the Morris family by AACPD show GPS readings away from the mall are missing or deleted.
- 216. This review of the extracted file discrepancies was recorded/documentated by ABC cameras.

217. 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.
218. 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.
219. MPIA responsive documents show that a *Confidential Investigative Supplemental Report (See Exhibit 79)*, about this discrepancy cites 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.

220. 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 Post Death Download of a Video

221. Data extractions performed by *Expert Data Forensics of Las Vegas, Nevada* showed that on May 6, 2012 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)

222. When asked 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)

223. The AACPD did not investigate nor do they mention this in any of their reports to be viewed by others.

224. 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.

225. 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.

226. 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.

To the harm and malicious dismay of the Plaintiff's, Defendants failed to investigate a crucial window of time following the last known voice communication with Kathy

227. 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. This documented crucial window of time occurred from 9:39 p.m. to 9:51 p.m. on May 5, 2012, when the surveillance camera video shows, and the AACPD written supplement report confirm Kathy's brake lights coming on and staying on for twelve minutes. (*See Exhibit 92*)

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

- a. This, added to the lack of alibiing other persons of interest, does not rule this possibility out;
 - b. Damaris Brown has a degree in Forensics and since not alibied and having motive, could have easily manipulated or caused to have been manipulated the evidentiary elements of this case.
229. During this crucial window of time, surveillance video also shows a white Ford SUV pulling away from Kathy's car:
- a. An enclosed affidavit documents that a white Ford SUV is seen parked in the drive way of Damaris Brown, the same person of interest previously referenced as having a degree in forensics. *(See Exhibit 117)*
230. Cell tower record extractions show Kathy's phone pinging from various Wi-Fi signals, showing it moving though the mall in the hours prior to 9:39 p.m. *(See Exhibit 84A)*
231. 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)*
232. AACPD record #144517 shows Kathy's phone inside Arundel Mills Mall. *(See Exhibit 84C)*

To the harm and malicious dismay of the Plaintiff the Defendants 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.

233. 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.
234. May 6, 2012 Valor Security officer Stephen Howard says he was radioed at 5:15 a.m. patrol for a lot check.
235. 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 system compatibility issues.
236. Alleged records of Valor Security reflect that on the morning of May 6, 2012 sometime between 4:30 a.m. and 5:32 a.m., an employee of Valor Security¹⁰ (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 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)

¹⁰. 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.

- 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 report.
- 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*)

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

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

239. 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 approximately 0537 hours.
- b. Defendant Det. 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 the scene.

240. June 25, 2012 Defendant 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.

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

242. It is implied that AACPD officers had the entire surveillance video in their possession and it was viewed by Defendant Det. Keith Clark in its entirety. An email dated July 23, 2013 from Melissa Beardsmore 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*)

243. 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 callous 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.

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

- a. On June 18, 2013 the Plaintiff 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.

245. 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. Where the surveillance video stops recording, (allegedly because of a lack of motion), a white male is walking across the parking lot and there are numerous cars still parked in the parking lot used for movie theater overflow parking. This was a busy Saturday night where movies were still playing until 2:00 a.m.

- 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*).

246. In 2014 the Defendants changed the reason for the missing video footage from system compatibility issues to it being because cameras were motion sensitive. The latter is contradicted by the numerous other vehicles present in the lot used for overflow movie theater parking. If it were true, car movement would have triggered the cameras. (*See Exhibits 37 and 38*)

247. 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 Defendant Det. Keith Clark's having viewed the entire surveillance video prior to its 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*)

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. Page 135 to 146

i. Underlined emphasis added by the Plaintiff.

ii. Plaintiff’s comments in bold italics.

248. “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.”

249. “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.’”

250. *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 lying in the middle of the passenger seat implying Kathy lay 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.*
 - i. *It was related to several murders where the pills were ground up and used to sedate the victims. (See Exhibit 24 page 62)*
 - ii. *Could have been used for the purpose described.*

251. "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 down in a contorted position;*
- b. Major burns are to her back and left ear;*
- c. Burns were post mortem;*
- d. Clothing covering burns show little damage;*
- e. Grill grate imprint marks are to her face but in that area there are no burns; (See Exhibit 139)*
- f. Kathy is laid on a white sheet for transport to the morgue;*
- g. Prior to transport, her lips are swollen with blood coming from them;*
- h. When she is laid out at the morgue on that same white sheet it is smeared with that blood, possibly removing the evidence of a lip injury prior to the autopsy; (See Exhibits 139, 140 and 157)*
- i. There is a single leaf in the sheet lying beside her body; (See Exhibits 160 and 161)*
- j. There is a bruise on her forehead, arm and left side;*
- k. An open can of soda on the rear floor board is not tested;*
- l. Receipt for the purchase of sleeping pills, grill or lighter is not found.*

252. “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’s 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)*

253. “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)*

254. “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.

255. “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.” [Plaintiff’s emphasis 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, who testified under oath that police never called her back; AACPD falsely infer it was Kathy seen sleeping.

256. “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, or that she wanted to die or did not feel like living.

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

258. 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.

259. “The following has occurred since that time, but is not all inclusive:

260. 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:

i. Were mirandized by the military;

ii. Had their government issued electronics confiscated by investigators;

iii. Two of the three obtained lawyers

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

v. 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.

261. “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.

262. “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)

263. “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 were 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 were 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)*

264. “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.

265. “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 were a matter of interpretation as to their meaning and were not definitively suicidal in nature.

266. “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 whom 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 aliases 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 aliases to contact her. (See Exhibits 72 and 73)*
- d. Records show that the day before Kathy died she threatened to go to the authorities on the three which created a clear motive, and none were alibied.*

267. “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.**

268. “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.”

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

270. “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 bought before the marriage.

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

272. 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 for the ruling out of other potential causes of death.

273. “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.”

To the harm and malicious dismay of the Plaintiff errors in chain of custody reveal systemic departmental investigative weaknesses that point to gross abuses by the Defendants

274. 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.

275. 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.

276. 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..”;
 - i. Giving the impression the Plaintiff had initiated the action;
 - ii. No mention of the Plaintiff responding to a request from CID.

277. 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.”

278. “C.” responds “It has been added to the COC.” (*See Exhibit 96 and 97*)

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

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

To the harm and malicious dismay of the Plaintiff Defendants, repeatedly defied Maryland Public Information act request as a means of intentionally denying due process to further support the falsification of facts around the death investigation

281. Since the inception of these events there have been numerous meetings and inquiries, the majority of which are MPIA requests. (*See Exhibit 99*)

282. 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's cell phone and iPod.

283. 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 files of extracted raw data with the PDF reports generated by the AACPD, GPS discrepancies are discovered and there is a block of time missing from the AACPD version.

284. On July 8, 2015, at 5:47 p.m. another request is sent to AACPD via Timothy 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*)

285. 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.

286. 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 Defendants show a clear pattern of suppressing evidence.

287. Google Support states GPS files can be deleted from a phone, but it has to be done manually. (*See Exhibit 98*)

288. Paragraph 3 of a Supplemental Report incorrectly states Plaintiff did not include certain records from Expert Data Forensics. (*See Exhibit 98*)

289. This same internal report generated by Defendant Sgt. 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 at 3:52 a.m. (*See Exhibit 79*)

290. 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;

291. Plaintiff is told that there are no records responsive to the request.

292. Therefore, the Plaintiff has 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 Plaintiff filed suit accordingly. In particular:

- i. The AACPD was in clear violation of failing to respond within the 30 days as required by statute;

- ii. The Defendants deliberately allowed documents relevant to the allegations of misconduct by public citizens to be destroyed;
- iii. Defendants by their own actions and written statements previously waived attorney-client privilege and found all records releasable;
- iv. The Defendants have operated in a manner that is an abuse of power and process in having deliberately and repeatedly denied access to documents.

293. 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.

To the harm and malicious dismay of the Plaintiff Defendants ignore the connecting characteristics to a murder to support the falsification of facts related to the death investigation

294. Twenty-three days prior to Kathy's death a story appeared on the Internet of Kanae Kijima (*See Exhibit 136*), who killed three men using carbon monoxide and sleeping pills. The deaths were originally ruled suicides. Upon the third man's death, when police could not find the keys in the car, they realized 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 made 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.

Other contradictions to AACPD and OCME theories of self-infliction

- b. Kathy drove to a well-populated area surrounded by thousands;
- c. Surveillance camera footage does not show Kathy deliberately looking for a secluded parking space. It can be seen that Kathy drove to an area frequented by thousands of pedestrians and cars. Her car is seen driving up and down rows of 100's of parked cars before she finally turns on her blinker to take a parking space but is cut off by another vehicle. Her car is seen driving pass that space, then tuning around to circle back around the lot. Her car is then seen parking in a space that 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)*

295. Data extractions have not revealed Kathy researched any types of suicide methods on her cell phone, iPod or computer.

To the harm and malicious dismay of the Plaintiff and to further the falsification of the death investigation Defendants failed to sound the alarm when the most fundamental of evidentiary items could not be connected to the Decedent

296. Three times the finding of receipts as proof of purchase of several key items used to end Kathy's life was deemed important by the AACPD and others:
- a. By detectives who originally found Kathy's body and searched her car for receipts.
 - b. By the homicide panel that requested them.
 - c. By the Plaintiff in reviewing items on Kathy's receipts from the last purchases Kathy made.
 - 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. 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 and the Defendants analysis

297. The OCME's Dr. Aronica, when questioned about the eight pills missing from the bottle of 32:
- a. Stated that the pills were a second method of suicide attempt.
298. 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.

299. 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.

To the harm and malicious dismay of the Plaintiff Defendants failed to Take Reasonable Investigative Measures and Procure Interviews of All Potential Witnesses

300. Only two statements were taken by AACPD from the onset of this investigation, up to and including the present date:

- a. Michelle Harper, roommate of the deceased, whose statements contradict facts found in extracted records;
- b. Brown, about whom Kathy had threatened to go to the authorities on the day before she died;

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

302. 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 she was someone to whom 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/fiancée of Goodwin before-during-after the sham marriage between Goodwin and the deceased. |
| 5. | Charlotte Breeden, stepsister of the deceased, who knew Kathy's passwords and who therefore had the ability to phone the strange number within short hrs frm 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. | Whoever 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. |

To the harm and malicious dismay of the Plaintiff Defendants Failed to Attempt to Identify the Vehicle Seen Leaving the Death Scene

303. 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.

304. 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*)

305. 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*)

306. On May 6, 2012 at 1:20 a.m. a vehicle is reported as possibly pulling up nearby off camera.

307. 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?

308. In addition, it also contradicts their later claim that the video's missing footage was because of a lack of motion.

309. Kathy's body is discovered somewhere between 4:00 a.m. and 5:15 a.m. on May 6, 2012.

310. 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.

311. 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 cameras 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.
312. 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.
313. The Plaintiff and a potential witness drove by the reported home of a person of interest and observed a white SUV parked in the driveway. (*See Exhibit 112*)
314. 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

315. 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. A picture taken at the death scene show that Kathy had a note book in her purse, yet neither note is handwritten
- b. They were not hand written nor sent electronically so they could have been authored by someone other than Kathy.
- c. There were others that had complete access to her electronics.
- d. The “construction and language” used in the suicide notes were cut/paste snippets from previous writings that could be accessed from the phone/pad/laptop.
- e. The notes were inconsistent in nature, demonstrating possibly being authored by different people.
- f. There were those that had motive but were not alibied or questioned by police.
- g. Kathy’s GPS on her cellphone shows 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 persons’ phones and media accounts.

316. 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 brake lights are on, and the police reports state “someone is seen standing near” the car.

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

317. 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 willingly signed herself into the hospital for six days of observation;
- b. then took prescribed antidepressants;
- c. was under the care of a counselor to deal with her difficulties;

318. The AACPD and OCME reference prior suicide attempts.

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

320. The Plaintiff states that there was something that happened in Kathy’s school involving pill 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.

321. 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. She had told him of her plan, which quite possibly was a ploy to get his attention. He did not respond or notify any authorities the night before.

322. Kathy's crisis time had passed if it was the breakup of the marriage:

- a. She cited several times her plans to divorce her husband;
- b. She discovered in March of 2012 that his marrying her was a scam for military benefits; (*See Exhibit 128*)
- c. She found out in February of 2012 of his ongoing adulterous 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.

323. 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.

To the harm and malicious dismay of the Plaintiff Defendants Failed to do a Proper and Unbiased Analysis of the Alleged Suicide Postings

324. 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 November 2016 Page 164 - 169 | |
|---|--|
| 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 cameras |
| 5/5/2012 | Kathy is last allegedly heard from around 8:30 p.m. EST |
| 5/5/2012 9:39 pm | Available video shows brake 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 Kathy's car |
| " | Last known posting to Kathy's media accounts is seen |
| " | Police report states someone is seen standing by Kathy's car at time brake lights are on. |
| 5/5/2012 9:51 pm | Approx. time brake 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 |
| 5/5/2012 at 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 states 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. Police tell Plaintiff to take the file to the FBI. |
| 7/3/2012 | Congressman Steny Hoyer sends letter of inquiry to AACPD – no record of response by AACPD |
| August 2012 | Chief Teare's resignation becomes effective allegedly in lieu of criminal charges being brought against him. |
| 7/18/2013 | Police finally provide family with copy of surveillance tapes, telling 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 cameras 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 employees defy subpoenas. |
| Nov 2013 | Chief Kevin Davis appoints Homicide Panel who meet to review case, allegedly for 15 minutes. |
| Feb 2014 | Homicide Panel asks AACPD to respond to three questions. |
| 2/7/2014 | MPIA internal doc review shows memo reflecting that police responded with false answers. |
| 5/22/2014 | Chief Kevin Davis visits Morris family out of county, acknowledges the lack of experience of responding officers that errors were 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 | When family (Plaintiff?) vents frustrations over inquiries into the death investigation, an internal doc. shows 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 are 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 spouse 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, had no acquired marital property, no residence was ever shared, no wedding rings were exchanged, and no name changes were made. |
| 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 Goodwin's Commanding Officers. 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, being 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 ¹¹ . |
| Sometime in late February or early March 2012 Goodwin is stationed in Afghanistan. King and Brown remain at Fort Belvoir, Virginia. |
| On or about March 9, 2012 Kathy saw and captured 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 ¹² using the email Kristinarobins@gmail.com sent 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 made an unexplained phone call to Kathy on Friday, May 4, 2012. |

¹¹ In May of 2012, a military investigator conveyed to the parents that records showed that Goodwin had stopped the allotment as if he knew that Kathy would not be around for a June allotment.

¹² A United States Army investigation later revealed and confirmed that Kristina is actually Sgt. Latoya King. In addition, she communicated directly with Goodwin using her alias Kristina even though she alleged to have not known Goodwin was married.

| Narrative of Kathy's Predeath Activities May 1, 2012 – May 5, 2012 |
|--|
| On May 1, 2012 Kathy receives 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 purchases 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 independenceday." Which documents determine that she was referring to her planned divorce action |
| May 3, 2012 at 11:57 pm Kathy texts 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 texts Goodwin. "I just want to hear it from you personally. If I don't hear from you by this time next week I will go to ur chain of command & let them know I haven't heard from u but received both phone calls and email from Kristina, 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 exchanged 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 go 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 parking 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 posts "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 brake 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 posts "Waiting for this to be over." |

Other Related Activities

325. 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*)
326. May 6, 2012 Charlotte Morris, with family listening in made 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.
327. 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.
328. 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.
329. Phone records show that from approx. May 6, 2012 to June 6, 2012, King violated that direct order over 60 times. (*See Exhibit 119*)
330. 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.

331. Parents meet with whom they believe is Defendant Det. Clark at CID Headquarters. He meets with them alone. They question him about unexplained burns on Kathy.
332. 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 was found and question a nearby security guard about cameras 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.
333. 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 was 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 stated in his written response to the court that there were no documents responsive to the subpoenas to include pictures, yet 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*)

ARGUMENT

334. The "fault" element of the calculus may be based either on negligence or actual malice. See *New York Times Co. v. Sullivan*, 376 U.S. 254, 279-80 (1964); *Batson*, 325 Md. at 728; *Jacron Sales Co. v. Sindorf*, 276 Md. 580, 594-97 (1976). As we explained in *Shapiro*, 105 Md. App. at 772, actual malice "is established when the plaintiff shows, by clear and convincing evidence, that the defendant published the statement in issue either with reckless disregard for its truth or with actual knowledge of its falsity." On the other hand, negligence need only be shown by a preponderance of the evidence. *Id.* at 773 (citing *General Motors Corp. v. Piskor*, 277 Md. 165, 171-72 (1976))."
335. The Plaintiff believes that she has presented clear, and factual evidence of the monumental and numerous falsifications and libelous declarations by

Defendants and that these actions, clearly affected the outcomes of their alleged investigation and the results of any other alleged reinvestigations.

336. Maryland law allows Plaintiff's to file defamation suits under a provision known as defamation per se. and statements of moral turpitude, criminality or fraud are considered defamatory per se as the harm is evident.

337. In as such the Defendants repeated suppression and manipulation of facts related to the death investigation of Katherine Sarah Morris constituted fraud, moral turpitude and possibly criminality.

Statute of Limitations Challenge

338. In addition, and in light of the abuses and failures outlined in this pleading, the Plaintiff respectfully asks the court to not bar the moving forward of this complaint based on the anticipated argument by the Defendants as to the timeliness of this pleading:

- a. The renewal of statute of limitations occurred in October 5, 2018 in a written document issued by Defendant Altomare to Carl Snowden, Convener of African American Leaders, and copied to the press and others.
- b. In cases that may lead to a potential homicide finding there are no statute of limitations;
- c. On the issue of fraud and conspiracy, the statute of limitations began to run upon the date of discovery of the wrong and was restarted as previously ruled in Plaintiff's favor in The Estate of Katherine Morris,

et al vs Anne Arundel County, Maryland Case No. C-02-CV-18-96 on
October 3, 2016.

339. In this previous pleading of Morris vs. Anne Arundel County Maryland, AACM cited that “MD. CODE ANN., CTS. & JUD. PROC. (“CJP”) § 5-110 states: “[a]n action to enforce any criminal or civil liability created under Title 4 of the General Provisions Article may be brought within two years from the date on which the cause of action arises . . .” A statute of limitations encourages promptness in instituting actions, suppresses stale or fraudulent claims, and avoids inconvenience which may stem from delay when it is practicable to assert a right. Harig v. Johns-Manville Prods. Corp., 284 Md. 70, 75-76, 394 A.2d 299 (1978). Such statutes are to be strictly construed. Decker v. Fink, 47 Md. App. 202, 206, 422 A.2d 389 (1980). Moreover, the application of the statute of limitations is strictly a legal question to be decided by the Court. Moy v. Bell, 46 Md. App. 364, 370, 416 A.2d 289 (1980).” The Plaintiff argued that a letter received on October 3, 2016 (exhibit 15) constituted restarting the statute of limitations and the Honorable Court concurred.

340. Likewise, on October 5, 2018, the Defendant AACM via Chief Timothy Altomare in a letter to the Convener of African American Leaders, Carl Snowden, and copied to Vickie Gipson, NAACP President Steve Tillett, and newspaper editor Rick Hutzell, restated false, malicious and libelous statements in a four page document which therefore constituted a new and

intentional offense starting the statute of limitations for libel according to Md. Code Ann. Cts. & Jud. Proc. § 5-105 (2016).

341. Likewise, on October 5, 2018, the Defendant via its employee Chief Timothy Altomare in a letter to the Convener of African American Leaders, Carl Snowden, and copied to Vickie Gipson, NAACP President Steve Tillett, and newspaper editor Rick Hutzell, Altomare restated his false and libelous statements in a four page document which therefore constituted a new and intentional offense reopening the statute of limitations for a claim of defamation according Md. Code Ann. Cts. & Jud. Proc. § 5-105 (2016).

342. Likewise, on October 5, 2018, the Defendant via its employee Defendant Chief Timothy Altomare in a letter to the Convener of African American Leaders, Carl Snowden, and copied to Vickie Gipson, NAACP President Steve Tillett, and newspaper editor Rick Hutzell, Altomare restated his false and libelous statements in a four page document which therefore constituted a new and intentional offense reopening the statute of limitations for a claim of intentional infliction of emotional distress according Md. Code Ann. Cts. & Jud. Proc. § 5-105 (2016).

Emotional Impact of Crimes on Plaintiff

343. The loss of a child by any parent is an immeasurable suffering. This emotional trauma has clearly been maliciously exasperated by the actions of the AACM and a few of its police department officers who have violated their own code of conduct which reads

- i. ETHICS/CODE OF CONDUCT “The Anne Arundel County Police Department exists because the community, through government, empowers the police department to do a job on its’ behalf. The police department and its’ employees are tasked to function effectively, partly through personal endeavors and commitment to the profession, but primarily because the community has faith and confidence in our ability to accomplish the task of enforcing the laws of the land and responding to community concerns in an honest and impartial manner.”

344. Plaintiff has repeatedly over the past 7 years:

- a. asked for correction of records;
- b. endured the humiliation of being told to go to the FBI for an explanation of why the thumb drive containing her daughter’s death scene surveillance videos would not play when officers in charge of the investigation knew Plaintiff had been told untruths;
- c. endured being given false DNA findings; and to endure trying to overcome the mountains of other false and misleading information she and family members were told;
- d. Had loss of friends, sleep and assets in paying out thousands of dollars for releases of documents in attempts to get at the truth;
- e. endured public humiliation when Defendant Altomare, and the AACM have repeatedly been dismissive of her inquiries when they knew there were issues with reporting; (*See Exhibit 166 and 177 pg 2*)
- f. spent hours requesting MPIA and FOI’s for truth and transparency in matters where the Defendants knew that they had not presented all of the facts;

- g. endured being presented with fraudulent information designed to only support what Defendants were ordered to sustain as truth, when mountains of evidence to the contrary had come into existence.

345. All of this to her harm and distress by persons hired and in place to uphold the laws of the land. Yet on multiple occasions:

- a. they manipulated those laws;
- b. they violated those laws by denying the Plaintiff her due process;
- c. they violated those laws by denying the Decedent a proper and full investigation, allowing key pieces of evidence to be destroyed.

346. As a result of the repeated egregious and flagrant actions of the Defendants, Plaintiff has endured several years of compounded mental anguish, compounded grief, compounded psychological injury, and compounded mental suffering. In addition, she has been embattled with and experienced compounded emotional distress and experienced feelings of humiliation, shame, frustration, insomnia, anger, depression, anxiety, stress, not only resulting from the traumatic event of the loss of her only child, but clearly exasperated by the callous actions of Defendants. These at times were severely disabling, such that “no reasonable man could be expected to endure..”, and as such has had to seek professional treatment.

COUNT ONE LIBEL

347. Plaintiff, Marguerite Morris realleges and incorporates by reference all those facts and allegations in paragraphs 1 through 346 above and further

alleges:

348. The Defendants have operated in a manner that is an abuse of power and process in having deliberately and repeatedly written, shared and allowed to be viewed documents that were libelous.

349. In October 2018 the Defendant's Chief of Police Timothy Altomare placed in writing statements he knew to be false and those statements constituted the act of libel

350. Plaintiff has presented clear and convincing evidence that statements were made with actual malice, in that he had knowledge of their falsity and or stated them reckless disregard of whether false or not.

**COUNT TWO
DEFAMATION PER SE**

351. Plaintiff, Marguerite Morris realleges and incorporates by reference all those facts and allegations in paragraphs 1 through 350 above and further alleges

352. "Maryland allows Plaintiff's to file defamation suits under a provision known as defamation per se. The actions of the Defendants have been proven to be inherently defamatory, reflect moral turpitude (an act or behavior that gravely violates the sentiment or accepted standard of the community) and many of the elements have some criminality associated with them, therefore the harm is evident, and in such cases the Plaintiff does not have to prove actual damages to prevail.

353. In addition, the Defendants made those defamatory statements they knew to

be false to other persons repeatedly over a period of seven years. The statements were clearly and repeatedly made with malice as Defendants knew the statements were false, they were legally at fault in making the statements, and in doing so the Plaintiff suffered harm. This harm was deliberate and intended to cause Plaintiff public scorn, hatred, and ridicule, thereby discouraging others in the community to support or believe her.

COUNT THREE
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

354. Plaintiff, Marguerite Morris realleges and incorporates by reference all those facts and allegations in paragraphs 1 through 353 above and further alleges

355. To have the Plaintiff enduring year after year of half-truths, and false information while with time vital pieces of evidence was being destroyed that perhaps could have helped explain the numerous inconsistencies in this child's death investigation is inhumane.

356. One could not be expected to heal among the repeated untruths surrounding the death investigation. In addition documents show that the Defendants knew their conduct was atrocious, thereby both intentional and reckless; the conduct was both extreme and outrageous; and that the causal connection between the wrongful conduct of the Defendants and the resulting intentional infliction emotional distress is self-evident.

COUNT FOUR
FRAUD

357. Plaintiff, Marguerite Morris realleges and incorporates by reference all those facts and allegations in paragraphs 1 through 356 above and further alleges.

358. On multiple occasions the Defendants asserted false representations of material facts to the Plaintiff. “A “false representation is a statement, conduct, or action that intentionally misrepresents a material fact.” See *Id.* at 429. In other words, a false representation is an intentional untrue statement meant to mislead another.”

359. On multiple occasions the Defendants knew that their representations were false, as it is now known that the Defendant James Teare gave a direct order in 2012 that hampered the death investigation of Katherine Sarah Morris.

360. From that order certain Defendants have continued to operate deceitfully and manipulated evidence and outcomes.

361. These things have been done with such reckless disregard for the truth that knowledge of the falsity of the statement is imputed to the Defendants.

362. In addition, the Plaintiff has shown that at the time the false acts were done by the Defendants, the Defendants knew the statements were false and/or should have known that the statements was false.

363. The Defendants made the false representations for the purpose of defrauding and or misleading the Plaintiff and others. In addition all the necessary elements of fraud are present and the Defendants making the untrue statements did so to deceive persons. The Defendants fraudulent actions were

intentional in order to induce persons to not question the suicide ruling in the Katherine Sarah Morris death investigation.

COUNT FIVE CONSPIRACY

364. Plaintiff, Marguerite Morris realleges and incorporates by reference all those facts and allegations in paragraphs 1 through 363 above and further alleges. Defendants clearly conspired to falsify paperwork and to make misrepresentations to the Plaintiff and the public

CONCLUSION

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

366. It has now been established in 2018 through a statement issued by Defendant Chief Timothy Altomare that Defendant James Teare issued an order to reinvestigate, and that other supporting documentation confirm that order came with restrictions that effected outcomes in the death investigation of Katherine Sarah Morris.

367. Since the agency was operating under a cloud of **documented corruption** and in that documented environment, the occurrences the Plaintiff outlines are realistic and plausible, including the manipulation of outcomes presented to the OCME to facilitate determinations that matched the Defendants desired outcomes.

368. The Plaintiff believe that they have presented overwhelming evidence of the Defendants deliberate manipulation and falsification of reports constituting libel.

369. In addition, the Plaintiff believe that they have presented overwhelming evidence proving that the OCME by failing to operate as an independent agency, became a part of the deliberate manipulation and falsification of those reports.

370. Grievously there was an “assumption of credibility based on status,” by the OCME’s Dr. Aronica’s comment that “it’s the police department” and “there is no reason not to believe them.” (*See Exhibit 15*)

371. In June of 2019 Plaintiff sought a second opinion from a Forensic Pathologist and engaged the services of Dr. Lee Ann Grossberg, who stated the following. “The death appears quite consistent with suicide” but added “..the autopsy and scene findings are certainly consistent with suicide. However, homicides can be disguised as suicides. There was a toxic level of diphenhydramine in the decedent’s blood which may have induced sleep. There is additionally no financial trail that Morris purchased the diphenhydramine or the charcoal grills. It is my opinion that unless Goodwin, King and Brown are full investigated, the manner of death in this case should be classified as “Undetermined.” (*See Exhibit 20*)

372. The Plaintiff respectfully believes that “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 the ..AACPD”¹³.

Therefore, we respectfully refer the court to:

- a. The 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 for which no working master copy was produced;
 - b. The "lack of following standard investigative procedures" by several other seasoned officers, to include the same officer's names (Sgt. J. Poole, Det. V. Carbonaro and Det. DiPietro), repeatedly appearing on reports that have been proven libelous, 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.
 - d. The crashing of another and separate AACPD's hard drive that contained the raw data files (requested via MPIA) and were needed to help determine the disputed location of Kathy's cell phone in the hours preceding the discovery of her body.
373. 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:

¹³ Leslie Kim of Fight Fraud America

- a. Kathy's car brake 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, who has a degree in forensics, and who was never alibied.
- c. The alleged last posting, to social media occurs. "Waiting for this to be over¹⁴."
- 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.

374. **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 Defendants such as:**

- a. Kathy's credit card purchases in their response to the Homicide Panel;
- b. The DNA reporting;

¹⁴ 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.

- c. The failure to test key evidentiary items like open cans and bottles at the scene because of the suicide assumption;
- d. The failure to call a fire investigator to the scene;
- e. The facts about the May 2, 2012 phone call exchange;
- f. The facts contained in written and recorded witness statements;
- g. The reason King was not available for questioning;
- h. The date and facts surrounding when certain information was known by Kathy;
- i. 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;
- j. Facts about the missing video surveillance tape being based on the camera's being motion sensitive;
- k. Facts about the GPS locations of Kathy's cell phone;
- l. Facts supporting phone cloning
- m. 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;
- n. 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;

- o. The lack of any fingerprints at the scene;
- p. Chain of custody issues;
- q. Major concerns over the position of Kathy's body.
- r. The unexplained single leaf that is with the body.
- s. The burns on her body and additional injuries.

375. Furthering this miscarriage of justice and intentional malice, is that facts relevant to any other possible conclusion as to how carbon monoxide was introduced into the system of Katherine Sarah Morris was omitted, manipulated, suppressed, and/or falsified by the Defendants to include a failure to take into consideration the implications of foul play evidenced by the crime scene photos, but ignored because of the erroneous assumption of suicide.

Therefore, there was a failure:

- a. to note the fact that there was a massive burn on Kathy's back, yet she was fully clothed with clothing covering the burn, yet clothing, including a tag from bra strap, is not burned;
- b. to fingerprint two soda cans that were sitting upright on the floor board behind the driver's side seat, one of the cans was open with a straw in it, as well as the bags of trash sitting to one side that could have been indicative of someone having sat in the back seat.
- c. to mention her green iPod case in the center cup holder that she would have had to lie across;

- d. to review a comparison of before-and-after photos of Kathy's face that showed post-mortem bleeding from the lips and severe swelling of the lips which could have been a result of trauma to the face;
- e. to evaluate the left side of Kathy's face where there is the imprint of grill grid marks, appearing to be from pressure, but not from heat, even though that side of her face would have been fully exposed to the heat from the grills;
- f. closely examine the grills used to end Kathy's life that contained partially burned newspaper which would have flamed up when lit, though there was no damage to the underside of the dash where the grills were placed;
- g. to explain to viewers of the crime scene photo of the grill packaging that shows a receipt attached to it that the receipt, when enlarged, is not a receipt for the grills;
- h. to dust a water bottle that is pictured in a death scene photo for fingerprints or the victim's DNA;
- i. to note the position of the two front seats, as it appears unlikely for Kathy to have lain across the seats in their pictured position;
- j. to note that it is also highly unlikely that Kathy, when lying across the seat, would have lain on her phone case, purse, sweater, black jacket, water bottle and lighter;

- k. to note that Kathy's body was nine inches longer than the distance from armrest to armrest;
- l. to note that her face and arms are crammed into the floor well, not in a natural falling position, but appearing to have been forced;
- m. to note that Kathy's right arm is extended across her chest with the palm up, also an unnatural and forced position;
- n. to note that there is a close-up of a soiled sweater between her hips and the center console, the sleeve of which appears to have black soot on it, along with soot on the passenger's seat.

376. 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.

- a. In a similar case involving the murder of Karyln Ramirez, a case investigated by the same AACPD detectives, which also involved a military soldier, who influenced his long-time mistress to help him commit the murder of his new military spouse. The mistress, who turned State's evidence, testified in Federal court that she often used the husband's phone to post to his social media accounts, contact the now-deceased wife and even kept his phone to give him an alibi.

377. The AACM by way of its agency did not follow its own mandated protocol to do a fair, independent, and unbiased investigation when presented with

information that possibly contradicted that presented by another agency, where conflicts of interest existed, thereby knowingly and grievously causing great emotional harm and distress to the Plaintiff.

378. Defendants then continued its failure to the Plaintiff by not fully considering the full scope and credibility of evidence presented, evaluating it on its own merits, when there clearly existed a conflict of interest.

379. In addition, the Defendants were involved by their representatives in a malicious abuse of power, thereby resulting in the intentional infliction of emotional distress by their manipulation of facts in the falsified death investigation.

380. In summation, the Plaintiff has proven that the Defendants was mistakenly predisposed to a suicide finding, thereby failing to do a full and complete investigation causing great emotional trauma and distress to the Plaintiff and robbing Plaintiff of her civil rights.

381. In further summation, Anne Arundel County Community College Office of Public Safety headed by Chief Gary Lyles with links to the AACPD, due to major conflicts of interest, failed to address and properly investigate the circumstances surrounding the death of Katherine Sarah Morris and as such allowed the reporting of false and misleading information.

382. This Motion before the Court is not the result of pulling impossible scenarios out of the air. The evidence has shown clear and precise instances of libelous behavior on behalf of the Defendants who failed to report, examine, and or

disprove alternative possibilities, due to internal corruption, to cover a flawed investigation.

383. Defendants 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.

384. Defendants have failed its citizen's by not allowing full government transparency in a matter of great public interest, as evidenced by the decedent's (Katherine Sarah Morris'), website, which has received over 87,500 page views. (*See Exhibit 163*).

385. In addition, it has caused the Plaintiff emotional distress and harm in impeding its request to the office of OCME to reclassify the manner of death to "Undetermined". This classification is used when the information provided points towards the fact that one manner of death is no more compelling than any other.

WHEREFORE, Plaintiff demands:

386. As a result of the above-described events and publications, Plaintiff has suffered from the repeated egregious and flagrant actions of Defendants to include several years of compounded mental anguish, compounded grief, compounded psychological injury, and compounded mental suffering. In addition, she has been embattled with compounded emotional distress, to include humiliation, shame, frustration, insomnia, anger, depression, anxiety, and stress. This not

only resulted from the traumatic event of the loss of her only child, but was clearly exasperated by the callous and dishonest actions of the Defendants.

387. The Plaintiff, ask that the Honorable court take judicial notice of how egregious, flagrant and/or injurious in nature the actions of Defendants Chief Timothy Altomare, former Chief James Teare, along with Defendants Sgt. John Poole, Sgt. Jacklyn Davis, Det. Vince Carbonaro, Det. Keith Clark, and the AACM as a whole were and as such see that the damages to Plaintiff are self-evident.

388. Their actions were outrageous in character, and so extreme to the degree, that it surpasses the bounds of decency, and should be regarded as atrocious. For an already grieving parent seeking truth and full disclosure over matters related to the death of her only child each occurrence was like a heat seeking missile. This was malicious behavior towards anyone seeking truth and transparency who is suffering from the loss of a loved one and these actions should be deemed as utterly intolerable in our civilized society.

389. Wherefore, Plaintiff requests judgment against Defendants for damages and is seeking punitive damages and such other damages as the court deems appropriate to the maximum amount allowed by statute of \$400,000 (four hundred thousand dollars) per occurrence.

390. Plaintiff contends that there was more than one occurrence and is seeking the maximum amount allowed by law of \$800,000 along with costs of suit, and such other and further relief as this court may deem just and proper.

Respectfully submitted,

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

Plaintiff request a jury trial.

Respectfully submitted,

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

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of October, 2019, a copy of the foregoing Motion was mailed by first class mail postage prepaid to all parties at their last known address.

ANNE ARUNDEL COUNTY, MARYLAND
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IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

MARGUERITE R. MORRIS
701 Harvest Run Dr. #104
Odenton, Maryland, 21113

Plaintiff

v.

ANNE ARUNDEL COUNTY, MARYLAND, et al
ATTN: Office of Law Attorney
2660 Riva Road 4th Fl
Annapolis, MD 21401

Defendants

* * * * *

ORDER OF COURT

UPON CONSIDERATION of Plaintiff's Motion, the foregoing that good cause
having been shown, it is this _____ day of _____ 2019, by the Circuit Court of
Maryland For Anne Arundel County;

ORDERED that the Plaintiff's Motion is hereby GRANTED.

The Honorable Judge