

34th Annual Colorado Bar Association

THE OFFICIAL COLORADO CASE PROBLEM



THE STATE OF COLORADO v. RILEY STEWARD



WRITTEN BY

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High School Mock Trial Committee
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CASE SUMMARY

By way of background, here's a little history. A portion of the written orders General Wilkinson gave to U.S. Army Lieutenant Zebulon Montgomery Pike on June 24, 1806, were as follows:

Sir,

You are to proceed without delay to the Cantonment on the Missouri, where you are to embark the late Osage captives and the deputation recently returned from Washington, with their presents and baggage, and are to transport the whole up the Missouri and Osage rivers to the town of the Grand Osage.

The safe delivery of this charge at the point of destination *constitutes the primary object of your expedition*; therefore you are to move with such caution as may prevent surprise from any hostile band, and are to repel with your utmost force any outrage which may be attempted.

Having safely deposited your passengers and their property, you are to turn your attention to the accomplishment of a permanent peace between the Kansas and Osage nations; for which purpose you must effect a meeting between the head chiefs of those nations, and are to employ such arguments, deduced from their own obvious interests, as well as inclinations, desires, and commands of the president of the United States, as may facilitate your purpose and accomplish the end.

A third object of considerable magnitude will then claim your consideration. It is to affect an interview and establish a good understanding with the Yanctons, Tetaus, or Camanches.

For this purpose you must interest White Hair, of the Grand Osage, with whom and a suitable deputation you will visit the Panis [Pawnees] republic, where you may find interpreters, and inform yourself of the most feasible plan to bring the Comanches to a conference. Should you succeed in this attempt—and no pains must be spared to effect it—you will endeavor to make peace between that distant powerful nation and the nations which inhabit the country between us and them, particularly the Osage; finally, you will endeavor to induce eight or ten of their distinguished chiefs to make a visit to the seat of government next September, and you may attach to this deputation four or five Panis and the same number of Kansas chiefs.

As your interview with the Comanches *will probably lead you to the head branches of the Arkansas and Red Rivers, you may find yourself approximated to the settlements of New Mexico. There it will be necessary you should move with great circumspection, to keep clear of any hunting or reconnoitering parties from that province, and to prevent alarm or offense; because the affairs of Spain and the United States appear to be on the point of amicable adjustment*, and moreover it is the desire of the president to cultivate the friendship and harmonious intercourse of all the nations of the earth, particularly our near neighbors, the Spaniards.

In the course of your tour, you are to remark particularly upon the geographical structure, the natural history, and population of the country through which you may pass, taking particular care to collect and preserve specimens of everything curious in the mineral or botanical worlds, which can be preserved and are portable. Let your courses be regulated by your compass, and your distances by your watch, to be noted in a field book; and I would advise you, when circumstances permit, *to protract and lay down in a separate book the march of the day at every evening's halt.*

The instruments which I have furnished you will enable you to ascertain the variation of the magnetic needle and the latitude with exactitude; and at every remarkable point I wish you to employ your telescope in observing the eclipses of Jupiter's satellites, having previously regulated and adjusted your watch by your quadrant, taking care to note with great nicety the periods of immersions and emersions of the eclipsed satellites. These observations may enable us, after your return, by application to the appropriate tables, which I cannot now furnish you, to ascertain the longitude.

It is an object of much interest with the executive to ascertain the direction, extent, and navigation of the Arkansas and Red Rivers

Wishing you a safe and successful expedition, I am Sir with much respect and esteem your obt. sert.

Clearly the orders were written so that neither President Thomas Jefferson nor the Secretary of War Henry Dearborn could object to their content. However, history is not clear regarding whether Pike was given additional *unwritten* orders by General Wilkinson or whether Pike otherwise somehow understood that General Wilkinson might be pursuing personal objectives, possibly contrary to the interests of President Jefferson and the United States. Allegations swirled that General Wilkinson might be plotting treason with Aaron Burr, possibly even though their own invasion of the Spanish territories to the west—without regard to the interests of the United States. (Aaron Burr subsequently was acquitted of treason charges, but his political career was over.) Alternatively, or possibly in addition, allegations swirled that General Wilkinson might be seeking to extend the lucrative fur trading business or other profit-making ventures into such territories—for his own personal gain. This merely highlights the significance, in historical terms, of the recently discovered, purported Pike Journal from Santa Fe. See Exhibit 2 in the Problem.

Lt. Pike left Missouri, near St. Louis, on July 15, 1806, to embark on this expedition with 22 men (including a doctor-diplomat and the son of General Wilkinson) and 51 Osage and Pawnee Indians. The expedition had its perils as it explored the western frontier; hostile encounters were possible; food and provisions were inadequate (hunting game was essential to survival) and clothing and shoes were inadequate for a cold and snowy Rocky Mountain winter.

On Sunday, November 15, 1806, in the afternoon, Lt. Pike saw a mountain that first “appeared like a small blue cloud.” Clearly, Native Americans, and probably Spaniards, would have seen this mountain before Lt. Pike and his men. But the magnificent peak ultimately would bear the name of Lt. Pike—Pike’s Peak.

In time, the Spaniards discovered Lt. Pike and his men and escorted them to Santa Fe, while confiscating Pike’s journals. Pike was able to observe Spanish defenses and journals, while hiding the journals in such places as his men’s rifle barrels, while being escorted back to United States territory.

Undoubtedly, the knowledge gained on the various exploratory expeditions during Thomas Jefferson’s Presidency helped, at least to some extent, as the United States subsequently moved westward.

Now, here’s the modern day problem you face. Two rival university professors are engaged in a feud to discredit each other. One, Sydney Kettleburn, claims to have a long-lost Pike Journal from Santa Fe, just recently discovered in a barn in Kiowa, Colorado, which suggests that Pike was involved in treacherous, possibly treasonous plots while on his expedition. The other, Riley Steward, claims that this newly

discovered journal is a fraud—a fraud that should not damage the stellar reputation of either President Thomas Jefferson or Lt. Pike, as admiringly detailed in Steward’s recent book.

Then, on August 11, 2018, Sydney Kettleburn is found on the floor of Kettleburn’s home study, unconscious from a blow to the head (blunt force trauma from some weapon). And this newly discovered journal, stored temporarily in Kettleburn’s file cabinet there, has vanished. The prime suspect, of course, is rival Riley Steward who is charged with assault, burglary, and theft.

DISTRICT COURT JEFFERSON COUNTY, COLORADO 100 Jefferson County Parkway Golden, Colorado 80401	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>THE PEOPLE OF THE STATE OF COLORADO Plaintiff</p> <p>v.</p> <p>RILEY STEWARD Defendant</p>	
COMPLAINT	

Peter Weir, District Attorney for the First Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses, committed, or triable, in the County of Jefferson:

COUNT 1: ASSAULT IN THE FIRST DEGREE (F3)

On or about August 11, 2018, Riley Steward, unlawfully, feloniously, and with intent to cause serious bodily injury to Sydney Kettleburn, caused serious bodily injury to Sydney Kettleburn by means of a deadly weapon; in violation of section 18-3-202(1)(a), C.R.S.

COUNT 2: BURGLARY IN THE FIRST DEGREE (F3)

On or about August 11, 2018, Riley Steward, unlawfully, feloniously, and knowingly entered the residence of Sydney Kettleburn with the intent to commit therein a crime, to wit: theft, and while there, assaulted Sydney Kettleburn or, alternatively, while there, was armed with a deadly weapon; in violation of section 18-4-202(1), C.R.S.

COUNT 3: THEFT (F4)

On or about August 11, 2018, Riley Steward, unlawfully, feloniously, and knowingly obtained a thing of value, to wit: Zebulon Pike Journal, with a value of twenty thousand dollars or more but less than one hundred thousand dollars, belonging to Sydney Kettleburn, without authorization and with the intent to permanently deprive Sydney Kettleburn of the use and benefit of the thing of value; in violation of section 18-4-401(1)(a), (2)(i), C.R.S.

All offenses against the peace and dignity of the People of the State of Colorado.

STIPULATED FACTS

1. All exhibits included in the problem are accurate reproductions of the originals in all respects, except possibly for Exhibit 2 (the Pike Journal from Santa Fe) and possibly for Exhibit 7.
2. All witness statements are signed by the respective witness and are authentic.
3. The Complaint is accurate in all respects; no objections to this document shall be entertained.
4. Chain of custody for evidence is not in dispute.
5. Hair and blood samples retrieved from the piece of wood found with the ladder matched those of the victim, Sydney Kettleburn.
6. Fiber samples retrieved from the ladder are consistent with those of the button found at the scene and the sweater retrieved from the Defendant, Riley Steward.
7. The District Court ruled, in an evidentiary hearing held prior to trial, that the Defendant was properly advised of Defendant's *Miranda* rights before making any statements to the police, and the Defendant knowingly and voluntarily waived of those rights before making any statements. The Defendant will testify at trial and has waived any and all Fifth Amendment Rights.
8. The Defendant filed motions to suppress the evidence collected at the scene and from the Defendant on the basis of unreasonable search and seizure under the Fourth Amendment. The District Court has previously ruled against the Defendant on those motions, and they will not be revisited at trial.
9. Both parties have stipulated that the material in the Case Summary does not constitute evidence, and no reference to the allegations or facts therein may be entered or referenced during the trial.
10. All parties are properly before the District Court. Jurisdiction and venue are proper.
11. Sydney Kettleburn suffered severe head trauma, a concussion and a fractured left wrist as a result of the break-in at Professor Kettleburn's house on August 11, 2018. No further medical records are necessary to prove the extent of injuries received.
12. Ravens have the ability to learn to speak. Lenore has been taught to speak.
13. The July 15, 2018, letter Exhibit 7 is in Helvetica Neue font.
14. Exhibit 2 represents the copy of the document loaned by Professor Kettleburn to Professor Steward and used by Professor Hicks for Professor Hicks' analysis. (The original of this document was allegedly stolen from Professor Kettleburn's office on the evening of August 11, 2018, and has not been recovered.)
15. Copies of Exhibit 7 were provided to Detective Kowalski by Professor Kettleburn and also by Nicky Flamel, both of whom received them. This letter purportedly was sent by Professor Steward.
16. The watermark on Exhibit 7 is visible on the original Exhibit 7. It is not visible on the copies.

WITNESSES

Prosecution

Professor Sydney Kettleburn
Detective Jamie Kowalski (expert witness)
Nicky Flamel

Defense

Professor Riley Steward
Bellamy Lestrangle (expert witness)
Ellison Hicks (expert witness)

EXHIBITS

The following exhibits may be used by teams in competition. They may be marked by the individual teams and should be referred to by number, as follows:

Exhibit 1 Zebulon Pike Journal — Copy from Library of Congress

Exhibit 2 Zebulon Pike Journal from Santa Fe

Exhibit 3 Fingerprint Analysis Report

Exhibit 4 Footprint Analysis Report

Exhibit 5 Crime Scene Photo

Exhibit 6 Ladder and Lumber Found by Police

Exhibit 7 Riley Steward's July 15, 2018 Letter

Exhibit 8 Sydney Kettleburn's July 17, 2018 Letter

SYDNEY KETTLEBURN – WITNESS STATEMENT: PROSECUTION

1 My name is Sydney Kettleburn, and I am a Professor of History at the University of Colorado in
2 Boulder. I have an undergraduate degree in Early American History from the University of Virginia in
3 Charlottesville, and completed my graduate work at Wake Forest University in Winston-Salem, North
4 Carolina. I am a nationally recognized expert in early American History, including the expeditions of Lewis
5 and Clark, and Lt. Zebulon Montgomery Pike. I am a frequent guest on the History Channel, the Biography
6 Channel, and A&E Television. I have done numerous interviews with network, cable and local television
7 outlets. Most recently, you may have seen me discussing the important similarities between the stories of
8 ghosts seen at both the Jamestown Settlement and Gettysburg.

9 My success arises because I dig deeper than the average historian, researching and exposing
10 previously unknown stories from American history. This is why I was lucky enough to be the recipient of the
11 long-lost journal pages of Lt. Zebulon Montgomery Pike, recently unearthed in the barn of Ezra and Faith
12 Barebone. The Barebones had relatives who owned a boarding house near modern-day Santa Fe where Pike
13 purportedly stayed on his expedition. When the boarding house was razed in the 1980s to make room for a
14 commercial outlet store project, all of the personal property was transferred to the barn at the family ranch in
15 Kiowa, Colorado. Apparently, Ezra was familiar with my work and he contacted my office after finding the
16 journal in the barn loft. I was delighted to examine the journal and I believe the information contained
17 therein will add a fresh perspective to this chapter of our country's history.

18 Mr. Barebone sent me the journal pages. Exhibit 2 is an exact copy of one of them. Of course, the
19 originals are missing, and I only have a copy of the one page.

20 Naturally, not everyone is as excited as I am to make this news public. For example, my own
21 colleague, and likely assailant, Riley Steward, was not pleased in the least. If you have not met our Professor
22 Steward by now, when you do, I'm sure you'll find Steward is a pompous piece of work, always trying to
23 impress people, waiving around that Joel and Sharon S. Greer, Chair of Distinguished Teaching title Steward
24 holds, as if it means a thing to anybody else. I am actually the one who is the most published in the History
25 Department; I am the one the media calls; and I am the one who travels internationally to speak on early
26 American history. While "Ho-Hum" Steward has been "researching and writing" the same tired topic for the
27 past six years, I have written books, published articles and was a historical consultant on two Hollywood
28 films. So, who's the star of the History Department?

29 Ah, Steward's precious "underappreciated" Pike and perfect President Thomas Jefferson! In Steward
30 mind, Pike was not just a dashing, courageous and admirable military hero; he was some kind of 19th

31 century Bear Grylls! In any event, Riley Steward was so desperate to keep the information I discovered
32 under wraps that Steward resorted to beating me unconscious to steal it. Riley wants the world to believe that
33 history is noble and inspired, but it isn't. Pike and the others were people just like the rest of us; they made
34 mistakes. Zebulon Pike is a perfect example of the common man: Thomas Jefferson thought he was a klutz
35 and did not trust him. His dubious association with the Aaron Burr-conspiracy to divide the nation is still
36 unexplored. Quite simply Riley Steward's precious Pike was captured by Governor Joaquin del Real
37 Alencaster of New Mexico, conveniently taken "prisoner" in Spanish territory—in what is present day
38 Colorado—only to be released unharmed weeks later after receiving the grand tour of Spain's New World
39 military industrial complex! But, Pike was not working for President Jefferson really, nor was he working
40 both sides! No, not possible. Traitor and double-agent General James Wilkinson and Aaron Burr just hid
41 Pike's true involvement when their conspiracy fell apart. I guarantee it.

42 Now I'm not out to ruin anyone's reputation, that's not my intent at all. I'm just showing another side
43 of what could have occurred—the carnal motivations behind historic events. It's likely Pike's ego got ahead
44 of him, being a middle-management soldier, so he decided to join the scheme of his commander General
45 Wilkinson, perhaps unbeknownst at the start as to which strings Aaron Burr was controlling. General
46 Wilkinson, an agent for Spain, the United States, Aaron Burr, and his own economic interests—that's more
47 than a double agent—needed someone to explore the Spanish controlled territories without arousing too
48 much suspicion. Pike, a low-profile charming and gracious gentleman fit the bill. Pike could be out
49 wandering where no man could track him down, and could circulate for several years, gathering intelligence
50 as a traitor, while Jefferson would be distracted with his pet Lewis and Clark project; giving Wilkinson and
51 Burr time to align things right under the President's nose. What a story, huh?! Answers a darn lot of
52 questions, if you ask me. Heck, what about Pike's mysterious death? Decorated soldier, supposedly the first
53 person of European descent to crest a summit in the Rocky Mountains—of course, Native Americans
54 undoubtedly were first—summitting in the dead of a Colorado winter, survived incarceration in Mexico, only
55 to be felled storming York by flack from a mysteriously detonating powder magazine. I'm telling you, it was
56 a 19th century black-ops take-down—it's only logical. Heck, Pike never even set foot on Pike's Peak; it was
57 all subterfuge with that guy!

58 But Riley Steward doesn't want to be honest with America about its roots. Steward wants all of it to
59 stay untouched, with pure motives, fine minds, and true hearts. Bah! People don't respond to that. They want
60 history to come alive; they want something they can relate to. And that's what I try to give them.

61 Riley Steward and I have completely different beliefs about how history should be researched and
62 shared. I know folks gossip about our “feud.” Sure, we are rivals, but it just isn’t that extreme, at least not on
63 my part. I don’t really care for Steward, but I have no plot to take old Ho-Hum down. I have no interest in
64 sabotaging Riley’s book deal, stealing Riley’s teaching assistants, turning the faculty against Riley, or
65 whatever else Ho-Hum claims. Riley Steward just isn’t that important to me. In a gesture of goodwill,
66 though, I did invite Riley to some of the department’s “Seven Degrees of Separation” socials at my house
67 last fall. There’s pretty much an open invitation to the CU faculty and history grad students, though I made
68 Steward a special invitation for the back to school gathering; it was the first one of the new academic year,
69 and I was just trying to get Steward out with real people. However, that was the beginning of Riley
70 Steward’s plan to get the journal, I’m sure of that.

71 Maybe I went too far at that last party, which was just two nights before Steward attacked me. It was
72 poor judgment on my part. I can see that now. I had been noting similarities between Pike’s aimless,
73 untrustworthy wandering and Steward’s academic career, in a purely objective way, of course. Everything
74 from their lack of apparent direction to the way both ended up toiling in obscurity in Colorado and how
75 neither could ever seem to get a date. I was on a roll, but Riley didn’t take it well. The other faculty members
76 got a kick out of it, though! Steward didn’t even try to reciprocate, just called me some name with seven or
77 eight syllables and stomped off. Nothing got physical between us or between Steward and my TA, Nicky
78 Flamel. At least not that I know of. Instead, Steward just trudged off like a beaten dog.

79 You probably want to know about that Saturday night in my office, though. Well, I took a severe
80 blow to the head that night, and I blacked out cold. That and the pain from the fractured wrist I woke up with
81 may have slightly interfered with my memory, but I know I was working in my office. It was dark outside
82 and somewhat late—probably just before 9:00 p.m. I remember because I was waiting for the “Aaron Harper
83 Show” on KPBS to begin. I can’t remember precisely what I was working on, but it was probably
84 documentation regarding the journal pages. My raven, Lenore, seemed agitated. I vaguely recall the sound of
85 smashing glass, but it’s all hazy. I didn’t actually see the intruder’s face, but there can’t be much question
86 about who it was. I don’t know how it was that I was hit on the back of the head. I suppose, I turned around
87 when I heard the window smash behind me. I must have struggled with the intruder. I can’t imagine how
88 Lenore got out of her cage... I’m sorry I can’t be more help. So much of that night is simply lost to me.
89 Exhibit 5 appears to be pictures of my home office. I cannot vouch for the broken glass or the outline of the
90 body, but everything else accurately depicts my office. The filing cabinet is where I had stored the Pike
91 Journal. It was not open like that before I was knocked out. Detective Kowalski tells me that I was babbling

92 incoherently during the detective’s first visit with me in the hospital. I don’t remember that at all, but I’m
93 sure that’s normal immediately after a blow to the head—anyone would agree. I’m sure the pain killers for
94 the fractured wrist were taking effect, too. Can’t put a lot of stock in anything said when your patient’s
95 delirious, you know.

96 The only things that appeared to be missing from the house afterward were the Pike Journal pages. I
97 typically keep them in a safe in my campus office—since I’m sure the newly discovered one from Santa Fe
98 is worth more than \$50,000—but I brought them home in early August to follow-up on a few things. I have
99 no idea how Steward could have known they were at my home office, although, I do remember Nicky telling
100 me about catching Steward at the party wandering aimlessly around my house “looking for a bathroom.” The
101 other valuables in the office went untouched. Clearly, the assailant wanted only one thing: the Pike Journal
102 pages.

103 I’d heard through the grapevine that Steward had a history of domestic violence, but I had no idea
104 that Steward was desperate enough to attack me. Though I guess I should have suspected things might get
105 out of hand when Steward had asked to borrow my Pike Journal pages to have them analyzed, and I gave
106 Steward “slightly altered” copies to throw Steward’s “expert” off a bit. Steward was using a former
107 colleague of ours for the analysis—Professor Ellison Hicks, best known for Hicks’ historical research
108 conducted through a Ouija Board, tea leaves and a crystal ball. I was walking down our faculty hallway one
109 afternoon, a week or so before I was attacked, and overheard Hicks and Steward talking. Hicks was
110 infuriated. Hicks yelled, “Riley, you should get the rascal if it’s the last thing you do!”

111 One piece of our “feud” I may have left out involved my teaching assistant, Nicky Flamel. I spent a
112 lot of time with Nicky, mostly giving advice about Nicky’s thesis, but also discussing the importance of the
113 journal pages and how they would change our lives. There were rumors of a relationship between Nicky and
114 Professor Steward—of course, any kind of intimate relationship between a professor and a student is
115 completely inappropriate. I also heard that the relationship ended because of accusations of academic
116 dishonesty. I don’t think the accusations against Nicky of cheating are true. Nicky is extremely ethical. In
117 fact, Nicky was outraged by the whirlwind plagiarism scandal that engulfed one of my fellow professors.
118 Nicky has been nothing but the perfect TA for me and was willing to do anything I needed done to further
119 my research. If Steward thinks Nicky is somehow involved in this though, Steward has an unduly inflated
120 ego.

121 As far as the murmurings that the journal documents were forged, I wouldn’t know the first thing
122 about pulling off such a caper. I suppose one could find something on the Internet on the subject, but how do

123 you Google “forge a long lost historic Zebulon Pike spy communiqué/memoir that will turn the world on its
124 ear?” Nicky actually maintains my academic site on the CU faculty Web site. I’ve never really had the need
125 to learn to do anything of substance online, including searching for such nonsense as fake historical
126 materials. Nicky has a key to both my home office and campus office in case I’m running late and Nicky
127 needs to get opened up for office hours. I’ve never seen Nicky at my computer though, and I’ve asked Nicky
128 not to use it—I’m very private about things like that. I presume my request was respected.

129 Lastly, back in July, I received an angry letter from old Ho-Hum. Exhibit 7 is a copy of that letter.
130 That’s Riley’s home address at the top of the page. Even though it is not signed, I know Riley Steward wrote
131 that letter. First, Steward never actually signs letters. Second, Steward always has to make reference to being
132 the Joel and Sharon S. Greer Chair of Distinguished Teaching. Third, you can tell from the contents—who
133 else would possibly have written it? Exhibit 8 is a copy of the letter I sent back in response.

134 Steward really shouldn’t keep things inside so much. I suppose my kidding around at the party, the
135 knowledge that the missing pages would soon be public, the realization that I would once again have
136 overshadowed Steward and Steward’s silly little book—I suppose it was just too much for Steward. Ho-Hum
137 Steward snapped, and I took the brunt of it. Pity, you know. I have carefully reviewed this statement. It is
138 true and accurate, and it includes everything I know of that could be relevant to the events I discussed. I
139 understand that I can and must update this statement if anything new occurs to me before the trial.

Subscribed and Sworn to on this 25th day of August, 2018

Sydney Kettleburn

Witness Signature

1 **JAMIE KOWALSKI – WITNESS STATEMENT – PROSECUTION**

2 My name is Detective Jamie Kowalski. I work in the property crimes unit of the Golden Police
3 Department. I have been in law enforcement for over 20 years now. I spent four years as a beat officer in the
4 city of Denver. My spouse was not happy with me working in “the city”—thought it was too dangerous. I
5 have to admit there were times when I was scared—sometimes to the point of not knowing what I was doing.
6 Violent crimes make me nervous like that. Moreover, Denver had this ridiculous rule that you have to live in
7 the city to be on the force. I guess I made my feelings on that matter plenty clear during those four years
8 because I was passed up for promotion three times. The higher-ups claimed it was because of several subpar
9 performance evaluations, but I know it was because I was so vocal about the stupid residency requirement.

10 Anyways, I eventually took a job with the Golden P.D. where I rode patrol cars for about three years,
11 then was a deputy investigating officer for six years, and finally was a full detective for about the last seven
12 years. I attended the Colorado Northwestern Community College’s Colorado Basic Law Enforcement
13 Academy where I received basic training. Since coming to Golden, I have had over 300 hours of additional
14 training in forensics in the evening programs at Colorado State University and at the Auraria Campus. My
15 main emphasis since joining the Golden force has been in crime scene investigation. I have had extensive
16 training in securing and investigating a crime scene, collecting and securing evidence, and also DNA,
17 footprint and fingerprint collection and analysis. I have investigated over 120 cases, although only six of
18 which were burglaries. We don’t get many burglaries in Golden, actually. Also, I have testified in court as a
19 police crime scene investigator over 75 times. For the last two years, I have been a presenter on crime scene
20 investigation at the annual Quad-State Investigators Association Conference that rotates between Colorado,
21 Utah, Nevada and New Mexico each year.

22 On Saturday, August 11, 2018, at approximately 9:45 p.m., I received a call from the dispatcher about
23 a possible breaking and entering at the home of a CU professor who lives in Golden. Apparently, a student
24 assistant had called 911 claiming to have arrived at the professor’s home and, after having tried the doorbell
25 several times, went around the back of the building to see if a light was on in the study. Apparently,
26 according to the dispatcher, when the student got to the back of the building the student noticed broken glass
27 on the ground, and it appeared in the dim moonlight that the window to the office had been smashed.
28 Anyways, the student got concerned and did the right thing by calling the police.

29 Upon arrival at the home, later learning that it belonged to Professor Sydney Kettleburn, I was met by
30 Kettleburn’s graduate assistant, Nicky Flamel. Flamel seemed really upset; I remember thinking at the time,
31 perhaps too upset for the circumstances. Flamel was visibly shaken and kept moving back and forth, often

32 just muttering and rambling about stuff. The only thing I remember Flamel specifically saying at that point,
33 not to me but just kind of muttering to no one in particular, was: “It’s gone horribly wrong; I know it’s
34 nothing good,” and “it had to be done.” I remember at the time, I thought Flamel was talking about calling
35 the police. I tried to calm Flamel down by saying, “Yes, certainly, you had to call the police. It was the right
36 thing. It did have to be done.” Flamel’s response was a little odd. Flamel looked up as though having
37 forgotten I was even there and said, “Calling the police? Oh yeah, that’s it.”

38 I asked Flamel to show me where the window in question was and Flamel took me around to the back
39 of the house. The house itself is a two-story bungalow with a flagstone patio running most of the length of
40 the back of the house. The window in question was on the second floor and would have required at least a
41 stepladder to enter it. The window was directly above the patio, a place where I subsequently learned
42 Professor Kettleburn held monthly “Seven Degrees of Separation” get-togethers for other faculty members
43 and their assistants. There was just enough light coming from the office window to see that the window had
44 been totally shattered. Anyways, the two of us walked back and forth across that patio looking for what
45 might have been used to shatter that window and any other possible evidence. Flamel seemed like a great kid
46 and was very helpful. Flamel pointed out a button Flamel had found on the ground near the window. Flamel
47 didn’t pick it up but did bend down for a closer look before calling me over. It turns out the button matches
48 those on a sweater belonging to Professor Riley Steward. During a later search of Steward’s closet, I located
49 the sweater in question and noted that one button was missing. It appeared that the button had been ripped
50 off by force from the garment. I theorize that the button in question must have snagged on the ladder as
51 Steward came down from the window in some haste. Threads found on the recovered ladder further support
52 this. Analysis found that the threads are consistent in type and dye to both the button found at the scene and
53 the sweater recovered from Professor Steward.

54 Next, we proceeded to the front door of the house where I rang the bell and then pounded on the door
55 several times, but there was no answer. Concerned that we might have an injured victim, or worse, inside I
56 decided it was time to announce and break down the door. But, just as I prepared to do that, Flamel said,
57 “Wait, I just remembered I have a key. You see, I am Professor Kettleburn’s teaching assistant, and I often
58 have to come here to work on projects when the professor is off teaching.” That took me by surprise, so I
59 asked why Flamel hadn’t used the key earlier. Flamel said, “I guess I was so worried about Professor
60 Kettleburn that I forgot I even had it.”

61 We entered the house and Flamel immediately led me up a small flight of stairs to the office saying,
62 “Professor Kettleburn is up here. I just know it.” When we entered the office there didn’t seem to be any

63 signs of a break-in, much less a struggle. From the doorway you could see the broken window in the back.
64 There was a bird cage open on a stand near the professor's desk. I noticed a number of papers scattered all
65 over the desk and an open file drawer behind the desk next to a double-wide white book case. That's when
66 Flamel grabbed my arm and said, "Oh No! Dr. Kettleburn." There on the floor next to the desk was the body
67 of Professor Sydney Kettleburn. The professor had a pretty good size bump on the head and Kettleburn's
68 lower left arm appeared jammed under Kettleburn's body at a funny angle. I rushed over and felt for the
69 victim's pulse— Kettleburn clearly had one, but Kettleburn's breathing was shallow. I told Flamel to call
70 911 for an ambulance and then told Flamel to wait outside for the ambulance to arrive. Instead, Flamel went
71 over to the open file drawer and started looking through it. Flamel exclaimed, "Oh, (expletive deleted) the
72 Zebulon Pike journal pages are missing!"

73 I then put on some gloves to begin to collect evidence. I remember asking out loud, to no one in
74 particular, "What happened here?" To which there was the response, "Ho-Hum! Ho-Hum! Here comes Ho-
75 Hum. Never more Ho-Hum." I turned to find a coal black raven perched on another bookcase in the corner of
76 the room. She was clearly in an excited state and just kept repeating, "Ho-Hum! Ho-Hum! Here comes Ho-
77 Hum. Never more Ho-Hum. Here comes Ho-Hum. Never more Ho-Hum."

78 I then heard rustling around in the bushes surrounding the patio below the office window. Thinking
79 the perp may still be around I rushed to window only to find Nicky Flamel rummaging around in the bushes
80 beneath the window. I yelled from the window to stop what Flamel was doing and leave the investigating to
81 the trained professionals. I then asked "what are you doing?" Flamel said, "I just wanted to let you know the
82 EMTs are here." Sure enough as Flamel was saying that the EMTs entered the room. They stabilized
83 Professor Kettleburn and took Kettleburn to St. Anthony's Hospital. I told them to call my number at the
84 Police Department as soon as Kettleburn was stable enough to interview.

85 I then went back to the window to ask Flamel to help me corral the raven, which I subsequently
86 learned was called "Lenore." But when I got there, Nicky Flamel was nowhere to be found. I figured Flamel
87 was so upset that Flamel had gone home or perhaps had gotten into the ambulance with Professor Kettleburn.
88 It took me a little while, but I was eventually able to get Lenore back in her cage. I went out to my vehicle
89 and got my forensics kit. I set up crime scene tape around the patio outside and across the door to the office
90 and then proceeded to dust everywhere for fingerprints. My lab was subsequently able to identify several
91 good prints I took off the phone and the file cabinet. A number of them matched Professor Kettleburn, of
92 course, but two of them from the cabinet matched Flamel and one set from the cabinet, a partial print set,
93 may or may not have belonged to the defendant, Professor Riley Steward. No, I'm not entirely certain what

94 part of the cabinet the prints came from. Most likely from the side or from the handle. In my professional
95 opinion and given all of the other evidence, I'm sure that they are Professor Steward's prints. Exhibit 3 is a
96 copy of the analyst's report on the fingerprints. I used that report in forming my opinions, and crime scene
97 investigators such as myself routinely rely on such reports in forming our opinions.

98 As I finished lifting the prints from the filing cabinet, my forensics team arrived. I filled them in on
99 what I knew and instructed them to search the patio area for evidence. They were able to come up with four
100 fairly fresh footprints on the patio area under the window but were unable to find any ladder or stepladder in
101 or around the patio or the garage in back. The footprints were obtained by a technique called "latent
102 footprint" analysis. Latent shoe prints exist in almost all interior crime scenes but are often ignored by
103 investigators or destroyed by initial responders before prints can be processed.

104 Latent shoe prints are impressions of shoe treads left by an individual on a surface. While these prints
105 cannot be seen by the naked eye, they can be revealed using standard fingerprint powders. Like fingerprints,
106 latent shoe prints can be used to place a suspect at a crime scene. Though each shoe manufacturer produces
107 hundreds of various styles of footwear with the same tread design, these identical prints quickly become
108 unique through the owner's use. Wear will vary depending on individual walking styles and contact with
109 different surfaces. Any scratch, nick or cut will result in points of comparison, making the shoe one-of-a-
110 kind. Exhibit 4 is a copy of the analyst's report on the latent shoe prints. Again, such reports are routinely
111 relied upon by crime scene investigators in forming their opinions.

112 While not conclusive, it seemed to me as though the window had clearly been broken from the
113 outside, since most of the glass was on the inside of the room. I was a little concerned that all the glass
114 seemed to be piled only around the sill and not much in the room. That is very unusual. I was unable to
115 locate anything that could have been the weapon used to knock out Professor Kettleburn. No, I really didn't
116 have a special expert come in and measure the amount of glass inside and outside the window. It would just
117 take too much time. I took pictures of the crime scene. The four pictures in exhibit 5 are fair and accurate
118 representations of the way Professor Kettleburn's office looked that night. Oh, and I don't subscribe to that
119 fracture angle analysis nonsense. Besides, such a study costs too much, and is the kind of thing you only see
120 on CSI television shows. It was late. I had already had a long day and I still needed to do a lot of other things
121 to conclude my investigation. Besides, I know enough about crime scenes to know a simple breaking and
122 entering when I see it—and I already had a good suspect. There is such a thing as overkill, you know.

123 I instructed my forensics team to canvas the neighborhood and look for witnesses, a weapon, and the
124 missing ladder. They returned in an hour or so with no witness names, but they had a small homemade ladder

125 and a piece of wood made out of the same wood as the ladder with hair fibers on it that subsequently
126 matched Professor Kettleburn's hair. Both items had been found in an overgrown area located immediately
127 behind the garage and on the property of Professor Riley Steward approximately three blocks from the crime
128 scene. I took photos of the office and patio area, as well as of the ladder and suspected weapon. Exhibit 6 is a
129 copy of that picture, and it fairly and accurately shows the way the piece of wood and the ladder looked that
130 night. I then instructed one of our patrolmen to stay at the scene and make sure it was secured from any
131 intruders. I tagged both the ladder and the piece of lumber and sent them to our lab at the station along with
132 photos and plaster casts of the three footprints. I took photos of the crime scene both that evening and the
133 following day.

134 I then proceeded to Golden General Hospital to interview Professor Kettleburn. The physician in
135 charge, a Dr. Goldstein, indicated that Professor Kettleburn was "in no condition to be interviewed." She
136 claimed that Kettleburn had just regained consciousness, and Kettleburn's injuries were debilitating, but no
137 longer life-threatening. Kettleburn had suffered a serious concussion as a result of a blow to the upper right
138 area of the back of the skull and a fractured left wrist, most likely as a result of a fall. Dr. Goldstein indicated
139 that she had given Kettleburn a sedative and that I should come back tomorrow after Kettleburn was rested
140 and lucid. Now, I have worked with these doctors before, and they all have this "God" complex where they
141 always think they know best. But, my experience as an investigator has proven that the longer you wait to get
142 information, the greater the chance of losing out on valuable evidence. So, when the doctor turned the corner
143 to go down the hall I slipped into Kettleburn's hospital room.

144 When I got up to the side of the bed, Kettleburn looked up at me and said, "Is that you? Did it work?
145 What about the networks? Are we on the right track now?" I identified myself as a detective and said that I
146 had discovered Kettleburn after the burglary. I said that I just wanted to ask a few questions. Kettleburn still
147 seemed a bit groggy but was getting more alert. Then Kettleburn asked, "What happened? How is Lenore?
148 Was anything taken?" I said that the bird was fine and that it appeared as though the only thing missing was
149 some sort of Zebulon Pike document. Kettleburn sighed and said, "But yes, of course. I figured that's what
150 the scoundrel was after." But as Kettleburn said this, it looked like some medication started to kick in.
151 Kettleburn's speech started to slur, Kettleburn started to drift off. So, I let Kettleburn go to sleep and moved
152 on with the investigation.

153 I called Chancellor McGonagall of CU, apologized for waking her and explained what had happened.
154 I mentioned that we had successfully obtained some fingerprints and footprints at the scene of the crime. She
155 mentioned that all faculty members and students were fingerprinted for security and safety reasons. I asked

156 her to send copies of all those fingerprints to my office. I also mentioned that I had three footprints from the
157 patio near the office window. She asked, “the Seven Degrees patio?” I said “what do you mean, the Seven
158 Degrees Patio?” And she informed me that on the seventh of each month most of the members of the History
159 Department, along with their current graduate assistants and other invited faculty members, met on
160 Kettleburn’s patio for “Seven Degrees of Separation”—apparently a highbrow academic game that also
161 features drinks and snacks. I then asked if she, Chancellor McGonagall, had been present at the most recent
162 party. She indicated that she had on Thursday, August 9, just two days before the break-in. I asked if she
163 might compile a list of all of the faculty and graduate students who attended the party. I instructed my
164 forensics team to compare the plaster casts of the footprints with those of the various faculty members and
165 assistants.

166 The next morning at the station, the lab techs confirmed that, after comparison with University
167 records, several of the fingerprints taken clearly matched those of the victim, Professor Kettleburn; two from
168 the filing cabinet matched those of Nicky Flamel; and a third set from the cabinet, although only a partial set,
169 most probably were those of Professor Riley Steward. I have had many hours of training in fingerprint
170 analysis and had to agree with my techs that, while we could not be 100 percent certain on the Steward’s
171 prints, the facts certainly pointed in that direction.

172 My group had spent Sunday morning getting plaster casts of many of the History Department faculty,
173 assistants and those other faculty members whom the Chancellor had noted as being present. Obviously, in
174 such a short period of time, we were not able to get a complete group. My team compared those to the data
175 collected on the footprints found at the site. After doing so, they were able to determine that all of the
176 footprints were less than 72 hours old, that one of the footprints belonged to Professor Steward, one to Nicky
177 Flamel, one to the chair of the History Department, Dean Grindelwald, and the fourth one was an identical
178 match to the shoes I wear on duty. I was a little embarrassed that in my haste to solve the crime I may have
179 compromised the scene with my own footprints. After careful analysis, no usable prints were recoverable
180 from either the ladder or alleged weapon. That is not surprising as it is often difficult to lift prints off of
181 absorbent surfaces like paper and unfinished worn wood.

182 Next, I went to the home of Nicky Flamel to get some additional information. I figured since Flamel
183 was the first on the scene, Flamel could give me some more insight into possible leads for suspects. Yeah,
184 these kinds of interviews are part of the regular course of investigation in a crime and something upon which
185 a good detective will always rely to establish a strong case. According to Flamel, Flamel was currently
186 working as a graduate teaching assistant—a “TA”—for Professor Kettleburn. Flamel had previously worked

187 in the same capacity for another professor in the History Department: Professor Riley Steward, the defendant
188 in this case. Apparently, Flamel and Professor Steward had some kind of falling out and, midway through
189 Flamel's graduate thesis on Zebulon Pike, Flamel had switched mentors and was now working with
190 Professor Kettleburn. No, I didn't pursue any details regarding the alleged "falling out" between Steward and
191 Flamel. I didn't see it as relevant.

192 Apparently, Flamel and Professor Kettleburn were working together to verify the authenticity of
193 some recently discovered Zebulon Pike journal. Flamel kept repeating that "the content of those lost pages
194 would be very damaging to Professor Steward." Flamel reported that Steward was just about to publish a
195 historical account of Thomas Jefferson's role in the various exploratory expeditions during his presidency,
196 including the Zebulon Pike Expedition to the headwaters of the Arkansas and Red Rivers and beyond. This
197 book, according to Flamel, was the culmination of years and years of research by Steward. At the point in the
198 interview when we were discussing the pending book publication, Flamel got extremely agitated, and told
199 me, "Our finding the lost pages will knock that blowhard Steward off Steward's high horse and put Steward
200 in the gutter, right where Steward belongs. Riley Steward is the one you have to nail! There is no doubt in
201 my mind Steward stole those papers and did a number on Professor Kettleburn." I asked Flamel how Flamel
202 could be so sure. Flamel said, "Steward had the motive and the means." I asked "what motive?" Flamel
203 seemed exasperated and said "the damaging nature of the lost journal!" So, I asked "what means?" Flamel
204 said "well the ladder of course." Flamel then then went on to explain that the ladder that had been found
205 belonged to Steward. When I asked how Flamel knew that, Flamel said "because I helped Steward build it
206 when I was Steward's TA." Apparently, while working as a graduate assistant for Steward, Flamel was
207 "coerced"—Flamel's words, not mine—into building a ladder out of the left-over lumber from a recent
208 addition to Steward's house. "That (expletive deleted) made me use the ladder to clean out the gutters. I can't
209 tell you how humiliating that was."

210 I asked Flamel to tell me the details of discovering the break-in. Flamel claimed to have been
211 studying and needed some help from Kettleburn. I asked if anyone could verify that. Flamel claimed to have
212 two roommates who were watching a Harry Potter marathon while Flamel was studying. Flamel gave me the
213 roommates' names and said I could check with them if Flamel needed an alibi. Anyway, Flamel drove to
214 Golden via highway 93 and went to Kettleburn's house. After repeated knocking on Kettleburn's door
215 resulted in no answer, Flamel got worried, noticed the broken window and called 911. Did I follow up on
216 Flamel's alibi? Of course I did. While Flamel certainly didn't need one, any prudent investigator would
217 follow up. I checked with Seamus and Neville, the roommates, and both remembered that Flamel was in

218 Flamel's room most of the evening studying. Both indicated that they remembered Flamel leaving the house
219 sometime around 9:00 p.m. It takes about 35 minutes to drive from Flamel's residence to Kettleburn's house,
220 so the timing worked out. With Flamel's whereabouts confirmed, I was already leaning toward this Riley
221 Steward character as our primary suspect.

222 I then went back to the hospital to speak with Professor Kettleburn. Kettleburn seemed much more
223 coherent at that point. I asked Kettleburn if there was anyone who would have wished Kettleburn harm.
224 Kettleburn said: "Only one person. Professor Riley Steward!" Kettleburn said they had been rivals in CU's
225 History Department for some time. Apparently, they held opposing theories on this Zebulon Pike thing.
226 Kettleburn claimed to have received a letter from Steward regarding the lost pages and that in it Steward had
227 threatened Kettleburn if Kettleburn published those papers as the real thing. Kettleburn later gave me a copy
228 of the letter from Kettleburn's files and a copy of the reply letter that Kettleburn sent back to Professor
229 Steward. Those are exhibits 7 and 8. I asked Kettleburn why the letter from Steward had no signature.
230 Kettleburn said: "That's not unusual for Steward. Steward is the classic absent-minded professor. Steward
231 never remembers to sign anything but always remembers to list being the Joel and Sharon S. Greer Chair of
232 Distinguished Teaching. The louse."

233 After reading the letter from Steward and talking to Kettleburn and Flamel, I figured I now had my
234 perpetrator. I applied for an arrest and search warrant and then went to the home of Riley Steward, and
235 placed Steward under arrest for assault and burglary. Of course, I've read everyone's witness statements in
236 preparation for trial today. How could I testify effectively if I hadn't? Yeah, I know Bellamy Lestrage; I
237 was in the Police Academy with Lestrage way back when. Lestrage didn't impress me then and doesn't
238 impress me now. My understanding is that Lestrage makes a living doing nothing but running down decent,
239 hard working cops. What a joke! Anyone who knows Lestrage will tell you that Lestrage is useless as an
240 investigator. Lestrage is nothing more than a rent-a-cop and not a good one at that. Lestrage's own sister-
241 in-law told me once that Lestrage had had several nervous breakdowns in the past. In fact, one of the other
242 rent-a-cops that works in Lestrage's agency told me, "I don't know why I work with Bellamy; I can never
243 trust Bellamy's work—or anything Bellamy says for that matter." I have carefully reviewed this statement. It

244 is true and accurate, and it includes everything I know of that could be relevant to the events I discussed. I
245 understand that I can and must update this statement if anything new occurs to me before the trial.

Subscribed and Sworn to on this 25th day of August, 2018

Jamie Kowalski

Witness Signature

1 **NICKY FLAMEL – WITNESS STATEMENT – PROSECUTION**

2 My name is Nicky Flamel, I'm a Graduate Student and Teaching Assistant of early 19th century
3 American history at the University of Colorado in Boulder. I expect to complete my doctorate in December
4 2019—assuming that wind bag Riley Steward can't put the kibosh on things from behind bars. Let's get
5 something straight here, right off the bat. I've got a little history with Bellamy Lestrage. Whatever
6 Lestrage says, I did not know that Lestrage's kid was in high school. I was 23 at the time and I met
7 Lestrage's kid on Tinder. I thought the kid was definitely a college student. I certainly didn't know I was
8 talking to the the kid of some ex-police detective. Nothing happened, and I stopped seeing Lestrage's kid
9 when I realized the kid's real age. Seems wrong to be investigating someone you have a bias against though,
10 right? Lestrage should have acknowledged the conflict of interest right off the bat, don't you think?

11 It's hard to remember how this whole thing with Professor Steward got started. I guess I'll begin at
12 the beginning. After I enrolled at CU, I was TA'ing for Professor Steward, you know, helping Steward with
13 grading, writing tests, teaching classes, and Steward's research. Steward was working on what was
14 supposedly going to be ground-breaking material on various expeditions of exploration during Thomas
15 Jefferson's presidency, including the Pike Expedition. I never really thought it was "ground-breaking," more
16 like "ground-boring", but Professor Steward was trying to find a niche. It is the only way you survive in
17 academia—publish or perish—even if it is garbage that simply gets published and put on a shelf to collect
18 dust. I should know. My Uncle Newt is in the academic publishing biz, which I have often thought may be
19 the reason Steward originally requested me as an assistant.

20 I, on the other hand, was working on something really interesting. I think Steward was jealous of my
21 research and creative work. There's a lot of professional jealousy in academia—particularly at CU—and
22 Steward was always in the middle of it. The water cooler talk throughout the department was that other
23 professors generally feared their applications for tenure would be blocked by Professor Steward if their work
24 was more popular and well-read than Steward's. I don't know how accurate that is, but that's what I heard. It
25 was common knowledge.

26 At one point, I even felt that Professor Steward was making inappropriate advances towards me or
27 perhaps trying to butter-me-up to get to my uncle's publishing house. You know, inviting me over for one-
28 on-one dinners and that sort of thing. I don't think I would describe it as harassment, but eventually things
29 got so uncomfortable between us that I told Professor Steward that, while I respected Steward professionally,
30 I wanted to maintain our relationship on strictly a professional level. Professor Steward flew off the handle.
31 I'd never seen Steward in such a rage. Steward claimed not to know what I was talking about regarding

32 “unwelcome advances” and that if I ever said anything to anyone about it that Steward would “make me
33 regret it”—and that’s a quote. Professor Steward tried to explain it all as part of the academic mentoring
34 process and that I had completely misread the situation. Next thing I know, I was called into Steward’s office
35 and was accused of academic dishonesty—plagiarizing some work in one of my dissertation chapters.
36 Steward couldn’t substantiate anything, but when it is your word against that of your professor, what can you
37 do? Professor Steward threatened to take me to the Honor Council, fire me as TA, and have me kicked out of
38 school. I ended up confessing to something I didn’t do—lifting a sentence from some make-believe
39 researcher’s work—so that I could remain in school. Let’s be clear about this: I didn’t plagiarize anything!
40 Yes, my official record reflects an incident involving academic dishonesty, but you have to be pragmatic; the
41 world is not all black and white, I did what I did so I could survive.

42 I made a deal with the Dean of Students and became a TA for Professor Sydney Kettleburn. Despite
43 having a blemish on my record, I couldn’t be happier about the switch to Professor Kettleburn. And
44 Professor Kettleburn seemed genuinely thrilled to be working with me, too. Right from the beginning
45 Professor Kettleburn showed more honest interest in my work than Steward ever did. Kettleburn took me in
46 when no one else was going to give me a fair shake. I’ll always remember that. I’d do anything for Professor
47 Kettleburn. We saw eye-to-eye on the need to publish new material that made history come alive for those
48 outside the ivy walls of academia—not that there’s any ivy growing at CU. I must admit, I am still a little
49 bitter about the ordeal with Riley Steward.

50 So back in August 2018, on the ninth, as always, Professor Kettleburn had all the department
51 members and their TAs over to the house for Kettleburn’s game of “Seven Degrees of Separation”—it’s a
52 tradition, you see. At these parties we usually toast an American hero and then try our best to link that
53 American icon with other historical figures or with modern celebrities.

54 Everything went swimmingly at the party—lots of laughter at Steward’s expense, lots of drinking—a
55 real party for the ages. So, everything was great and then Steward left in a huff. Who knows what it was
56 about this time. No, there was no physical altercation. A bunch of historians get into fisticuffs? Could you
57 imagine? No, Steward just disappeared. I overheard Professor Burbage say she’d heard Steward say
58 something about “getting even with us all,” but I could be taking that completely out of context. I do
59 remember, though, earlier in the evening, coming upon Steward wandering around Professor Kettleburn’s
60 house on the second floor. I had gone up there to check on Lenore and to give her a cracker, when I spied
61 Steward leaving the study. I asked what Steward was up to, and Steward mumbled something about looking

62 for the restroom and then darted off. I really didn't think much about it at the time, but now that I think about
63 it, Steward could have been casing the joint for the break-in on Saturday.

64 On Saturday, I was studying in my room at the house. Two of my housemates were getting ready to
65 head out to the Shakespeare Festival that is held in Boulder every year; I think they were going to see Henry
66 the Eighth and Love's Labour's Lost. My other two housemates were going to watch a Harry Potter
67 marathon at the house. But I needed some help clarifying my thoughts on an important part of my
68 dissertation. They were no help at all as they were too into the wizarding world to think about deep thoughts.
69 I called over to Professor Kettleburn's house but got no answer. That must have been around 9:00 p.m. or so.
70 Just because Professor Kettleburn doesn't answer the phone doesn't mean Kettleburn is not home;
71 sometimes the professor just doesn't answer. So, I drove over to Kettleburn's house and knocked on the
72 door. There was no answer, so I knocked some more. I was beginning to get worried. I walked around back
73 and was thinking I'd have to break a window or something to get inside and check on Kettleburn—the
74 professor is not in the best of health, you see. I know it is strange that it never occurred to me to use my key
75 and go in the front door. I guess, I was either too focused on my dissertation issue or that "absent-minded-
76 professor" thing was kicking in at an early age. Anyway, I went around back where I saw broken glass
77 underneath the window to Professor Kettleburn's home office. I immediately called 911 and waited for the
78 police. Shortly thereafter, Detective Kowalski arrived. The two of us spent a few minutes, searching around
79 the patio for evidence. I thought it was kind of cool that I was being allowed to help in the investigation; I
80 felt like a real historian searching for clues to the past. I found a button on the ground wedged between a
81 couple of bricks and pointed it out to Detective Kowalski. I tried not to touch anything since I didn't have
82 gloves on. I don't typically carry latex gloves with me when I go out. The button was not too far from the
83 window and still had some thread attached—as if it had been pulled off, not like it had come loose on its
84 own. The detective retrieved it and put it into one of those evidence bags. We were walking around all over
85 the place, and then I remembered I had a key, so we decided to go in and see if the Professor was okay. I
86 rushed upstairs and my worst fears were true— Professor Kettleburn was on the floor unconscious. Detective
87 Kowalski checked for a pulse and told me Professor Kettleburn was alive, but barely. The room was a mess.
88 I ran over to the filing cabinet and looked for the Pike Journal pages since I knew that would likely be the
89 first thing the professor would ask me about. They were gone! I knew right away who was responsible.

90 Exhibit 2 is a copy of one page of the Zebulon Pike Journal that was stolen. I don't know where that
91 copy came from, but I have looked at the original dozens of times. That's an exact copy.

92 After I told Detective Kowalski about the missing journal pages, I went outside to look around for
93 more evidence and was walking around in the bushes under the window when Kowalski called down from
94 the office. I told the detective I'd heard the ambulance sirens and that medical help would be there soon.

95 The next day, the detective came by to ask me some questions. Specifically, Detective Kowalski
96 asked me why I was so sure Steward had done it. It was obvious, in my opinion. First, the only things
97 missing were the Pike Journal pages. Second, Steward was the only one with a motive for stealing them. And
98 finally, Steward owned the ladder that was used to get into the window. What do you want, I thought, a
99 confession?

100 By the way, exhibit 6 is a picture of the ladder and piece of wood. The ladder is the one I was talking
101 about that Steward owned. I should know, Steward made me help build it. The piece of wood is a two by
102 four. I think the police found it with the ladder, but I'm not sure. I guess I can say that the left half of the
103 picture fairly and accurately portrays what a two by four looks like. Exhibit 5 has 4 pictures from Professor
104 Kettleburn's home office. They show where the professor was on the floor, the glass on the windowsill, and
105 the filing cabinet where the Pike Journal was located. That's exactly how the office looked that night. At least
106 that's how I remember it looking that night with all the glass on the inside of the windowsill. Other than that,
107 the only exhibit I recognize is exhibit 7, which is a letter that Riley Steward sent to Professor Kettleburn and
108 cc'd me on.

109 I know there has been some story that Steward has concocted: that Steward has been set up by either
110 Professor Kettleburn or me. I guess old "Ho-Hum" thought we were trying to steal Steward's thunder over
111 that book Steward had been working on for years. The reality seems to be just the opposite. The publicity
112 created by this case—the whole "burglary and assault in a college setting" thing, featuring two high profile
113 professors and some historical intrigue—has actually done wonders for Steward's book. Uncle Newt told me
114 that Steward was actually on the academic bestsellers list and was one of the top historical non-fiction sellers
115 on Amazon.com. Talk about reaping benefits! That would be motive enough to try to steal those documents!

116 I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of
117 that could be relevant to the events I discussed. I understand that I can and must update this statement if
118 anything new occurs to me before the trial.

Subscribed and Sworn to on this 25th day of August, 2018

Nicky Flamel

Witness Signature

1 **RILEY STEWARD – WITNESS STATEMENT – DEFENSE**

2 My name is Riley Steward. I have been a Professor of History at the University of Colorado for the
3 past 17 years and am honored to hold the Joel and Sharon S. Greer, Chair of Distinguished Teaching. Never
4 in my life have I been accused like this—I'm sorry. I can't believe this is even happening. That dirty,
5 cunning...

6 Oh, don't get me wrong. If some ne'er-do-well actually broke into Sydney's office and bopped
7 Sydney on the head, then I would feel sorry for the old cuss, I truly would. I mean, we've never been close
8 and granted there have been times when faculty members, myself included, contemplated slapping Sydney's
9 silly face, but I surely wouldn't wish assault on anyone, much less carry it out. To set this up and then try to
10 blame it all on me is just manipulative and vindictive and such a waste of time. Do you realize the publishing
11 house almost delayed the release of my book over this? Fortunately, they thought better of it. It's actually
12 doing quite well despite all this legal hoopla. Critics have raved about it and even the readers of popular
13 historical works have latched on to it.

14 Yes, I'll admit, I was rather peeved at Sydney for the fraud Sydney was attempting to perpetrate on
15 the American people. Finding missing pages from the Zebulon Pike expedition journals? Indeed! That is just
16 about the most ridiculous thing I have ever heard, even coming from that buffoon Kettleburn and
17 Kettleburn's henchman Nicky Flamel! Kettleburn was just trying to get my goat. Sydney knew how hard and
18 long I'd been working on my book. Sydney knew what it meant to me, and how I believed in it with all my
19 heart, and Sydney knew the anguish and struggles I've endured bringing this dream to fruition. My book is
20 everything to me. It is my *magnum opus*, the culmination of years of study and research. It is the definitive
21 work on the Corps of Discovery and delves inside the hopes and dreams of our greatest President—Thomas
22 Jefferson. And to think, all of this could have been lost by these silly allegations by that petty, historical
23 anarchist, Sydney Kettleburn. Despite the tremendous sales of my book and the talk of a possible National
24 Book Award nomination, Kettleburn has put my name and my honor on the line. I must defend both. Of
25 course, Sydney realizes that my book once and for all establishes my credentials as THE scholar on President
26 Thomas Jefferson, including all the expeditions he supported like Zebulon Pike's. Kettleburn will just have
27 to dig elsewhere.

28 Anyway, Sydney Kettleburn has always been jealous of me, my dedication, and the unwavering
29 respect I receive from the academic community. It would be just like Sydney to try and sabotage me with
30 phony documents that cast tremendous doubt on my portrayal of President Jefferson. Did Kettleburn tell you
31 what these purported journal entries imply? It's obscene. Ridiculous. I can hardly say the words. It makes me

32 angrier than I have ever been. Those fools, Kettleburn and Flamel, are alleging that Thomas Jefferson was
33 too ignorant and too out-of-touch to know about General Wilkinson and Aaron Burr's treasonous schemes
34 and illegal profiteering, allegedly with Zebulon Pike's help. President Thomas Jefferson was not stupid, and
35 he did not coddle traitors. After all, Aaron Burr was prosecuted for treason, wasn't he? So, people knew
36 about his schemes. As for General Wilkinson, he had to do some fast talking, incriminating Aaron Burr, to
37 save some hope of a future military career. As for Zebulon Pike, he risked his life on a perilous expedition,
38 just like Lewis and Clark, to obtain valuable information for President Jefferson. Pike, like President
39 Jefferson, was a true patriot. No loyal red-blooded American would ever believe their lies—their pure fiction
40 they try to masquerade as history. Maligning the character of our greatest President, as well as Zebulon
41 Pike's, now that is just ... reprehensible!

42 The whole theory doesn't even make sense. Everyone knows Pike was chosen because he was the
43 ideal man for the job. Pike had a distinguished military career; he was no traitor; he was a proud American.
44 He spent many years in the Army, where he was quite successful supervising men. He was in fine physical
45 condition—lean, muscular, a perfect specimen for such a rigorous undertaking. Kettleburn is an idiot—
46 Zebulon Pike was the perfect man for the job! Who did Kettleburn want sent? Wilkinson? Burr? Desk
47 jockies who could not be trusted?

48 It's actually a sophomoric little story. I never actually believed in my heart of hearts that their false
49 allegations—their fictionalized history—could do any lasting damage to the premise of my book. What I
50 found offensive was the nerve Sydney Kettleburn had in attacking Thomas Jefferson, defiling the legacy of
51 Zebulon Pike, and the complete and utter disregard Kettleburn exhibited for this country and its citizens by
52 making such absurd accusations. Of course I was angry! Is a person supposed to sit quietly by and just let
53 that kind of rubbish go by? No, of course not! But, would I stoop to assault? No!

54 I asked Professor Ellison Hicks, a former colleague of mine here at CU and now an eminent scholar
55 at neighboring Metropolitan State College, to do a preliminary analysis of the supposed journal. As I
56 suspected, Sydney had concocted the whole thing! Why would I go to all the trouble of breaking in and
57 stealing those pages from Kettleburn's office when I knew darn well that as soon as the records were
58 examined by a reputable expert, they would be exposed as fakes, frauds, complete fiction—as would Sydney
59 Kettleburn?

60 It's not the first time this has happened, by the way. Kettleburn is rather well known in the academic
61 community for the outrageously inappropriate topics of Kettleburn's "historical" articles. Can you believe
62 Sydney once drafted an essay claiming Dolly Madison converted one wing of the White House into a brothel

63 to help fund the war effort? Sydney implied that it was one of Dolly’s “girls” smoking in bed that actually
64 started the White House fire during the War of 1812. Despicable. Sydney eventually must have had a rare
65 flash of conscience, or common sense, at the last moment, thank God, and never did submit that garbage for
66 publication.

67 Sydney Kettleburn just loves attention. Ask anyone at the University and they will verify this. Sydney
68 wants glory, applause and fame, and doesn’t care if it comes by honest means or not. If you want my
69 opinion, Sydney Kettleburn intentionally invites scandal because Sydney figures notoriety is the best way to
70 sell a premise for a new show to the History Channel or the Discovery Channel. Ha! TMZ would be a better
71 fit! It’s a shame that getting busted over the head—by whoever that charlatan hired to do it—didn’t knock
72 some sense in Sydney. Probably just trying to create some inexpensive PR buzz for the release of
73 Kettleburn’s next book or article. And that’s just the thing. You see, Sydney Kettleburn does not seem to be
74 driven by historical curiosity and accuracy in Kettleburn’s research so much as by salacious garbage that you
75 might find at the grocery check-out counter. Kettleburn jumps from topic to topic, barely scratching the
76 surface, but intent only on creating half-truths and passing them off as ground-breaking history. It really puts
77 our profession to shame whenever Sydney Kettleburn appears on any of those cable TV history shows or
78 gives lectures at rather questionable conventions. Sydney wants to make history popular and profitable by
79 inventing it! In the end, Sydney doesn’t care about the truth since it doesn’t always sell.

80 So you see, it is ludicrous to think I had anything to do with this episode at all. I know Kettleburn is
81 ranting about evidence, about fingerprints and footprints and fibers. Of course they would find my footprints
82 on the patio—they’ll find any number of faculty footprints there! The crafty fool held one of those famous
83 “Seven Degrees of Separation” parties before orchestrating the “break-in,” and I was present for that. I
84 typically don’t attend such gatherings—I don’t enjoy watching Kettleburn hold court—but Sydney
85 personally invited me to attend this particular get-together. Sydney said it was the first of the new academic
86 year and that it was important for the entire History Department to be there in the spirit of collegiality and
87 camaraderie. Sydney talked about mending fences, or some such nonsense, maybe even publicly recognizing
88 me for the upcoming release of my book. Sydney mentioned something about wanting to explain in more
89 detail what Kettleburn and Flamel had discovered in the lost journal pages, in hopes of garnering my support.
90 Did they really think they could change my mind? I’m many things, but I’m no traitor.

91 I don’t know how they cooked up the fingerprint nonsense—I haven’t visited Kettleburn’s office
92 since the early part of the Spring 2018 semester, and I would hope it has been cleaned since then—though
93 you never know. I try to avoid that place at all costs. If there is ever a need for me to speak with Sydney

94 Kettleburn, I usually visit Sydney's department office on campus, not Sydney's home office. Moreover,
95 while I am not a true television aficionado, I have seen enough of those dreadful police shows to know to
96 wear gloves if I were to engage in any type of criminal mischief. Fingerprints, indeed! Kettleburn obviously
97 didn't think that one through very well.

98 So yes, I was there, but I didn't stay long and I certainly didn't enjoy myself. Kettleburn and that
99 weasel Flamel were both fawning over me, taking care to gather up my plates and drink glasses as soon as I
100 finished with them. And then when Sydney started in again on Pike, well I'd surely had enough by that time.
101 Not to mention Kettleburn's poorly concealed attempts to draw parallels between Kettleburn's traitorous
102 version of Pike and myself, much to the amusement of the others. I made an ill-advised comment to Nicky
103 about the plagiarism incident and this led to a scuffle. Nicky pulled at my sweater and a button popped off. I
104 looked about, but couldn't find it, so I simply said my piece and went home. Now the rascal has
105 probably told you that I was caught red handed in Sydney Kettleburn's house on that Thursday. Let's not get
106 ahead of ourselves. I was merely looking for the restroom and got a little turned around. Obviously, I knew I
107 was in the wrong part of the house when I heard that dirty little raven start in with the chorus of "Ho-Hum!
108 Ho-Hum! Here Comes Ho-Hum! Never more Ho-Hum." What an obnoxious thing to teach that rat with
109 wings to say! Anyway, I returned to the party and shortly after that engaged in the brief confrontation with
110 my ex-TA, Nicky Flamel.

111 Where was I that Saturday evening? I can't say I have a clear recollection... Look, I am a stay-at-
112 home sort of person, not given to social engagements outside of the professional realm. I suppose I spent it as
113 I typically do: relaxing at my home with my dog, Niffler. Newfoundland's are the finest breed on the planet,
114 you know. I suppose I had a few glasses of chardonnay in front of the fire, worked on a few sketches
115 perhaps, maybe graded some papers. Quite probably I was working on a revision of an article that was to
116 appear upon publication of my book. It was a rather chilly evening for August, I do remember that. I never
117 would have ventured outside in that weather. I often make phone calls from home or browse the Internet. I
118 am sure the police can get access to those records. That would prove that I was home at the time of the
119 assault.

120 Oh right, my ex-TA, Nicky Flamel. Weird kid. Bit of a hothead, too. Flamel was working on
121 Flamel's dissertation with me for a while, did you know that? Not nearly as patriotic as I had initially
122 believed. Far too willing to entertain preposterous theories, like Flamel's new mentor, Kettleburn. I could not
123 continue to be associated with such a person nor with Nicky's work, so I sent Flamel packing. Oh! I almost
124 forgot something. When Nicky Flamel was in my seminar on "The History of the U.S. Executive Branch," I

125 suspected Nicky of cheating and lowered Nicky’s grade because of it. Nicky went rabid and shortly
126 thereafter became Kettleburn’s assistant rather than mine. Isn’t that important to know?

127 Well, Nicky Flamel found the perfect cohort in Professor S Kettleburn—two of a kind, if you ask me.
128 Did Nicky and I have a relationship? What is that meant to imply? Nicky was my TA, and our relationship
129 was nothing but professional. Did you think I picked Nicky up on Tinder or something like Nicky did with
130 that high school student?

131 Candidly, Nicky is an unusual person. I remember one time in particular, I was showing Nicky the
132 remodeling I’d done on my home—I was providing Niffler with his own suite of rooms. Nicky and I
133 discussed the evolution of carpentry since the time of Zebulon Pike, and together we decided to attempt to
134 fashion something out of scrap pieces of wood, using only tools that Pike would have had access to. It was
135 an amusing way to pass the time. We succeeded in crafting a rough little ladder—ugly as sin, I remember
136 that. Then Nicky got this notion that we had to test it out to see if it was fully functional. Nicky placed it near
137 the side of my house and climbed up a few steps, bounced up and down a few times. Just as a joke, I called
138 up, “while you’re up there, why don’t you scoop those leaves out of the gutter?” I was only kidding, but
139 Nicky immediately began throwing handfuls of gutter gunk down onto the lawn. I stopped Nicky, of course.
140 Very unseemly to have one of your students acting like your hired hand and messing up your yard to boot.
141 So, that was the end of that. Like I said, strange person.

142 The ladder? Oh, I don’t know. I might have told Nicky to take it and throw it on the woodpile next to
143 the garage. No, I do not remember seeing it since that day. The back gate is unlocked and anyone could have
144 gotten to it. Oh, yes, exhibit 6 looks like a picture of that ladder. Well, half of the exhibit is a picture of the
145 ladder. The other half is a picture of a piece of wood. What? Is that piece of wood what I am supposed to
146 have hit Sydney with? That’s absurd!

147 As for exhibit 7, I have never seen that letter until right this very moment. I certainly did not write it!
148 And I never received exhibit 8.

149 I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of
150 that could be relevant to the events I discussed. I understand that I can and must update this statement if
151 anything new occurs to me before the trial.

Subscribed and Sworn to on this 25th day of August, 2018

Riley Steward

Witness Signature

1 **BELLAMY LESTRANGE – WITNESS STATEMENT – DEFENSE**

2 My name is Bellamy Lestrangle. I have worked in law enforcement for over 25 years. I attended the
3 Colorado Northwestern Community College’s Colorado Basic Law Enforcement Academy where I
4 graduated 10th in a class of 70. Jamie Kowalski was in the same academy class as me. I did not know
5 Kowalski well, although I certainly knew of Kowalski. It was common knowledge in the academy
6 community that Kowalski was not the sharpest tool in the shed. My best friend at the academy, Henry
7 Shaw—now the Chief of Police in Craig, Colorado—told me that Kowalski finished close to the bottom of
8 the class. In his words, Kowalski was “dumber than a bag of hammers and would have finished 70th but for
9 cheating through half of the classes.” I’m not sure Kowalski’s elevator goes all the way to the top floor, if
10 you know what I mean.

11 After the academy I moved to Colorado Springs, where I spent four years as a beat cop, six years as a
12 detective and one year as a desk sergeant. As a detective, I specialized in burglary and crime scene
13 investigation. I attended a number of post academy classes in fingerprint, footprint, and crime scene analysis
14 that enhanced my already extensive knowledge in those areas from training and experience. During those six
15 years, I investigated over 300 crime scenes and testified as a crime scene investigation expert in over 180
16 cases. I eventually got stuck on the desk and demoted from detective second grade to sergeant. My partner
17 lost some fingerprint evidence in a high-profile investigation against an Albanian mob kingpin. The stuff
18 really started to come down on the two of us. Somehow, I was the one accused of losing the evidence.
19 Following the unwritten “Blue Code,” I refused to “rat” on a fellow officer. My partner was new to the force,
20 and I knew he would be fired if I told on him, and I thought the worst I would suffer would be a negative
21 write-up in my file. So, I took the bullet for my partner and, as a result, my career was essentially over. I
22 could have stayed on as a desk sergeant, but my chances for advancement back up to detective were virtually
23 nil. So, I opted to take an early retirement from the force and moved to Grand Junction where I have family
24 and opened my private investigation firm “Not Guilty, Inc.”

25 I now have six other detectives working for me at “Not Guilty, Inc.” As a private investigator for the
26 last 14 years or so, I have done everything from divorce and custody surveillance to corporate crime
27 investigation. But, for the last 10 years or so, my primary income has come from doing investigation and
28 analysis of police evidence for defendants’ lawyers in criminal cases. It is easier work and the pay is much
29 better. In that capacity, I have testified as an expert in police procedure in over 160 cases. I charge \$200 an
30 hour plus expenses for my work generally, and \$400 an hour plus expenses when I testify in court. I work
31 solely for defendants because prosecutors have their own experts: the police departments from their

32 respective jurisdictions. There simply is no opportunity to do expert work for prosecutors. My rates are
33 commensurate with the going rate for private investigation work in Grand Junction, and a lot lower than
34 lawyers and doctors charge for expert opinions.

35 I was contacted sometime in October 2018 by the attorneys for Riley Steward. They wanted me to
36 review and evaluate the work done by Jamie Kowalski. They first asked me to do a preliminary investigation
37 to see if the police investigation had any holes in it. They gave me a \$2,000 retainer, and after my initial
38 report, which indicated several serious shortcomings on the part of Detective Kowalski, agreed to hire me for
39 a complete investigation. I was unable to obtain permission from the Golden Police Department to interview
40 Kowalski directly. But as I said, I was able to and did read Kowalski's witness statement and look at all of
41 Kowalski's "evidence"—including exhibits 3, 4, 5, 6, 7, and 8.

42 It is my opinion that the investigation by Jamie Kowalski of the Golden Police Department was
43 woefully lacking in a number of significant ways. To begin with, the two letters—one dated July 17, 2018,
44 and purported to be from Sydney Kettleburn, exhibit 7, and one dated July 15, 2018, and purported to be
45 from Riley Steward, exhibit 8—were not sufficiently investigated by Detective Kowalski. The detective
46 failed to seize and analyze Riley Steward's home computer. Had Kowalski done so, the detective would have
47 discovered that the computer does not have the "Helvetica Neue" font used on that letter allegedly typed by
48 Professor Steward. Moreover, upon a careful search of Professor Steward's office—with the professor's
49 permission—I found no evidence that any of the stationary or letterhead in the professor's recycling bin or
50 paper storage area contained the distinctive watermark of the letter in question. I looked extensively at the
51 copies of correspondence in Professor Steward's files, and none of those had the watermark in question
52 either. Moreover, as noted before, the professor's home computer did not have the "Helvetica Neue" font,
53 and there was no evidence that it ever did, since the word processing program Professor Steward uses does
54 not support that font. It could have been deleted, but only by someone with a certain degree of proficiency
55 with operating systems. The detective also failed to seize and analyze Sydney Kettleburn's computer. Had
56 Kowalski done so, the detective may have discovered, as I did, that Kettleburn's Mozilla web browser's
57 "history" indicated numerous visits to websites focusing on the production of authentic-looking historical
58 forgeries. You may wonder how I got to Kettleburn's computer. Good investigators never reveal their
59 methodology.

60 Secondly, Kowalski should have secured the crime scene at the moment Kowalski arrived, instead of
61 wandering around with Nicky Flamel and contaminating the fingerprint and footprint evidence. This is
62 sloppy procedure as is further evidenced by the fact that although Kowalski purportedly found four alleged

63 “fresh” footprints at the crime scene, Kowalski only reported on three of those. It is obvious to me that
64 Detective Kowalski was embarrassed by the fact that one set of footprints actually belong to Kowalski!

65 Kowalski assumed that the window allegedly broken at Professor Kettleburn’s office was broken
66 from the outside. But nowhere in Kowalski’s report is there any indication that a glass shard analysis was
67 done to determine the angle of breakage on the edges of the individual shards of glass. Had such an analysis
68 been done, simple physics could determine whether the pieces had broken from an inward or outward force. I
69 asked to inspect the glass for myself but was told the glass is no longer there; it’s all been cleaned up.
70 Moreover, in the detective’s own witness statement, Kowalski readily admits to being concerned about how
71 all the glass seemed neatly piled close to the window, yet Kowalski did not bother to have a glass analysis
72 done. From the pictures of the crime scene I reviewed, it seemed more likely that the glass had been broken
73 from the inside and piled up near the windowsill. In my experience, it looks more like a fake job than a real
74 breaking and entering. Although, since I never really was at the scene, it is impossible to say for sure by just
75 looking at the pictures.

76 As far as the fingerprint evidence discovered in Dr. Kettleburn’s office, Kowalski admits that the set
77 “may or may not” be a match for Riley Steward. According to the National Academy of Forensic Experts
78 (NAFE), of which I have been a member for almost 14 years now, at least four of the five nodes on anyone
79 must be a good match before a positive ID can be made. In the case of the partial prints alleged by Kowalski
80 to be those of Steward, both the quality and number of clear prints are insufficient to make a positive ID.
81 Moreover, a simple comparison of the prints taken by Detective Kowalski to those done by the Human
82 Relations Department of the University of Colorado at Boulder will show that they did a much better job of
83 getting readable prints than did the Golden Police Department. The Golden PD did such a poor job that they
84 ultimately used the University’s prints as the prints for comparison. Perhaps the Golden Police Department
85 should farm out its fingerprinting and other forensics work to the University’s Human Relations Department.

86 I sound bitter about the Golden Police Department because I have good reason to. They are
87 constantly harassing me in my efforts to do my work. Police Departments in general, and Golden’s in
88 particular, simply do not like private investigators. We get in the way and, more often than not, are better
89 educated and more accurate than your average cop. I am a member of MENSA and have an IQ of over 160.
90 Anyway, the Golden PD blocks me at every turn and is one of the most uncooperative departments with
91 which I have to work. They even hassle me about getting my weapon re-registered every three years. I wish
92 there was a way to clean house in that police department. I can even remember several occasions when

93 Detective Kowalski in particular made disparaging remarks to me. Once Kowalski called me an
94 “incompetent bounty hunter” and, on another occasion, referred to me as “nothing but a rent-a-cop.”

95 I’d love to talk about the so-called footprint “evidence.” To begin with, even though Kowalski’s
96 forensics team allegedly came up with four “fresh” footprints at the crime scene, Kowalski only mentions
97 three in the detective’s witness statement. And, why is that you might ask? Because the fourth set of prints
98 were those of Kowalski when the detective compromised the investigation by walking around all over the
99 scene before securing it. Then there is the questionable footprint analysis method used by Kowalski and
100 Kowalski’s incompetent police department. Talk about things you only see on CSI—Kowalski used a
101 method called “latent foot printing”. According to the NAFE, latent footprint analysis has not been
102 developed to the point where it is 100 percent reliable in a court of law. You would be correct to say that
103 NAFE’s rules and regulations are not legally binding on police departments, but in my opinion, no decent
104 investigator will use techniques not authorized or supported by the NAFE. I have had this argument with the
105 people at the Golden PD before and it does not surprise me that they choose to ignore the NAFE. More
106 importantly, nothing in the research that exists on this new latent footprint technique suggests that it is
107 accurate enough to be able to determine that a print is less than 72 hours old. I have no idea where the
108 wizards at the Golden PD crime lab came up with that one. But here is the real kicker for me. Since there
109 was a “Seven Degrees Party” on that very patio two nights before the alleged break-in, and Riley Steward,
110 along with others, was invited to that get-together, what possible value would it be to the investigation even
111 if one of the sets of footprints did belong to Steward? Moreover, Kowalski readily admits to having come
112 nowhere close to comparing the detective’s magical latent footprints with the plaster casts of all faculty and
113 staff members. Finally, if you look at the latent print analysis by the Golden PD you can see that, at best, the
114 match for Steward is only 50 percent while it is over 90 percent for the other two prints.

115 A good investigator has to be resourceful, and Kowalski is anything but. There’s not only the letter of
116 the law, but also the intent of the law and Kowalski is too hung up on the letter. For example, out in
117 California, pretexting is a common way for investigators to gather phone, bank, and internet records about
118 someone under investigation. All I had to do was call up and pretend—that’s the pretexting part—to be Riley
119 Steward, and I was given access to everything I needed. Same with Nicky Flamel. It is clear that Riley
120 Steward was at home the night of August 11, 2018, because Professor Steward lives alone and the
121 professor’s internet records indicate continuous bandwidth usage all night. Nicky Flamel, on the other hand,
122 claims to have made a call to Sydney Kettleburn at about 9:00 p.m. on August 11, 2018, but neither Flamel’s

123 Verizon Wireless/AT&T/Qwest records indicate such a call was ever made. A little ingenuity can go a long
124 way in an investigation!

125 The last concern I have about the investigation stems from Kowalski's failure to pursue Nicky
126 Flamel's involvement in this case. What was Nicky doing in the bushes at the crime scene? Why did Nicky
127 Flamel forget until the last moment about having a key to Kettleburn's office? Why did Nicky rush right up
128 the stairs to where Kettleburn lay? Why did Nicky disappear from the scene? Perhaps the answers to these
129 questions are clear and non-incriminating, but shouldn't a good investigator at least pursue them? Kowalski
130 did not. Neither did Kowalski discover, as I did, that the parcel of land behind the garage of Riley Steward,
131 where the alleged weapon and ladder were found, just happens to be along the route that Nicky Flamel would
132 have traveled to get to and from Professor Sydney Kettleburn's house from Nicky's residence.

133 I did know Nicky Flamel before this investigation. Nicky was involved with my 17 year-old child for
134 a couple of weeks before I put an end to it. What in the world is a 23 year-old graduate student doing running
135 around with a high school senior? It's not right, and I would not allow it. Flamel never did anything wrong to
136 my child that I know of, but that doesn't change the fact that Nicky Flamel is a would-be cradle robber.

137 I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of
138 that could be relevant to the events I discussed. I understand that I can and must update this statement if
139 anything new occurs to me before the trial.

Subscribed and Sworn to on this 24th day of October, 2018

Bellamy Lestrangle

Witness Signature

1 **ELLISON HICKS – WITNESS STATEMENT – DEFENSE**

2 My name is Ellison “Sherlock” Hicks, Ph.D. I am Chair of the History Department at Metropolitan
3 State College of Denver. Riley Steward is my dear friend and mentor; I’ve even named my eldest child—
4 Riley—in honor of my friend.

5 I belong to a new breed of historian. I’m highly educated in early American history, but my specialty
6 is forensic history and forensic anthropology. Forensic science is not limited to bones, blood and decaying
7 bodies. “Forensic” means “pertaining to, connected with, or used in courts of law” so “forensic
8 science” encompasses any scientific discipline applied to a legal issue, including my handwriting analysis.

9 I believe that each individual’s handwriting is as unique as his or her fingerprints, DNA and retina
10 scan. When authenticating documents, I not only compare the appearance of the handwritten letters on the
11 page between a known authentic document and the new one I’m trying to authenticate, but I also use my
12 expertise to analyze the writer’s personality and character, as shown by his or her handwriting, to aid in the
13 authentication process. My specialty is authenticating newly discovered early 19th century American
14 documents, as well as checking them for historical accuracy. I prefer this work to the classroom or grading
15 papers. Additionally, I believe my cutting edge work brings my college positive publicity. Isn’t that the
16 whole purpose of publish or perish for professors?

17 In the late 1990s, Spain asked me to authenticate documents attributed to Christopher Columbus.
18 While these documents were historically accurate, Columbus could not have penned them. The obvious
19 control and tension in the script, indicated by the writer’s struggle to maintain verticality and angularity in
20 letter forms, revealed the author’s self-control, emotional repression, and compulsive personality type.
21 Columbus was certainly NOT such a man. But, it was a masterful forgery. I’ve recently signed a book deal to
22 publish this work.

23 Last year, a descendant of Clement Moore hired me to determine whether Clement Moore really
24 wrote the classic “A Visit from St. Nicholas,” which first appeared anonymously in the Troy Sentinel in New
25 York on December 23, 1823. The controversy has been whether Moore, a rather dour Professor of Religion,
26 to whom the work is attributed, or Henry Livingston, a revolutionary war veteran, wrote this poem.
27 Livingston authored similar poems. Livingston often used anapest and certain rhymes like belly and jelly—
28 which are in “A Visit from St. Nicholas.” Unfortunately, I was not able to determine authorship of this
29 classic poem.

30 Now, I have been hired to authenticate the authorship of all of the works attributed to William
31 Shakespeare. My preliminary findings, not yet published, are that numerous individuals—not just one—did
32 the writing. Those findings, once published, will make for another big seller and more money for me.

33 My personality profiling through handwriting analysis also has helped the FBI solve cases. I am a
34 frequent legal consultant on such matters. I'm familiar with Blackstone's 1984 article "Are Expert Witnesses
35 Whores?" However, I can assure you that my professional conclusions cannot be bought. My good name is
36 of more value to me than any consulting fee. I'm already a wealthy person. I do this work because it's
37 fascinating, and I'm exceptionally gifted at it.

38 When asked, I was most eager to help Riley Steward do some handwriting analysis, including
39 profiling of a newly discovered journal page for Professor Steward's book. I graciously agreed to receive a
40 mere 0.25 percent of gross sales from the professor's book for my work in exchange for supplying—if
41 warranted—my "seal of approval."

42 Professor Steward e-mailed me copies of two documents for comparison and analysis. Those are
43 exhibits 1 and 2 in this case. Originals are preferable to copies, but sometimes, as this time, only copies are
44 available. There's less chance for error when working with originals, but I'm confident that using copies in
45 this case had no impact on my ultimate conclusions.

46 My work begins with research into documents of unquestioned authorship. In this case, one of the
47 copies was from an original November 1806 journal penned by Zebulon Pike, which is now housed at the
48 Library of Congress in Washington, D.C. From this exhibit 1, I constructed the author's profile.

49 In this clearly authentic Library of Congress journal, the writer maintains a vertical slant throughout
50 the text indicating good concentration, confidence and hard work, someone who doesn't shun the drudgery
51 of the mundane. Further, the angularity and regularity in arrangement and pressure indicate a man of courage
52 whose perseverance verges on stubbornness in the face of obstacles or adversity. He is purposeful and
53 disciplined to an extreme. Offsetting upper zone dominance—note the capital "Ts"—is the long, pressured
54 lower zone, sometimes with full loops sometimes blunt ended—note the way in which "y" and "g" extend
55 into and bluntly end in the lower zone. This writer has an authoritative nature and insists upon the imposition
56 of his will on others; the potential for cruelty is evident in the tepee formations in the t-stems and strong t-
57 bars with horizontal pressure. All of this fits to a "T" what is known historically about Zebulon Pike—who
58 persevered despite the obstacles and adversities encountered on his expedition.

59 Next, I did the same type of analysis on the sample from Santa Fe, exhibit 2, which I received from
60 Riley Steward. Controlling for outside factors, such as stress, that may impact writing from time to time is

61 relatively routine. A person's mood cannot mask his or her inner being as portrayed in his or her
62 handwriting. I am confident that my analysis is never wrong.

63 In the Library of Congress sample, notice the increased vertical distance between the lines of writing
64 when compared with the Santa Fe sample, supposedly recently unearthed in the Packers' barn. Writers have
65 the habit of doing this in all of their writing; it becomes a trademark. While not conclusive evidence of a
66 forgery, it allows me to begin to build a case. Next, notice the different style of cross-outs in the two
67 documents. The real deal, so to speak, exhibits cross-outs that are either horizontal or vertical, but not both at
68 the same time. The unauthenticated sample shows both vertical and horizontal cross-outs superimposed on
69 one another. This is really a rookie error in forgery. Finally, notice the verticality in the upper zone of the
70 lowercase "d" in the Santa Fe sample versus the upper zone leftward slant of the "d" in the Library of
71 Congress sample. My only question is how the forger ever expected to pass this off as the "real McCoy."

72 Further, note that the verb tensing is different in the two documents; the Library of Congress sample
73 is in all past tense while the Santa Fe one is not. Finally, it is highly unlikely that Zebulon Pike would have
74 put on paper any plans to gather intelligence with respect to a possible future invasion of Spanish territory—
75 as included in the Santa Fe sample—even if that may have been historically accurate. Why? Because Pike
76 would have been too concerned about whether such highly sensitive information could fall into the wrong
77 hands. For example, by the time Pike reached Santa Fe, his every move was being watched by the Spaniards,
78 hardly the time to put on paper anything that the Spaniards might find troublesome.

79 My conclusion is that two different people wrote the two documents. Only one, the Library of
80 Congress sample, was Pike's writing. The other is a clever and professional forgery, but nonetheless a
81 forgery, I'm sure. If the Santa Fe journal were authentic, it would be priceless—easily over \$100,000 at
82 auction—but since it's not, the forged document is not worth much more than the paper it's written on.
83 Once I completed my handwriting analysis, I called Professor Steward to deliver the good news personally. I
84 knew my colleague would be very pleased that the Santa Fe document is a forgery. Had there been even a
85 grain of truth there, it would have blown Professor Steward's thesis out of the water and jeopardized years of
86 research. Could Riley Steward have committed this dastardly burglary? I don't believe so. If the document
87 were authentic, Riley would have had a motive, but since the document was almost certainly a forgery, there
88 would have been no need to steal it. Why steal a fake? Riley would have had nothing to gain and everything
89 to lose. Besides, Riley is just not the sort of person to ever do anything so violent. It is not in Riley's nature.
90 Riley is a gentle spirit.

91 As a former member of the University of Colorado at Boulder History Department, I was invited to
92 the first “Seven Degrees of Separation” party of the academic year held at the home of Sydney Kettleburn.
93 While, in general, I do not much care for Professor Kettleburn, I do enjoy the opportunity to catch up with
94 old friends and colleagues. Unfortunately, I was witness to the unconscionable treatment of Riley Steward at
95 this party. Kettleburn started in early with some rather rude remarks and insulting comparisons between my
96 dear friend Riley and Zebulon Pike. Given how much Kettleburn was skewing the truth, I could see that
97 Riley was reaching the boiling point, so I made my way over to Riley to lend support. I was able to calm
98 Riley down a bit and encouraged my friend and colleague to walk it off. Riley headed inside the house.
99 When Riley returned a short while later, Riley seemed to be in a much better mood. I did overhear part of a
100 rather heated exchange between Riley and some graduate student about academic dishonesty. I do not think
101 that there was any physical contact between the two. And shortly thereafter, Riley left the party. I stayed a bit
102 longer to bask in the free food and beverage.

103 My contacts in the publishing business tell me that Riley’s book has been a big hit. Of course, I
104 would think that any scholarly work written by the distinguished Professor Riley Steward would be well
105 received. However, according to my sources, this little tiff between Riley Steward and Sydney Kettleburn
106 has generated considerable interest and increased sales. Bravo!

107 I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of
108 that could be relevant to the events I discussed. I understand that I can and must update this statement if
109 anything new occurs to me before the trial.

110 Subscribed and Sworn to on this 24th day of October, 2018

111 *Ellison Hicks*

112 _____
113 Witness Signature

APPLICABLE COLORADO CRIMINAL STATUTES

Colorado Revised Statute §18-3-202—Assault in the First Degree

- (1) A person commits the crime of assault in the first degree if:
- (a) With intent to cause serious bodily injury to another person, he or she causes serious bodily injury to any person by means of a deadly weapon;

Colorado Revised Statute § 18-4-202—Burglary in the First Degree

- (1) A person commits first degree burglary if the person knowingly enters unlawfully, or remains unlawfully after a lawful or unlawful entry, in a building, residence or occupied structure with intent to commit therein a crime, other than trespass, against another person or property, and if in effecting entry or while there or in immediate flight therefrom, the person or another participant in the crime assaults, causes bodily injury to, or menaces any person, or the person or another participant is armed with explosives or a deadly weapon. Such crime may include, but is not limited to, theft.

Colorado Revised Statute § 18-4-203—Burglary in the Second Degree

- (1) A person commits second degree burglary, if the person knowingly breaks an entrance into, enters unlawfully in, or remains unlawfully after a lawful or unlawful entry in the building, residence, or occupied structure with intent to commit therein a crime against another person or property.
- (2) Second degree burglary is a class 4 felony, but is a class 3 felony if it is a burglary of a residence.

Colorado Revised Statute §18-4-401—Theft

- (1) A person commits theft when he knowingly obtains or exercises control over anything of value of another without authorization, or by threat or deception, and:

(a) Intends to deprive the other person of the use or benefit of the thing of value; or

...

- (1.5) For the purposes of this section, a thing of value is that of “another” if anyone other than the defendant has a possessory or proprietary interest therein.

- (2) Theft is:

...

- (b) A class 1 petty offense if the value of the thing involved is less than fifty dollars;
- (c) A class 3 misdemeanor if the value of the thing involved is fifty dollars or more but less than three hundred dollars;
- (d) A class 2 misdemeanor if the value of the thing involved is three hundred dollars or more but less than seven hundred fifty dollars;
- (e) A class 1 misdemeanor if the value of the thing involved is seven hundred fifty dollars or more, but less than two thousand dollars;
- (f) A class 6 felony if the value of the thing involved is two thousand dollars or more but less than five thousand dollars;
- (g) A class 5 felony if the value of the thing involved is five thousand dollars or more but less than one hundred thousand dollars;

ADDITIONAL COLORADO CRIMINAL STATUTES
AND JURY INSTRUCTION
(as modified for this mock trial)

Colorado Revised Statute § 18-1-901—Definitions

(1) Definitions set forth below apply whenever used in any other section of the Colorado criminal statutes

....

(3) ...

(c) “Bodily injury” means physical pain, illness, or any impairment of physical or mental condition....

(e) “Deadly weapon” means any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury:

(I) A firearm, whether loaded or unloaded;

(II) A knife;

(III) A bludgeon; or

(IV) Any other weapon, device, instrument, material, or substance, whether animate or inanimate

(p) “Serious bodily injury” means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, unconsciousness, or burns of the second or third degree....

Colorado Criminal Jury Instruction – Presumption of Innocence, Burden of Proof, and Reasonable Doubt

Every person charged with a crime is presumed innocent. This presumption of innocence remains with the defendant throughout the trial and should be given effect by you unless, after considering all of the evidence, you are then convinced that the defendant is guilty beyond a reasonable doubt.

The burden of proof is upon the prosecution to prove to the satisfaction of the jury beyond a reasonable doubt the existence of all of the elements necessary to constitute the crime charged.

Reasonable doubt means a doubt based upon reason and common sense which arises from a fair and rational consideration of all of the evidence, or the lack of evidence, in the case. It is a doubt which is not a vague, speculative or imaginary doubt, but such a doubt as would cause reasonable people to hesitate to act in matters of importance to themselves.

If you find from the evidence that each and every element has been proven beyond a reasonable doubt, you should find the defendant guilty. If you find from the evidence that the prosecution has failed to prove any one or more of the elements beyond a reasonable doubt, you should find the defendant not guilty.

If you are not satisfied beyond a reasonable doubt that the defendant is guilty of an offense charged, the defendant may, however, be found guilty of any lesser offense, the commission of which is necessarily included in the offense charged if the evidence is sufficient to establish the defendant’s guilt of the lesser offense beyond a reasonable doubt. The offense of Burglary in the First Degree, as charged in the complaint in this case necessarily includes the lesser offense of Burglary in the Second Degree.

Zebulon Pike Journal

Copy from Library of Congress

Thursday, November 27, 1806

The unbounded prairie was overhung with clouds which appeared like the ocean in a storm, wave piled upon wave and foaming whilst the sky was perfectly clear where we were. The beauty of this land was so exquisite - amazing beyond anything I had ever imagined.

When a small blue cloud first appeared 12 days ago to our west, at first, we assumed that we were seeing more ~~forming~~ foaming clouds. Then, as we drew nearer, the highest, the most magnificent, the most rugged steel blue gray mountain range appeared on the western horizon. The summit of Grand Peak, the highest peak in the range, was sparkly white, like diamonds in the rough, from the eternal snow. While we expected to reach the base and ascend this rugged highest peak within

a few days, it has taken us 12 days to reach the base and start our ascent.

With courage and dedication, we have persevered, regardless of the perils, the hardships, and the weather, toward the summit. After that, we have continued our quest for the headwaters of the Arkansas and Red Rivers. Like Lewis and Clark, we are making history.

Zebulon Pike Journal from Santa Fe

Tuesday, February 18, 1807

Now that I'm deep into Spanish territory as planned, I'm concerned about whether I will be able to fulfill my true mission. The Spaniards are suspicious and watchful, making my mission all the more perilous. I can't risk having the Spaniards find my journals so I must hide them. (I'm hiding this in a small narrow crack in the wall of a house near Santa Fe - without knowing if anyone will ever find it or read it.)

My men are no longer complaining about the ~~###~~ freezing weather or difficulty finding food. The accommodations, the food, and the women provided by the Spaniards are more than adequate.

I promised General Wilkinson, my commander, that I will gather information from the Spanish controlled territory, including their military numbers, their defenses, their economic conditions, their strengths, their weaknesses, and their popularity among the people living there. Upon my return, God willing, I will give a full accounting of all ~~#####~~ intelligence gathered to General Wilkinson. Then he can decide whether he and Aaron Burr want to invade there for their own military purposes or simply expand economically into the fur trade there, or both, or neither. As my commander, he decides what use to make of the information and how much, if any, accurate information he will pass on to President Jefferson. The President is so trusting of those under his command; he does not realize the conspiracy plots swarming around him.

General Wilkinson promises me that upon my return, God willing, I will be promoted to at least Captain, possibly higher, and given my own company to command. Additionally, he promised that for my courageous patriotism, I will be given the same rewards, benefits, and honors that are expected to be bestowed upon ~~the~~ Lewis and Clark following their less arduous expedition.



Police Department Final Fingerprint Analysis Report

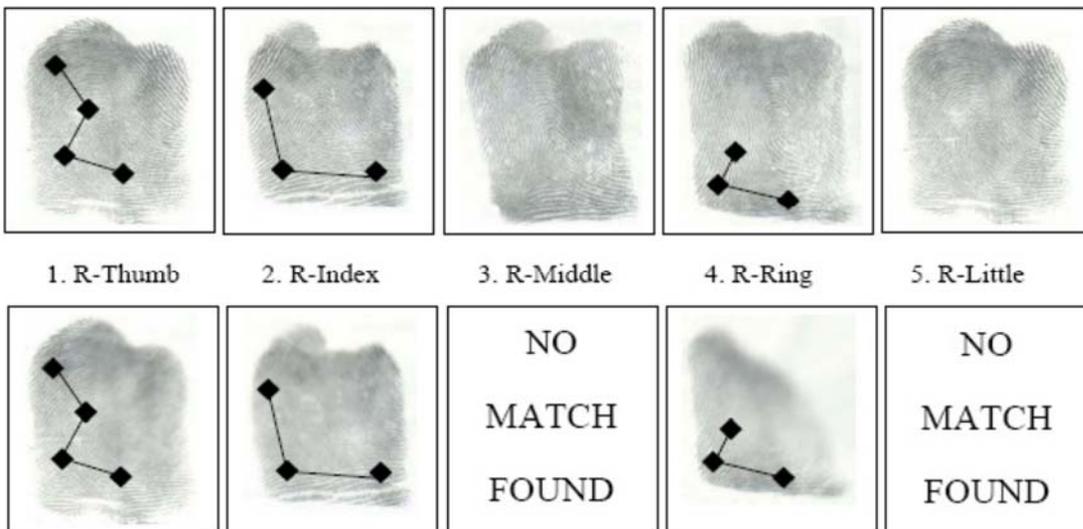
Submission Date: 08/09/18 (by: Det. J. Kowalski)

Report Date: 08/24/18 (by: C. Turner, Ph.D.)

Case Number: 18-09095

Notes: Prints lifted from white filing cabinet in Professor Sydney Kettleburn’s home office and compared to prints belonging to Professor Riley Steward from the Human Resources Dept. at CU.

Conclusions: The file prints are in OUTSTANDING shape—textbook quality. The comparison prints are of lesser quality, as they typically are when lifted from a crime scene. I am disappointed in the overall quality of the impressions submitted by Det. Kowalski as the excessive smudging seems to have come from a secondary source. This would only be the case if someone touched an object after the suspect had touched it. While I was unable to find any lifted sample that would match those for the suspect’s R-M and R-L, I was able to achieve reliable comparisons for the R-T, R-I, and R-R. Computer analysis indicates four (4) comparison nodes within R-T. While six (6) comparison nodes are considered a perfect match, four is considered to be highly reliable. For both R-I and R-R only three (3) comparison nodes were identified. While indicating a likelihood of a match, a three-node match is generally not considered to be reliable on its own. Taking a holistic approach to the analysis—looking at the three “matches” together—allows one to conclude with a reasonable degree of certainty that the suspect did, in fact, at some point in time, touch the cabinet.



Analyst Signature: *C. Turner, Ph.D. - Department Head*

City of Golden Police Department
Latent Footprint Analysis Report

Submission Date: 08/09/18 (by: Det. J. Kowalski)

Report Date: 08/24/18 (by: C. Turner, Ph.D.)

Case Number: 18-09095

Notes: All prints were lifted from the brick patio behind Professor Sydney Kettleburn's house under the broken window of Kettleburn's home office. These latent prints were compared with plaster casts obtained by the Golden Police Department detectives from party-goers at Kettleburn's home.

Conclusions: Latent shoe prints are impressions of shoe treads left by an individual on a surface. Standard fingerprint powders applied to the surface revealed prints at the scene not visible to the naked eye. Because of its low absorption rate for moisture deposited from the rubberized soles of shoes, the brick "Seven Degrees" patio outside the victim's office window provided an ideal surface for the recovery of latent shoe prints. Additionally, weather and temperature conditions were highly conducive to the preservation of the latents. Unfortunately, latent shoe prints, such as these, are fragile and can be damaged if further contact is made after the print is placed—such as by first responders or curious rubber-neckers. This seems to be the case here, particularly with the print allegedly left by R. Steward. Analysis #1 reveals a 62% likelihood that the latent print found at the scene is a match with the impression taken from R. Steward's Nike shoes. Further, time regression analysis determined that these prints had been left on the patio less than 72 hours prior to them being lifted on the morning of August 12. More conclusive results could not be obtained because of contamination of the prints from another source. Analysis #2 reveals a 92% likelihood that the latent print found at the scene is a match with the impression taken from CU Dean Gilbert Grindelwald's Keds shoes. Analysis #3 reveals a 96% likelihood that the latent print found at the scene is a match with the impression taken from Nicky Flamel's Reebok shoes. Time regression analysis performed on Grindelwald's alleged prints and Flamel's alleged prints, was inconclusive.

Remarks: Since the analysis of latent footprints is relatively new in the field of forensic science, I have attached a short column written by a well-known professional in the field explaining the science involved. Don't hesitate to contact me if you have further questions.

Analyst Signature: C. Turner, Ph.D. - Department Head



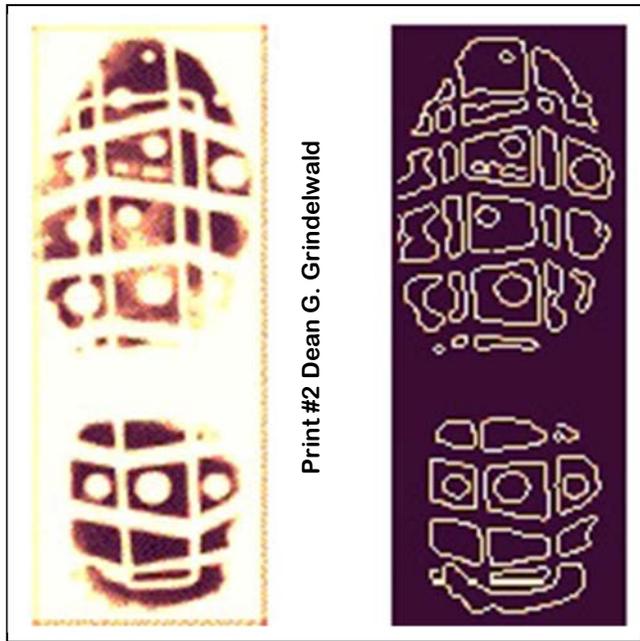
Print #1 Professor R. Steward

LATENT FOOTPRINT IMAGERY ANALYSIS #1

Comparison of latent imagery for print on the left to plaster caste of suspect's Nikes resulted in a 62% accuracy match for suspect R. Steward.

LATENT FOOTPRINT IMAGERY ANALYSIS #2

Comparison of latent imagery for print on the left to plaster caste of Dean Gilbert Grindelwald's Keds resulted in a 92% accuracy match.



Print #2 Dean G. Grindelwald

LATENT FOOTPRINT IMAGERY ANALYSIS #3

Comparison of latent imagery for print on the left to plaster caste of witness Nicky Flamel's Reeboks resulted in a 96% accuracy match.



Print #3 N. Flamel

FOCUS ON FORENSICS: LATENT SHOEPRINT ANALYSIS

For decades, fingerprints have provided investigators invaluable clues to establish the identity of criminals. Yet, another type of print impression that could be just as valuable has been widely overlooked. Latent shoe prints exist in almost all interior crime scenes, but are often ignored by investigators or destroyed by initial responders before the prints can be processed.

Latent shoe prints are impressions of shoe treads left by an individual on a surface. While these prints cannot be seen by the naked eye, they can be revealed using standard fingerprint powders. Although investigators routinely search for visible shoe prints on interior surfaces and shoe impressions in exterior crime scenes, they often overlook the existence of latent shoe prints.

Like fingerprints, latent shoe prints can be used to place a suspect at a crime scene. Though each shoe manufacturer produces hundreds of various styles of footwear with the same tread design, these identical prints quickly become unique through the owner's use. Wear will vary depending on individual walking styles and contact with different surfaces. Any scratch, nick or cut will result in points of comparison, making the shoe "one of a kind."

Most casual shoes have rubberized soles that, when exposed to light amounts of moisture, react in a way similar to a finger leaving its mark on a surface. Vinyl linoleum, smooth tile, and painted floors provide the best surfaces for recovery of latent shoe prints.

Many of the same factors that are involved in lifting fingerprints are to be considered in recovering latent shoe prints. The surface must be smooth enough to reveal the characteristics of the soles. Temperature and weather conditions must be conducive to preservation of the impressions. And, like fingerprints, latent shoe prints are fragile and can be damaged if further contact is made after the print is placed. They can be easily altered or destroyed by first responders and curious bystanders; therefore, it is important to carefully secure the crime scene if recovery of the prints is to be successful.

Latent shoe prints have not been widely used in crime scene investigations. Although recovery of the prints depends on several unpredictable variables, they may yield valuable information and, therefore, should be considered a viable option for investigators.

These are not NAFE approved or endorsed.

City of Golden Police Department

Case Number: 18-0905

Notes: Professor Sydney Kettleburn Body



City of Golden Police Department

Case Number: 18-0905

Notes: Professor **Sydney Kettleburn** home office (1)



City of Golden Police Department

Case Number: 18-0905

Notes: Professor Sydney Kettleburn home office (2)



City of Golden Police Department

Case Number: 18-0905

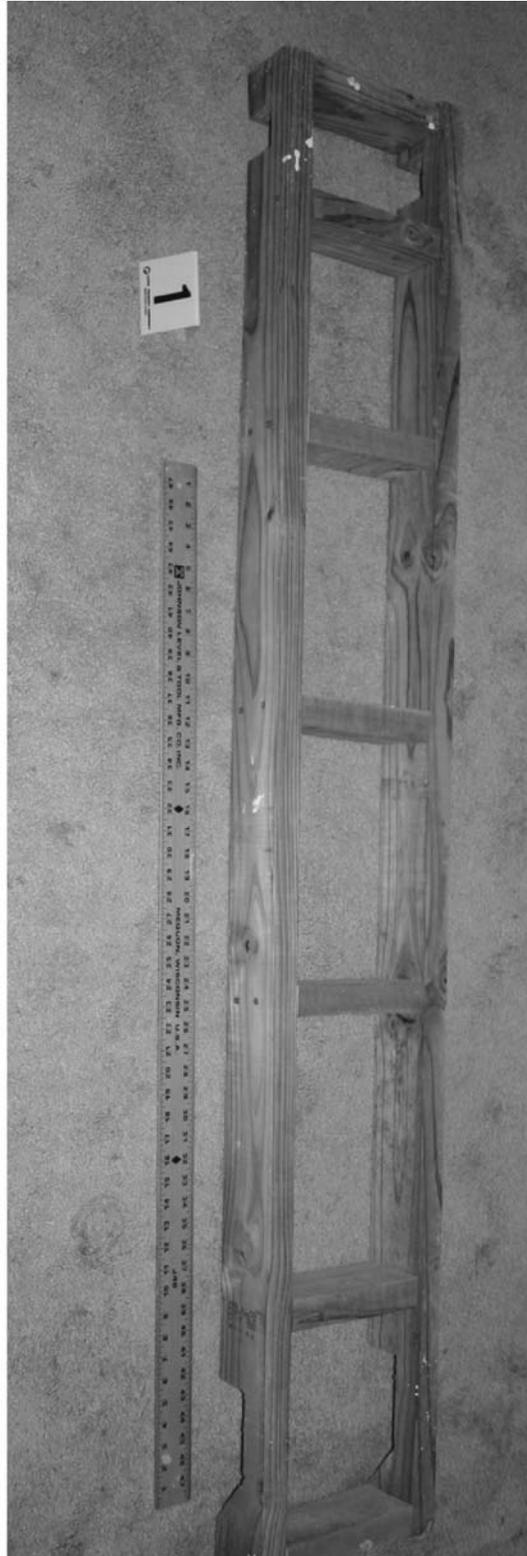
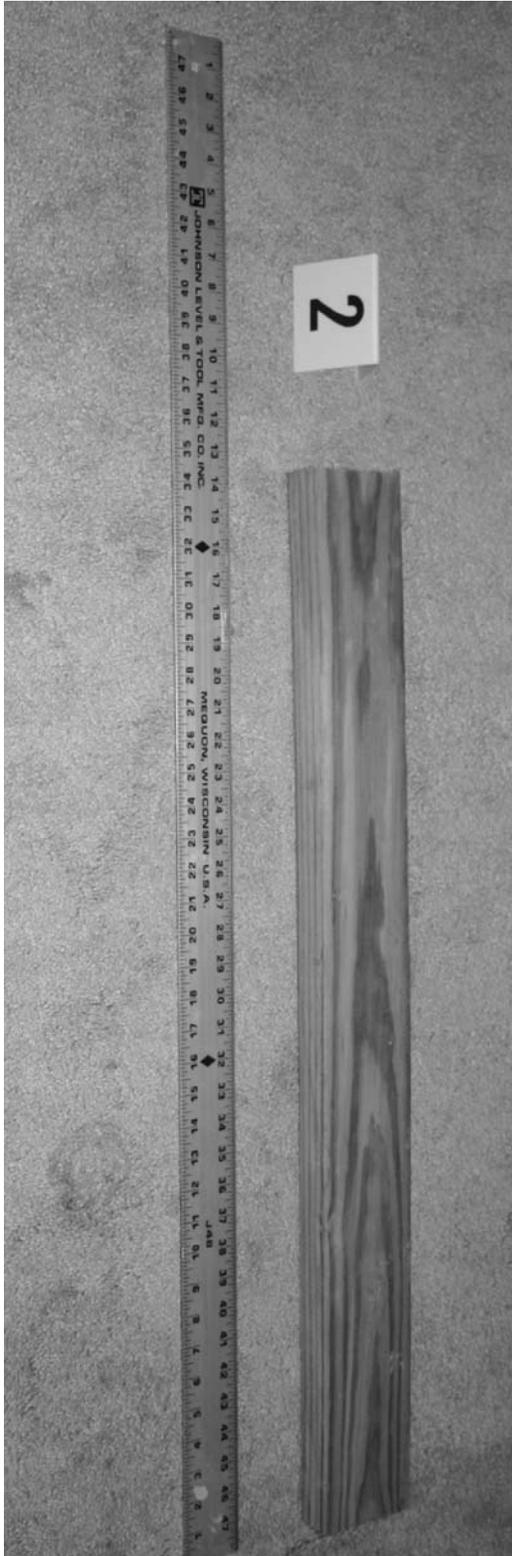
Notes: Professor Sydney Kettleburn home office (3)



City of Golden Police Department

Case Number: 18-09095

Notes: Ladder and Lumber





UNIVERSITY OF COLORADO
At Boulder

DEPARTMENT OF HISTORY

July 15, 2018

Professor Sydney Kettleburn
57871 Indiana St.
Golden, CO 80403

Dear Professor Kettleburn:

It has come to my attention that you claim to be in possession of documents that you and your TA claim are authentic missing journals from Zebulon Pike's expedition. You know very well that said documents are clearly suspect. In fact I have every reason to believe that these are nothing more than fraudulent "documents" orchestrated by you and Nicky Flamel to somehow undermine the pending publication of my new book on President Thomas Jefferson's political strategies and various expeditions of exploration during his Presidency, including Zebulon Pike's expedition.

Please be advised that I have been in contact with my lawyers and publisher and intend to fight this spurious and slanderous little plan of yours. Unless you cease and desist immediately, I will have no alternative but to pursue legal action against you. That ultimately may lead to your being fired. You can also tell that small-minded, slimy, little Teaching Assistant of yours that it will be a cold day in hell before I give my support to Flamel's dissertation.

Disgustedly,

Riley Steward
Joel and Sharon S. Greer Chair of Distinguished Teaching
History Department
University of Colorado at Boulder

cc: Nicky Flamel

234 UCB * Hellesms, Room 204 * Boulder, CO 80309
Telephone: 303-492-6683 * Fax: 303-492-1868 * history@colorado.edu



UNIVERSITY OF COLORADO
At Boulder

DEPARTMENT OF HISTORY

File Copy

July 17, 2018

Professor Riley Steward
234 UCB
Hellems, Room 204
Boulder, CO 80309

Dear Professor Steward:

This will confirm that I am in receipt of your letter of July 15th. Riley, I must say that I am taken aback by both the tone of your letter and the extent of your hollow threats against Nicky Flamel and me.

Riley, we have been colleagues for a long time and it pains me that you would take such a hostile position against me with regard to this issue. I know that our finding could have a serious impact on the validity of the thesis of your upcoming book and for that I am truly sorry. However, it would be against the ethics of our profession for me to cover-up or ignore what clearly seems to be an authentic document that adds to our historical knowledge of an important bit of Americana.

I implore you to reconsider your position on this matter. Failure to do so will only bring shame and embarrassment to both you and our department.

Sincerely,

Sydney Kettleburn

Sydney Kettleburn, PhD
History Department
University of Colorado

cc: Nicky Flamel