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INCIDENT STATUS Open			

back on top of the bed as she crawled under the bed. Glover then remembers one suspect walking into the bedroom and asking "where is the shit." She heard a second voice coming from another part of the house saying something like....we got it... or ... lets go. She explained the voice she remembers hearing in the bedroom sounded like that of younger person. She said it sounded like a kid. Glover further indicated the voice was not deep. She gave a limited description of the suspect because the lights were off in the bedroom making it difficult to see any descriptive features or items on or about the suspect. She said the suspect was wearing all black.

Audio interview with Valerie Glover

WITNESS:

(DPD SGT) NAM: MICHAEL RUSSELL

		RAC: B	ETH: U
NBR: 1301 DIR:		SEX: M	OPS:
STR: THIRD		DOB:	SSN:
SFX: STREET		HGT:	SID:
CTY: DETROIT	ST: MI	WGT:	FBI:
TXH:	ZIP: 48226	HAI:	MNU:
TXW: EYE: PRN:			

INTERVIEW SGT MICHAEL RUSSELL:

A second interview was conducted with DPD Sgt Michael Russell on 11-3-15. The interview was conducted at DPD Headquarters by D/Sgts Corriveau and Donahue. The interview was audio recorded and a transcript was made of this interview. See below links for details of the interview.

Russell 2a - 031115.WMA

Interview with Michael Russell Conducted by DS Corriveau and Donahue 11-3-15.pdf

STATUS:

Open (Report completed by D/Sgt. Roti)

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SUPPLEMENTAL REPORT 11-K (#10)

HOMICIDE

JOURNAL:

05/18/15	D/Lt. Smiley	Initial Review.
05/21/15	D/Lt. Smiley	Supp #2 reviewed. Pends further.
06/24/15	D/Lt.Smiley	Supp #1 reviewed. Pends further.
07/21/15	D/Lt. Smiley	M/R. Pends further.
08/18/15	D/Lt. Smiley	M/R. Pends further.
08/26/15	D/Lt. Smiley	Supp #3, #5 and #8 reviewed. Pends further.
09/21/15	D/Lt. Smiley	M/R. Pends further.
10/20/15	D/Lt. Smiley	M/R. Pends further.
STATUS:		

Open (Report completed by D/Lt. Smiley)

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SUPPLEMENTAL REPORT 12-L (#11)

HOMICIDE

SUSPECT:

NAM: VINCENT SMOTHERS

	RAC:	ETH:
NBR	SEX:	OPS:
STR:	DOB:	SSN:
SFX:	HGT:	SID:
CTY:	WGT	FBI:
TXH	HAI:	MNU
TXW		

INTERVIEW VINCENT "VITTO" SMOTHERS:

Vincent Smothers was interviewed on 12/08/15, by D/Sgts Corriveau, Donahue, and Roti. The interview took place at the Macomb Correctional facility. Also present for the interview was Smothers' attorney Gabbi Silver. The interview was audio recorded and a transcript was made. See below links for details of interview.

Smothers 120815.WMA

Interview with Vincent Smothers by DS Corriveau and Roti 12-8-15.pdf

STATUS:

Open

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SUPPLEMENTAL REPORT 13-M (#15)

HOMICIDE

OTHER PERSONS:

NAM: LLOYD JAMES STEED

		RAC	ETH
NBR:		SEX:	OPS:
STR: :	1	DOB	. SSN:
SFX::	:	HGT	SID:
CTY:		WGI	FBI:
TXH:		HAI:	MNU:
MB· ′			

INTERVIEW LLOYD STEED:

Lloyd Steed was interviewed at the MSP Metro North Post on 12-16-15, and 12-22-15. He was interviewed by D/Sgts Corriveau, Donahue, and Roti. The interview was audio and video recorded. Below is the summary of information that Steed provided to investigators.

Through our investigation and with the assistance of the ATF we were able to determine the Springfield 40 caliber pistol that we have in our possession (specifically AICS property # 51) was purchased by a person by a Brent Ring Mullins. Mullins was interviewed by ATF agents and informed them that he either sold or traded this firearm to a subject by the name of Brett Ball for either prescription pills or cocaine. Brent Ball is now deceased. Mullins advised that when he sold or traded the firearm he intended to eventually get the gun back. When he attempted to get the gun back he was told by Ball that he (Ball) had already sold/ traded the gun to "Money." "Money" was known as a drug dealer from Detroit. Through this investigation "Money" has been identified as Lloyd Steed. It should also be noted that Lloyd "Money" Steed was subsequently indicted, along with over 20 other individuals, by the ATF for his involvement in a drug conspiracy case that involved subjects from the states of Tennessee, Virginia, and Michigan among others.

ROI 2.pdf

On 12-16-15, Steed was interviewed by D/Sgts Corriveau, Donahue, and Roti. A follow up interview was also conducted on 12-22-15, at the Metro North Post with D/Sgt Corriveau. We explained our reasoning for conducting our interview with him. Steed subsequently denied having any involvement with any gun, more specifically the Springfield 40 cal. pistol. Steed acknowledged his drug dealing indictment; however he was

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adamant about never having a gun or even dealing with guns.

When we advised him of the information regarding the gun being given/ sold to "Money" who was a drug dealer from Detroit he said there were many other people with the name "Money." He provided the name of Shawn Banks who he said was also from Detroit that was part of the federal indictment he was charge in. Steed said he did not recognize Michael Robinson or any of the other victims of the Runyon St homicides. He did acknowledge being familiar with the area in and around Runyon St. When asked about taking a polygraph Steed indicated he would take one.

Audio interview with Lloyd Steed (First interview)

Audio interview with Lloyd Steed (Second interview)

STATUS:

Open (Report completed by D/Sgt. Roti)

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SUPPLEMENTAL REPORT 14-N (#12)

HOMICIDE

WITNESS:

NAM: BARBARA J SIMON

	RAC.	ETH: U
NBR:	SEX:	OPS:
STR:	DOB:	SSN:
SFX:	HGT:	SID:
CTY·	WGT:	FBI:
TXH	HAI:	MNU:
TXV.	EYE:	PRN:
MB:		

INTERVIEW BARBARA SIMON:

D/Sgts. Corriveau and Roti met with Barbara Simon on the morning of 12-17-15, at the Cadillac Place in the City of Detroit. We explained the purpose of our interview. Below is a summary of the information that Simon provided to us.

Simon stated she was assigned the Runyon St case the day after the actual incident and was subsequently listed as the officer in charge (OIC). She explained she did not respond to the initial crime scene. Simon acknowledged that even though she was the OIC, Sgt Mike Russell handled a majority of the information in this case. Simon said she remembers conducting a search warrant at Sanford's residence where they recovered a pair of gym shoes. She also remembers a drawing, however she was not present when the drawing was made. Simon further explained she was the one who completed the investigators report for this case.

We asked if she ever became aware of Vincent Smothers to which she stated she only heard of him after the Rose Cobb homicide. It was then asked if she recalled anyone ever bringing information to her regarding Vincent Smothers admitting or confessing to the Runyon St homicides. Simon stated she does not remember anyone coming to her with information about Vincent Smothers. Simon explained she would have taken further steps/ actions if she would have been made aware of Vincent Smothers being involved in the Runyon St homicides. She also stated that she would have remembered if someone informed her of such information.

Audio interview with Barb Simon

STATUS: Open (Report completed by D/Sgt. Roti)

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INCIDENT STATUS Open				

SUPPLEMENTAL REPORT 15-O (#13)

HOMICIDE

OTHER PERSONS:

NAM: ANTONIO JUVON LANGSTON

		RAC:	ETH:
NBR:	DIR:	SEX:	OPS.
STR:		DOB:	SSN:
SFX:		HGT:	SID:
CTY:	ST:	WGT	FBI:
TXH:	ZIP:	HAI:	MNI
TXW:		EYE	PRN

INTERVIEW LANGSTON:

D/Sgts Corriveau and Roti met with and conducted a taped interview with Antonio Langston on the morning of 2-1-16, at the Carson City Correctional Facility. Below is a summary of the information Langston provided.

Langston indicated the day after the Runyon St incident he was at his house on Christy St waiting for his friend Angelo Gardner to pick him up. Just prior to Gardner arriving Langston said approximately ten police officers came to his house and arrested him. Gardner arrived a short time later and he was also taken into custody by the police. Langston said the police advised him he was being arrested on ticket/ traffic warrants. Both he and Garnder were then taken to what he thought was a police precinct where he then learned he was being questioned about a homicide involving multiple victims.

Langston said while at the precinct he was question by an officer by the name of Simon and her partner. He explained to investigators that on the night in question both he and Gardner were getting their hair done at a home on Albion St. by a female that Gardner knew. Langston said the house they were at belonged to Keenan Neilbach. He did not recall the name of the girl that did his hair.

Langson stated he did not see any photographs while he was at the precinct being interviewed. When asked why he was identified as being a suspect in this homicide investigation, he had no explanation. He said that he did not know Davontae Sanford nor had he ever met him, so he unsure how he became a suspect.

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Langston clarified that most people called him "Tone," and he was familiar with the area around the Runyon St venue. He explained that he did not know anyone by the name of Santo Green. However, he did know and hang out with a "Cary" a few times. Langston was unaware if "Cary" had ever been interviewed concerning this incident.

Langston further explained that after being held in police custody for 48-72 hours he was released and had not spoken with anyone else about this incident until an attorney he believed was helping Sanford met with him while he was in prison at the Carson City facility. He said the attorney primarily asked him about how he was treated by Simon when he was questioned. Langston also said that after being released he read an article in the newspaper about this incident, which is how he learned a bit more about what had allegedly occurred on Runyon St.

Audio interview with Antonio Langston

SUSPECT:

AKA: "NEMO" NAM: FRNEST ANTHONY DAVIS

	- X X - 1 X W		
		RAC:	ETH
NBR:		SEX:	OPS:
STR: `		DOB:	SSN:
SFX:		HGT:	SID:
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TXW	* .		

INTERVIEW ERNEST "NEMO" DAVIS:

On 2-4-16, D/Sgt Corriveau and Roti met with and conducted an interview with Ernest Davis at the Cooper Street Correctional Facility in Jackson, MI. The interview was audio recorded and a transcript was made. See links below for details of interview.

Ernest Davis 020416.WMA

Interview of Ernest Davis Conducted by DS Roti and Corriveau 2-4-16.pdf

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SUSPECT:

AKA: "VITTO"

NAM: VINCENT SMOTHERS

	RAC:	ETH:
NBR	SEX:]	OPS:
STR:	DOB:	SSN:
SFX:	HGT:	SID: I
CTY:	WGT:	FBI:
TXH:	HAI: J	MNU
TXW		

INTERVIEW VINCENT "VITTO" SMOTHERS:

The second interview of Vincent Smothers occurred on 2/26/15, with D/Sgts Corriveau, Donahue, and Roti. It again took place at the Macomb Correctional Facility. Also present for the interview was Smothers' attorney Gabbi Silver. The interview was audio recorded and a transcript was made. See below links for details of interview.

Smothers 022616.WMA

Smothers Interview 022616.pdf

STATUS:

Open (Report completed by D/Sgt. Roti)

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SUPPLEMENTAL REPORT 16-P (#16)

HOMICIDE

UPDATED JOURNAL ENTRIES:

11/09/15	Smiley	Supp #10 reviewed, investigation in ongoing
11/30/15	Smiley	M/R-investigation is on going
12/30/15	Smiley	M/R investigation in on going
1/12/16	Roti	Investigative team met with WCPA on 1/11/16 at 1500 hrs to discuss Investigative 5ubpoenas in regards to Tolbert, Russell, and Todd. PA reluctant to issue IS's. Inspector Menna and D/F/Lt. Powell in attendance w/ D/Sgt Corriveau.
1/26/16	Smiley	M/R investigation in on going
2/1/16	Roti	 On 1/29/16 an attempt to locate and interview Leroy Payne at his residence in Madison Heights. A business card was left, no call backs as of this date. On 2/1/15 Antonio Langston was interviewed at the Carson City Prison, no new info came from that, a brief supp report will be completed on this as well. Should also be noted that on 1/22/16 we ATL Santo Williams at; left a business card w/ Uncle, have not received a call back.
2/24/16	Smiley	M/R investigation is ongoing
3/14/16	Roti	Spoke with Shawnaon 3/11/15. We were advised she may have been a girlfriend of deceased victim Michael Robinson. In speaking with her it was determined that she lived at the venue with her husband after the incident, however she did not have a personal relationship with Robinson.
3/18/16	Smiley	M/R investigation continues

STATUS: Open (Report completed by D/Sgt. Roti)

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SUPPLEMENTAL REPORT 17-Q (#17)

HOMICIDE

OTHER PERSONS:

NAM: SANTO ANTONIO WILLIAMS

RAC:	ETH: U
SEX:	OPS:
DOB:	SSN:
HGT:	SID:
WGT:	FBI:
HAI:	MNU:
EYE:	PRN:
	SEX: DOB: HGT: WGT: HAI:

INTERVIEW WILLIAMS:

D/Sgts Corriveau, Brewer, and I made contact with Santo Williams at on 4-18-16, at approximately 1230 hrs. The conversation was audio recorded. A summary of what Williams provided to investigators is below.

Williams stated that he knew people in the neighborhood, but he did not know Sanford. He said he did NOT know Vincent Smothers, Ernest Davis, Leroy Payne, or any of the victims. Williams said this incident was a long time ago and he could did not remember much. Williams provided minimal investigative information during our interview.

Audio interview with Santo Williams

STATUS:

Open (Report completed by D/Sgt. Roti)

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INCIDENT STATUS Open			

SUPPLEMENTAL REPORT 18-R (#18)

HOMICIDE

OTHER PERSONS:

NAM: JAMES WILBUR DAVIS

	RAC:	ETH:
NBR:	SEX:	· OPS:
STR:	DOB:	SSN:
SFX:	HGT:	SID:
CTY:	WGT	FBI:
TXH:	HAI:	MNU:
TXW.	EYE:	PRN:
MB:		

INTERVIEW JAMES DAVIS:

D/ Sgts. Corriveau, Brewer, and Roti met with and interviewed James Davis at his residence on 4-18-16, at approximately 0930 hrs. The interview was audio recorded. Below is a summary of the information that Davis provided.

James Davis was able to provide some background information to us as it pertained to various people involved in this case. He stated that he is a blood related cousin to Ernest Davis. He acknowledged knowing who Vincent Smothers was, and referred to him as "Vito." James also said that Ernest Davis went by the nickname "Nemo." He said that most everyone knew each other from their school days. He did mention though he was about 4-5 years older than Ernest and he did not hang out with him or his friends on a regular basis.

James indicated that Ernest lived with him in Kentucky around the year 2001. While there James said that he never personally saw Vincent Smothers in Kentucky. He explained that he arrived back to Michigan late 2007 or early 2008.

We asked if police had ever questioned him regarding this incident, to which he replied no. He said through his attorney, Steve Fishman, he had advised law enforcement that he would be willing to discuss any matter the police wanted to speak with him about. However, that ever occurred. Upon questioning, James stated that he never showed any arrest warrant to Smothers, nor did he have a "contact" person within the Detroit Police Department.

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James acknowledged knowing Leroy Payne. However, he said that he knew Payne by the name "Bay-Bay." He indicated they used to gamble together in the neighborhood. James also believed that Payne was responsible for setting him up to be robbed years prior.

James voluntarily provided his phone number and indicated that he could be contacted at a later date if needed.

Audio interview with James Davis

The following links are to the photos shown to Applegate during the interview:

Vincent Smothers Davontae Sanford Leroy Payne Delano Thomas

STATUS:

Open (Report completed by D/Sgt. Roti)

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SUPPLEMENTAL REPORT 19-S (#22)

HOMICIDE

INFORMATION:

D/Sgt Corriveau was contacted on 4/19/16, by attorney Mark Magidson regarding our attempted contact with Leroy Payne for an interview. It was indicated that Magidson would contact his client, Payne, and advise us of the status on an interview with Payne.

Below is the response D/Sgt. Corriveau received from Magidson on 4/20/16, regarding an interview with Payne.

"Dear Detective Corriveau:

This is to confirm our conversation on April 19, 2016 where I indicated to you that Mr. Payne is going to decline the invitation to talk with you.

If any warrant or other Court Order is obtained, please advise me and I will arrange for his appearance. I can be contacted at (313)963-4311; 615 Griswold, Suite 810, Detroit, MI 48226: Fax: (313)961-6077; email: mmag100@aol.com

Very truly yours,

Mark H. Magidson"

STATUS:

Open (report completed by D/Sgt Roti)

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SUPPLEMENTAL REPORT 20-T (#20)

HOMICIDE

OTHER PERSONS:

NAM: JERRY BURTON

		RAC:	ETH
NBR		SEX:	OPS:
STR:		DOB:	SSN:
SFX:		HGT:	SID:
CTY:	:	WGT	FBI:
TXH:		HAI:	MNU
TXW			

INFORMATION:

On 1-14-16, a MSP lab report was authored regarding a DNA case association match (NV15-3762 report #5). This report stems from the submission of AICS property item #106 of this report number (20-900-15). Property item #106 was a glove recovered from the black duffel bag seized during the search warrant conducted at This association led to Jerry Burton being identified as the person whose DNA was found on/in the glove we submitted to the lab for testing.

Lab Reports\DNA Lab Report 3.pdf

Jerry Burton CSC Report 1

Jerry Burton CSC Report 2

Through our investigation we learned that Jerry Burton was currently being held in McKean Federal Prison in Lewis Run, PA. On 4-25-16, MSP D/Sgts Brewer and Roti conducted an interview with Burton at the prison. The interview was audio recorded. Below is a summary of the information Burton provided.

D/Sgts Brewer and Roti met with Burton in an intake cell at the McKean Federal Prison. After advising Burton as to why we were there he agreed to speak with us. The cell door remained unlocked and prior to the interview starting Burton was advised he could return to his cell at any time.

Burton advised he grew up in Detroit and was from the east side of the city. We showed him a picture of Ernest Davis, who he knew on the street as "Nemo." Burton was familiar with Nemo from the neighborhood.

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We then showed him a picture of Vincent Smothers who he recognized from the neighborhood as "Vitto." He explained that he knew Nemo and Vitto to hanging around together. Burton was then shown a picture of Davontae Sanford to which he stated he did not know him nor had he ever seen him in the neighborhood. A picture of James Davis was then shown to Burton and he again said that he did not know him. Next he was shown a picture of Leroy Payne. Burton said that this person looked familiar to him but he did not know his name. I asked him if he knew Leroy Payne and he said no.

I then asked if he knew anyone by the street name as "Bay-Bay" to which he said yes that was the name of the person whom I was showing him (Leroy Payne = "Bay-Bay"). When I asked him how he knew Bay-Bay he said from shooting dice with him in the neighborhood. Burton further explained that he knew Bay-Bay to sell drugs and shoot dice. He also knew Bay-Bay to have a black truck and a grey Marauder. Finally, I showed Burton a picture of Delano Thomas whom he said he did not know.

Burton was asked if he knew of any homicides that Vitto and Nemo had committed. He said that he heard of one homicide that occurred on Palmer involving a robbery at a house and then the house being burned down with an apparent victim inside.

Burton said that Vitto was smart and always had a gun with him and he had seen an AK rifle in the back seat of Vitto's vehicle when he came into the neighborhood. He had seen Vitto with 9mm and 40 cal pistols along with the AK47. Burton said he was scared of Vitto, because he knew Vitto to have a reputation that if you crossed him he would kill you. Burton explained that Smothers was smart about how he would kill people.

Burton said he had also seen Nemo with guns. He knew Nemo to carry a 40 cal pistol and he also thought he had a FN pistol. Burton explained the pistols that he saw with both Vitto and Nemo were black semi-auto pistols.

As we inquired about Bay-Bay (Leroy Payne) Burton seemed to think that Bay-Bay would put Vitto on "licks." Our understanding of a "lick" as he explained it was that of a robbery/ breaking and entering or a similar type of crime. I asked Burton how he knew of this to which he explained through his observations of how Bay-Bay acted and carried himself in the neighborhood he knew this. He said that Bay-Bay would sell drugs and shoot dice in the neighborhood, but never saw him with a weapon.

Burton was asked if he knew of any of the locations in which Vitto and Nemo may have kept any of their weapons. Burton said that Vitto had a "stash" spot in his vehicle and Nemo carried his gun with him. He was not aware of any other locations where the weapons were stored. I asked if he was familiar with an address on Promenade. He indicated that he knew that Nemo's female cousin lived on Promenade, but he was not sure of the address. He was familiar with Nemo's cousin from another neighborhood. I explained to Burton that a

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COMPLAINANT WAYNE COUNTY PROSECUTING ATT	CORNEY'S OFFICE	TELEPHONE (313)224-5	
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INCIDENT STATUS Open			, ,, ,, ,, ,

black duffle back was found at Nemo's cousin's house on Promenade and within that black duffel bag a number of items were found that included a glove that contained his DNA. Burton stated that he used to wear gloves when he stole catalytic converters. He said the gloves had a wrist strap on them and he would keep the gloves rather than discard them. I asked why the glove would have been found in the black duffle bag, to which he could not explain. He said that he had never seen or put anything into a black duffle bag.

Burton further explained that Nemo and Vitto appeared to be good friends and would often time see them multiple times a week in the neighborhood. He stated that he never worked with or helped Nemo or Vitto. Nor did he ever "hit a lick" with them. Burton also mentioned that a person by the name of "Duby" was Vitto's right hand man along with Nemo also being a very close friend.

It should be noted that prior to leaving Burton gave his consent to collect 2 DNA buccal swabs. A consent form was completed and the swabs were collected and submitted to the MSP lab in Northville for confirmation purposes.

Audio interview with Jerry Burton

DNA Consent Search Form-Jerry Burton

The following links are to the photos shown to Burton during the interview:

Vincent Smothers Davontae Sanford Leroy Payne Delano Thomas James Davis Ernest Davis

STATUS:

Open (completed by D/Sgt Roti)

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	WORK UNIT MSP 2ND DISTRICT SIS	COUNTY Wayne	
COMPLAINANT WAYNE COUNTY PROSECUTING ATTORNEY'S OFFICE		TELEPHONE (313)224-5	
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE MI	ZIP CODE 48226-
INCIDENT STATUS Open			

SUPPLEMENTAL REPORT 21-U (#21)

HOMICIDE

INFORMATION:

Through an ATF gun trace report we learned that Kenneth Alan Applegate was the original purchaser of the Springfield 45 that was subsequently recovered on the aforementioned Promenade St search warrant in the City of Detroit. This gun has been ballistically linked to the Runyon St homicides.

OTHER PERSONS:

NAM: KENNETH ALAN APPLEGATE

	RAC	ETH: U
NBR	OPS:	
STR:	DOB	SSN:
SFX:	HGT:	SID:
CTY	WGT	FBI:
TXB	HAI:	MNU:
TXV	EYE:	PRN:
MB: (615)306-2905		

AFT Trace Report - Applegate

INTERVIEW APPLEGATE:

On 5-2-16, at approximately 1600 hrs (Central Standard Time) D/Sgts Brewer and Roti along with ATF Special Agent Todd Stacy met with and interviewed Kenneth Applegate at the Rutherford Co Sheriff's Department in Tennessee. The interview was audio and video recorded. We learned after the conclusion of the interview there were problems with downloading the video portion of this interview.

Upon our interview starting Applegate was notified that he was not under arrest and free to leave at any time. We explained the reason for our interview and started by showing him numerous pictures. The pictures included Emest Davis (Nemo), Vincent Smothers (Vitto), Davontae Sanford, James Davis, Leroy Payne, and Delano Thomas all of which he indicated that he did not know or recognize.

Applegate explained the circumstances surrounding the incident of his pistol (AICS #50, which is a 45 cal Springfield) being stolen. He said that his gun was in a lock box in his Jeep. He further stated he thought the gun was under the driver's seat of his vehicle. However, the lock box was NOT locked on this occasion,

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	WORK UNIT MSP 2ND DISTRICT SIS	COUNTY Wayne	
COMPLAINANT WAYNE COUNTY PROSECUTING A	ITORNEY'S OFFICE	TELEPHONE NO. (313)224-5734	
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE ZIP CODE MI 48226-	÷
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which he could not explain. He also advised his Jeep did not have a top on it, thus making it very easy for someone to just reach in and take the pistol. I asked him what his thought process was in this situation and why he would place the gun in an open air vehicle and not locked up in the gun box. Applegate again could not explain his thought process or why he did what he did.

On the evening his gun was stolen he indicated that he was at a bar called Silverados. His Jeep was parked across the street in a Staples parking lot. He said when he came outside of the bar he saw three black males around his vehicle. However, he could not positively identify them. As he approached them they subsequently got into a dark colored Explorer and left the scene. Upon checking his vehicle he discovered his gun missing and contacted the police to report the gun as stolen. He indicated that he has not heard about the status of his gun until recently when ATF SA Stacy contacted him.

Lebanon PD Police Report

Applegate stated that he originally bought the gun for hog hunting in Florida. He typically did not carry the gun with him at all times. He was not sure why he had the gun with him on the date it was stolen. According to Applegate this was the only pistol he had ever purchased. We asked if he had ever been asked to purchase a gun for anyone else and he stated no.

We also asked Applegate to explain his criminal background, specifically the tampering with evidence and false police report. In our discussion he explained he had an incident involving taking pictures in a dressing room where he ended up hiding the camera, which is where he got the charge of tampering with evidence. It appeared during the adjudication process the tampering with evidence may have been pled down to a false police report. The purpose of this was to clarify if these charges had anything to do with possible gun related crimes.

Audio of interview conducted with Kenneth Applegate

The following links are to the photos shown to Applegate during the interview:

Vincent Smothers Davontae Sanford Leroy Payne Delano Thomas James Davis Emest Davis

STATUS:

Open (completed by D/Sgts Brewer and Roti)

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	WORK UNIT MSP 2ND DISTRICT SIS		
COMPLAINANT WAYNE COUNTY PROSECUTING ATTO	ORNEY'S OFFICE	TELEPHONE (313)224-5	
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE MI	ZIP CODE 48226-
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SUPPLEMENTAL REPORT 22-V (#19)

HOMICIDE

(GUN ASSOCIATIONS)

Gun with Matching Amo v2.pdf

INFORMATION:

- On September 17, 2007 @ 19741 Runyon St 4 people murdered.

- * DPD report 070918002
- * DPD evidence technicians collected numerous 45 caliber shell casings to include the six (6) listed below:
 - DPD #E24216104 = ATF #191 = AICS #38
 - DPD #E24217204 = ATF #202 = AICS #35
 - DPD #E24217504 = ATF #205 = AICS #33
 - DPD #E24215804 = ATF #188 = AICS #40
 - DPD #E24216004 = ATF #190 = AICS #39
 - DPD #E24217104 = ATF #201 = AICS #34
- * DPD evidence technicians collected numerous 30 caliber shell casings to including the one (1) listed below:
 - DPD #E24218004 = ATF #210 = AICS #32
 - This cartridge casing was also subsequently linked to the weapon that was also used (DPD incident # 071170458) and (DPD incident # 0803090032) see gun association chart.
- * DPD evidence technicians collected numerous Wolf brand cartridge casings.
- * No guns were found at the scene of 19741 Runyon St.

Evid Tech Report - Sketch Scene.pdf

- On April 19, 2008 Vincent Smothers is arrested by Detroit Violent Crimes Task Force.

* Smothers subsequently confessed to numerous homicides to included 19741 Runyon St.

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* During Smother's numerous interviews he indicates the guns used in the homicides were kept at

- On April 20, 2008 Detroit VCTF drafts search warrant and executes search warrant on at ______ * DPD report #0804200152

Search Warrant for

Promenade Search Warrant Report.pdf

- * Numerous items were recovered at the search warrant scene to include two (2) pistols which are listed below:
- DPD #E27650904 = ATF #185 = AICS #50, Springfield model XD 45 cal
- DPD #E27651704 = ATF #181 = AICS # 51, Springfield model XP 40 cal

- AFT becomes involved with Smothers related cases,

- * ATF report #774025-008-0057
- * Starting on July 9, 2008 and July 16, 2008 ATF came into possession of ATF property items numbers 1-181 (not including #154). These items were all firearm related evidence.
- * February 20, 2009 ATF took possession of ATF property item numbers 182-185.
- * March 24, 2009 ATF takes possession of ATF property items numbers 186-226, from DPD. These items are listed as being from the 19741 Runyon St. homicides. (ATF report notes that these "items will be sent to the ATF lab for analysis against evidence previously recovered related to the shooting involving Vincent Smothers.")

- ATF lab report conclusions/ results.

* ATF report dated April 22, 2009. ATF report indicates ATF #185 = AICS #50 (Springfield 45 cal pistol) no latent fingerprints were identified.

* ATF report dated August 28, 2008. ATF report indicates ATF #181 = AICS #51 (Springfield 40 cal pistol) no latent fingerprints were identified.

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- * ATF report dated September 9, 2008. ATF report indicates ATF#181=AICS #51 (Springfield 40 cal pistol) the small red spots near trigger guard were identified as being "consistent in chemical composition to 1-methylamino-anthraquinone (MAAQ), a dye used in bank dye packs."
 - During our second interview with Vincent Smothers he provided information regarding an armed bank robbery he and Ernest "Nemo" Davis committed in the Troy area. Smothers stated that much of the money was not useable because a dye pack had exploded in the money bag. He also said that he had cleaned the gun that he had used during that crime. (Troy PD case #070042553)

Troy Bank Robbery Report.pdf

* AFT report dated November 6, 2008. ATF report indicates AFT #181=AICS #51 (Springfield 40 cal pistol) DNA testing was done and "no DNA profile was obtained."

ATF Reports.pdf

- MSP detectives obtained the above two listed guns from DPD property on 7-23-15

- * August 21, 2015, MSP detectives submitted AICS #50 (Springfield 45 cal pistol) and AICS #51 (Springfield 40 cal pistol) to MSP crime lab for testing in the IBIS/NIBIN ballistics system.
- * MSP lab result in NIL results within the IBIS/ NIBIN system to present date.

Lab Reports\NV15-3762-Record1 NIBIN Lab Report.pdf

- On December 8, 2015 and February 26, 2016 MSP detectives interview Vincent Smothers.

- * Smothers advised that he took a Springfield 40 cal pistol from 19741 Runyon St during the course of the homicides. Smothers then advises this is the same gun he uses to commit the homicide of Rose Cobb (DPD case # 08-6752).
- * Smothers advised that Ernest "Nemo" Davis was with him at 19741 Runyon St. and Davis was in possession of and used a Springfield 45 cal pistol.

- August 17, 2015 MSP computer crimes unit was requested to do a data extraction on Michael Robinson's cell phone.

* Computer crime report #CCU-1980-15

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	WORK UNIT MSP 2ND DISTRICT SIS	COUNTY Wayne	
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ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE MI	ZIP CODE 48226-
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CCU-1980-15.pdf

Forensic Download - Mike Robinson\Item 001 Motorola V323I\Logical Report\2015-08-18.08-29-56\V323 V325 V325xi\files\Image\06-01-07 1241.jpg

* MSP detectives find picture of gun on victim's cell phone. Picture of gun closely resembles the 40 cal pistol that we have in our possession (AICS #51). *Investigator's Note: Vincent Smothers has* stated that this is the firearm he stole from Runyon Street during the commission of the homicides.

- * MSP computer crimes unit conducts a comparison of picture found on victim's phone with the gun that is in MSP custody (AICS #51).
 - Contact was made with Springfield Armory and requested to look at gun comparison chart.
 Correspondence from a Springfield Armory Senior Gunsmith stated the following, "I could not find enough to say it is the same gun. There is a similar wear pattern on the left side of the takedown lever." In a second correspondence from the same Springfield Armory Senior Gunsmith it is indicated "pistol, US429660, is a 4" bi-tone XD in .40S&W. It originally shipped from Springfield in July 2005. The questioned pistol is a 4" bi-tone XD. I can't clearly make out if it is a .40S&W."

AVU-437-15 AICS Report - Gun Comparison.pdf

<u>AVU-437-15</u>

Summary of Firearm Facts

1 - 45 cal casing found at scene on Runyon Sts.

2 - Information gained from Vincent Smothers once he was in custody indicated that the firearms used in the homicides were stored at
 A search warrant was subsequently executed at
 2 firearms were recovered, a 40 cal Springfield and a 45 Springfield.

3 - ATF lab confirm six (6) casing found at the Runyon St scene were fired from the same 45 cal gun. That same 45 cal gun was recovered a

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4 - ATF lab confirms numerous rounds found at the Rose Cobb homicide scene matched the 40 cal Springfield that was recovered at which is alleged to be the same gun Smother stole from Runyon St and then used it to Kill Rose Cobb.

5 - ATF lab does NOT find latent prints on either the 40 cal or 45 cal pistols. No DNA profile was developed from the 40 cal. pistol.

6 - The recovered 40 cal pistol was identified as having red spots near the trigger guard which are "consistent in chemical composition" of dye used in bank dye packs. Smothers acknowledged during our interview he took part in a bank robbery in the City of Troy in which a dye pack had exploded.

Detroit Police Report 080390032-20567 Rosemont\Evidence\Evidence.pdf

STATUS: Open (completed by D/Sgt Roti)

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	WORK UNIT MSP 2ND DISTRICT SIS	COUNTY Wayne		
COMPLAINANT WAYNE COUNTY PROSECUTING AT	FORNEY'S OFFICE	TELEPHONE (313)224-5		
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE MI	ZIP CODE 48226-	
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SUPPLEMENTAL REPORT 23-W (#23)

HOMICIDE

ADDITIONAL INFORMATION:

Through this investigation MSP detectives learned that Vincent Smother and Leroy Payne were stopped and arrested by MSP Troopers while traveling west on I-94 in Berrien County in a rented van on 5-21-07. During a subsequent search of the van Troopers located two handguns, a Smith & Wesson and a Glock. The Glock was found to be stolen. Also located in the van were four cellular telephones as follows: 1 (one) Nokia cellular telephone silver in color; 1 (one) Samsung cellular telephone black in color; 1 (one) cellular "flip" type telephone with a white sticker on back and '

Prime Time" handwritten on it.

On 5-5-16, MSP detectives were able to track down and take into possession the four phones listed above. These phones were received from DEA Special Agent Ed Donavan. A search warrant was drafted and reviewed by APA Rob Moran on 5-5-16. I subsequently swore to the affidavit and it was signed by Judge Catherine Heise of the 3rd Circuit Court in Detroit on 5-6-16, at approximately 1115 hrs. After the search warrant was signed the phones (AICS property item #'s 160, 161, 162, and 163) were then immediately taken to the CCU in Livonia for forensic downloading.

Search Warrant-Smothers Telephones.pdf

REVIEW FORENSIC DOWNLOAD OF CELLULAR TELEPHONES:

D/Sgt Brewer and I reviewed the forensic downloads of the cellular telephones originally seized by the Michigan State Police on May 21, 2007. A review of the Samsung GSM cellular telephone (AICS Property Item #161) revealed the following:

- There are numerous photographs of Vincent Smothers on the files of the telephone. Based on the photographs on the telephone and contacts it appears that this telephone belongs to Vincent Smothers.
- There is contact in the telephone log under the name "Ern" with the telephone number: A public record search (TLO) for Ernest Davis shows this telephone number listed for Ernest Davis. Further, the area code "859" is registered for Lexington, KY.

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	WORK UNIT MSP 2ND DISTRICT SIS	COUNTY Wayne	· · · · · · · · · · · · · · · · · · ·
COMPLAINANT WAYNE COUNTY PROSECUTING A	TTORNEY'S OFFICE	TELEPHONE (313)224-5	
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE MI	ZIP CODE 48226-
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- There are three missed call from Ernest Davis: the first on May 19, 2007 at 12:05; the second on May 21, 2007 at 11:18; and the third on May 21, 2007 at 11:19.
- There is a contact in the telephone listed as "Bay Bay", which is the alias of Leroy Payne with the telephone numbers of:
- There is contact in the telephone listed as "Black Jerry", which Vincent Smothers identified as Jerry Burton with the telephone number of

A review of the forensic download of the KY21 cellular telephone (AICS Property Item #162) revealed the following:

• There is contact in the telephone log under the name "Ern" with the telephone number: (859) 621-2070. A public record search (TLO) for Ernest Davis shows this telephone number listed for Ernest Davis. Further, the area code "859" is registered for Lexington, KY.

Phones Seized from Smothers

STATUS:

Open (completed by D/Sgts Brewer, Roti and Corriveau)

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	WORK UNIT MSP 2ND DIS	TRICT SIS	COUNTY Wayne		
COMPLAINANT WAYNE COUNTY PROSECUTING	ATTORNEY'S OFFICE		TELEPHONE (313)224-5		
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET		CITY DETROIT	STATE MI	ZIP CODE 48226-	
INCIDENT STATUS Open					

SUPPLEMENTAL REPORT 24-X (#25)

HOMICIDE

WAYNE COUNTY PROSECUTOR BRIEFING DATES/ INFORMTION:

On 9-16-15, at approximately 1300 hrs D/Sgts Donahue, Corriveau, and Roti met with Wayne Co APA Robert Moran and investigator Cory Williams. This meeting was convened so MSP investigators could brief the Wayne Co PA's office of the status of our investigation. The following important facts were specifically revealed. We advised that we had a forensic download (CCU-1980-15 on 8-18-15) of the victim's phone (Michael Robinson) and in reviewing the information gathered from that download we found a picture of a black and silver pistol which closely matches the 40 caliber pistol that was recovered at Detroit. We also advised them of the conflicting information we have received concerning the alleged scene sketch that the Detroit Police Department claims was drawn by Sanford.

CCU-1980-15.pdf

Forensic Download - Mike Robinson\Item 001 Motorola V323I\Logical Report\2015-08-18.08-29-56\V323_V325_V325xi\files\Image\06-01-07_1241.jpg

Forensic Download - Mike Robinson/Item 001 Motorola V323I\Logical Report\2015-08-18.08-29-56\V323 V325 V325xi\files\Image\06-01-07 1243.jpg

On 10-6-15, at approximately 1530 hrs myself, D/Sgt Donahue, D/Sgt Corriveau, and D/Lt. Smiley met with the Wayne Co Prosecutor Office personnel, specifically APA Rob Moran, Jason Williams, Tom Chambers, and investigator Cory Williams to discuss our interview results with Chief Tolbert. They were specifically briefed on Chief Tolbert's statements regarding the diagram that Sanford had allegedly drawn for DPD personnel. Through our interview with Tolbert he acknowledged that he was the one who had actually drawn the scene sketch and Sanford placed the bodies in the sketch.

Email sent to Wayne Co PA investigator Cory Williams on 12/15/15 requesting either IS or Grand Jury for Ira Todd, Mike Russell, and James Tolbert. I was contacted via phone by Williams on 12-16-15 at approximately 1315 hrs regarding this issue. He advised that he would speak with APA Moran and get back with me. At approximately 1415 hrs Williams called back to advised that APA Moran wanted to have a meeting after the first of the year to discuss what specific questions we wanted to ask each of these individuals.

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	WORK UNIT MSP 2ND DISTRICT SIS	COUNTY Wayne	
COMPLAINANT WAYNE COUNTY PROSECUTING AT	TORNEY'S OFFICE	TELEPHONE (313)224-5	
ADDRESS: STREET AND NO. 1441 ST ANTOINE STREET	CITY DETROIT	STATE MI	ZIP CODE 48226-
INCIDENT STATUS Open			

ADDITIONAL IMPORTANT FACTS:

- 1) During the first part of this investigation Michael Robinson Jr (deceased victim's son who was on scene in the back bedroom at the time of incident) was contacted and we were advised through his mother that he would not be interviewed regarding this incident.
- 2) At no point in time during the course of this investigation did investigators find any links nor was it suggested by anyone that investigators interviewed that Sanford and Smothers were in anyway related or worked together to assist one another on their respective criminal cases.
- 3) Numerous attempts were made to locate and interview Angelo Gardner and Cary Daily without any luck. An online search of deceased persons was made with no information being gained about Gardner or Daily.
- 4) On 5-13-16 MSP investigators learned that DPD Sgt Edward Brannock may have information regarding our ongoing investigation into this case. I (D/Sgt Roti) contacted Brannock on 5-13-16 via phone and it was discovered he did NOT have any new information to add to our case.
- 5) Attempt to located people identified in Sanford's original statement on 12-17-15...ie (Los, PBI Tone, and Cary) UTL on any of these subjects.

CASE SUBMISSION:

As of May 19, 2016, there is nothing further to be added to this report. This case will be presented to the Wayne County Prosecutor's Office on May 20, 2016.

STATUS: Open

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Michigan Department of State Police ORIGINAL INCIDENT REPORT	ORIGINAL DATE Fri, Apr 22, 2016 TIME RECEIVED 0908	INCIDENT NO 020~0000' FILE CLASS 50000	o. 779-16 (DB)
	WORK UNIT MSP 2ND DISTRICT HEADQUA	COUNTY Wayne	
COMPLAINANT PATROL	·	TELEPHONE	S NO.
ADDRESS: STREET AND NO. 12111 TELEGRAPH ROAD	CITY TAYLOR	STATE MI	ZIP CODE 48180-
INCIDENT STATUS Open			

PERJURY

INFORMATION:

The Michigan State Police became involved with this case when the Wayne County Prosecutor, Kym Worthy provided the Director of the Michigan State Police with a letter dated May 4, 2015. The letter was requesting MSP assistance in the post-conviction investigation of Davontae Sanford. As part of this investigation the below information was obtained by MSP investigators.

Letter from Wayne County Prosecutor Requesting MSP to Investigate.pdf

This investigation is concerning a quadruple homicide that occurred on or about September 17, 2007, at approximately 23:25 at the residence located at 19741 Runyon in the City of Detroit (Detroit Police Department Incident 0709180002) and the subsequent court proceedings that followed.

After a Detroit Police investigation, a Davontae Sanford was charged in the aforementioned incident by the Wayne County Prosecutor's Office with four counts of First Degree Murder, four counts of Felony Murder, one count of Assault with Intent to Commit Murder and one count of Robbery Armed. After a bench trial that occurred on March 17, and March 18, 2008 (Wayne County 3rd Circuit Ct Case No 07-15018), Davontae Sanford pled guilty to four Counts of Second Degree Murder and one Count of Felony Firearm.

In May of 2009, Davontae Sanford made a motion to withdraw his guilty plea making a claim of innocence and the Michigan Court of Appeals remanded the case back to the 3rd Circuit Court. On July 13, 2010 James Tolbert appeared in Wayne County Circuit court as a witness/ investigator who took part in the investigation of Davontae Sanford. More specifically during his testimony under oath he stated Davontae Sanford drew the entire scene sketch with the exception of Sgt. Russell's signature. Tolbert's answer regarding the drawing was a direct answer to a question Judge Brian R. Sullivan had asked him. The theory used with the scene sketch was that Davontae Sanford was at the scene if he could draw the scene sketch of the interior of the victim's home.

Scene sketch, originally marked as People's Exhibit #6

Evidentiary transcripts for Tolbert's full testimony, pages 130-141

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	ORIGINAL DATE	INCIDENT NO.
Michigan Department of State Police	Fri, Apr 22, 2016	020-0000779-16 (DB)
ORIGINAL INCIDENT	TIME RECEIVED	FILE CLASS
REPORT	0908	50000

On October 2, 2015 Michigan State Police D/Sgts Corriveau, Donahue, and Roti conducted an interview with James Tolbert at MSP 3rd District HQ. During this interview, Tolbert was asked about the sketch that Davontae Sanford had made. Tolbert indicated he knew what we were talking about and voluntarily asked for a piece of paper to draw a sketch. Once Tolbert completed his sketch we showed him a picture of the "original sketch" which has been alleged to have been drawn by Sanford. These two sketches closely resembled one another. Due to this close resemblance we asked Tolbert if he was the one who had actually drawn the "original sketch." Tolbert then acknowledge to have drawn this "original sketch" and Sanford had only marked the location of the bodies within this sketch. This differs from what he testified to under oath on July 13, 2010 in front of Judge Brian R. Sullivan. Prior to our interview ending with Tolbert he grabbed the sketch he had drawn for us and crumpled the paper up and attempted to leave with it. Investigators had to ask Tolbert for the sketch he crumpled up, to which he asked why. It was then explained that this would be part of our case and put into evidence.

Tolbert transcript from MSP detective interview

Audio of Tolbert interview

Tolbert drawn sketch

It should be noted the Tolbert transcript was misdated as 9-11-15. The correct and accurate date of the interview and transcript is 10-2-15.

VENUE:

WAYNE COUNTY, CITY OF DETROIT 3RD CIRCUIT COURT 1441 ST. ANTOINE DETROIT, MI 48226

DATE & TIME:

TUE, JUL 13, 2010

COMPLAINANT:

NAM: PATROL

		RAC:	ETH:
NBR: 12111 DIR:		SEX:	OPS:
STR: TELEGRAPH		DOB:	SSN:
SFX: ROAD		HGT:	SID:
CTY: TAYLOR	ST: MI	WGT:	FBI:
TXH:	ZIP: 48180	HAI:	MNU:
TXW:		EYE:	PRN:

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	ORIGINAL DATE	INCIDENT NO.
Michigan Department of State Police	Fri, Apr 22, 2016	020-0000779-16 (DB)
ORIGINAL INCIDENT	TIME RECEIVED	FILE CLASS
REPORT	0908	50000

SUSPECT:

NAM: JAMES WINSTON TOLBERT

	RAC:	ETH
NBR	SEX:	OPS:
STR:	DOB:	SSN:
SFX:	HGT:	SID:
CTY:	WGT	FBI:
TXH:	HAI:	MNU:
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STATUS:

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