

FILED
07-20-2023
Anna Maria Hodges
Clerk of Circuit Court
2004CF002380

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 04XF3017

Court Case No.: 2004CF002380

vs.

Paine, Lawrence C
DOB: 10/20/1976

Defendant,

State's response to Defendant's
Motion for New Trial on Basis of
Newly Discovered Evidence

For Official Use

Defendant has filed a motion for post-conviction relief, pursuant to Wis. Stat. § 974.06, arguing that he is entitled to a new trial on the ground of newly discovered evidence, that all previous attorneys who represented him were ineffective for their failure “to discover this highly material and exculpatory evidence,”¹ and “that the due process protections of the Sixth and Fourteenth Amendments command a new trial”². For the reasons set forth below, the Court should deny Defendant's motion

History of case

On April 10, 2004, the bodies of Janari Saddler and Aaron Harrington were found in the residence at 3011A N. 24th Pl., Milwaukee. Both men had died as a result of gunshot wounds. Defendant was subsequently charged with those homicides. On July 1, 2005, Defendant was found guilty of two counts of First-Degree Intentional Homicide. At trial, Defendant was represented by Attorney Richard Poulson.

Following his convictions, Defendant filed a motion for post-conviction relief arguing that he should be granted a new trial on the ground of ineffective assistance of counsel due to trial counsel's failure to investigate and failure to call a witness. Specifically, Defendant argued that trial counsel's failure to locate and call Anthony Mendez Blackman, a.k.a. “Skin,” as a witness and trial counsel's failure to call Zenobia Davis as a witness constituted deficient performance which was prejudicial. Defendant was represented by Attorney Joseph Sommers during the post-conviction proceeding. An evidentiary hearing was held regarding this motion, and the circuit court denied Defendant's motion. Defendant subsequently appealed the decision of the circuit court and the court of appeals affirmed the

¹ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pg. 1

² Defendant's March 31, 2023, Motion for Post-Conviction Relief, pg. 1

decision of the circuit court.³ Attorney Sommers continued to represent Defendant before the court of appeals.

Defendant subsequently filed a motion, pursuant to Wis. Stat. § 974.06, for post-conviction relief alleging that he should be granted a new trial on the ground of newly discovered evidence and/or ineffective assistance of counsel. Specifically, Defendant argued that evidence regarding a gun, a connection between that gun and Ronald Terry, and a connection between Ronald Terry and the homicides of Janari Saddler and Aaron Harrington was newly discovered evidence entitling him to a new trial. Defendant also argued that post-conviction/appellate counsel, Joseph Sommers, was ineffective for failing to raise this issue. Defendant was represented by Attorney Michael Soukup with respect to this motion. The circuit court denied Defendant's motion. Defendant subsequently appealed the decision of the circuit court and the court of appeals affirmed the decision of the circuit court.⁴

Defendant has now filed another motion, pursuant to Wis. Stat. § 974.06, for post-conviction relief alleging that he should be granted a new trial on the ground of newly discovered evidence. Specifically, Defendant argues that the following evidence is newly discovered evidence entitling him to a new trial: (1) "Surveillance Footage from Club Paradise Confirming Mr. Paine's Alibi"⁵; (2) Evidence that "it is possible that [Defendant] was provided access to a room prior to normal business hours of admission"⁶; and (3) Evidence that "the Lakers were wearing throwback jerseys from their time as the Minnesota Lakers, which were light blue, just like the away jerseys worn by the Denver Nuggets on April 30, 2004, when they played the Minnesota Timberwolves. This fact provides an explanation as to why Mr. Paine confused the two teams and misidentified the team playing the Timberwolves as the Lakers."⁷ Defendant argues that he is not procedurally barred from bringing these claims because every attorney who previously represented him -- Attorney Poulosn, Attorney Sommers, and Attorney Soukup -- was ineffective. Finally, Defendant argues that he is entitled to a new trial because the State

³ *State v. Paine*, 2010 WI App 1, 322 Wis. 2d 735, 778 N.W.2d 171

⁴ *State v. Paine*, 2021 WI App 27, 397 Wis. 2d 242, 959 N.W.2d 80.

⁵ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pgs. 11-13.

⁶ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pgs. 13-14.

⁷ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pgs. 14-15.

presented "false and misleading evidence" in violation of his due process rights.⁸ None of the claims raised by Defendant have merit and Defendant's motion should be denied.

Facts of case and evidence presented at trial

Defendant was charged with the homicides of Janari Saddler and Aaron Harrington. Prior to trial, Defendant filed a Notice of Alibi. Defendant's Notice of Alibi notified the State of the following alibi:

[O]n the date and at or about the time of the commission of the offense for which the defendant is charged, the defendant was in his automobile on I-94 proceeding in a westerly direction; after leaving Club Paradise Gentleman's Club and Bar in Milwaukee at or about closing time on April 10, 2004, driving an acquaintance to his destination in the City of Milwaukee, filling up with gas at a service station in Milwaukee and leaving the city driving on I-94 travelling to Minneapolis, Minnesota, Mr. Paine was in his vehicle, alone, in transit from Milwaukee to Minneapolis, Minnesota, at the time the offense is alleged to have occurred.

At trial, the following evidence, that is relevant to Defendant's motion, was presented:

Sgt. Mark Wroblewski testified that on April 10, 2004, at 4:20 a.m., he responded to a shooting call at 3011A N. 24th Pl., Milwaukee. That address is the upper unit of a duplex. Sgt. Wroblewski testified that he located two deceased males inside the residence.⁹

Det. Thomas Casper testified that he responded to 3011A N. 24th Pl., Milwaukee, at approximately 4:30 a.m. and that his responsibility was to conduct the scene investigation. Det. Casper testified that the body of Janari Saddler was found in the bathroom and the body of Aaron Harrington was found in a bedroom. Both men had sustained gunshot wounds, and Det. Casper located and recovered bullets and bullet casings from the residence.¹⁰

Derrick Reed's testimony from Defendant's first trial was read into the record.¹¹ Through the reading of that transcript, evidence was presented that Aaron Harrington was Derrick Reed's "in-law," and that Reed saw Harrington between 1 and 2 a.m. on April 10, 2004, when Reed gave Harrington a ride to 24th and Chambers.¹²

⁸ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pgs. 18-20.

⁹ June 27, 2005, transcript, pgs. 103-110.

¹⁰ June 27, 2005, transcript, pgs. 128-148.

¹¹ Derrick Reed was not available for the second trial, so the circuit court allowed the State to present to the jury Reed's testimony from the first trial. The court's ruling to allow this evidence to be presented can be found in the June 27, 2005, transcript, pgs. 3 - 7.

¹² June 28, 2005, transcript, pgs. 123-129.

Eric Howard testified that he was a close friend of Janari Saddler and that Aaron Harrington was Saddler's cousin. Howard testified that he was picked up by Saddler and driven to the location of 3011A N. 24th Pl. In response to questions about what time that happened, Howard could not say what time that happened, only that it happened early in the morning/late at night/after midnight. Howard testified that when he got to the house, there were several people there, including Defendant, who Howard knew as "Chan." While in the house, he saw Defendant with a gun in his hand. He testified that he saw Defendant point a gun at Saddler and then chase Saddler into another room. He testified that he then heard gunshots, and he then heard a different voice say Please, Chan don't, Please, and he then heard more gunshots. He testified that he then saw Defendant leave the house, and he then left the house and ran back to his house. He testified that after he left the house, and while on his way home, he used a pay phone somewhere on Burleigh to call 911 and report the shooting at 24th and Chambers. Howard testified that only a few minutes, a couple of minutes, passed between the time he arrived at 3011A N. 24th Pl. and the shooting. He testified that only "[a] couple of minutes, if that" passed between the time of the first gunshots and the time Defendant left the residence. He testified that only 3 – 4 minutes passed between the time of the first gunshots and the time he left the residence.¹³

A recorded deposition of George Donald was then played to the jury.¹⁴ At this time, July 20, 2023, the State is unable to summarize the evidence in the recorded deposition of George Donald because the clerk of courts office has yet to provide the State with access to that recording. An order to release that recording to the State has been issued by Judge Wagner, but so far the recording has not been released. Once it is released, the State will file an addendum to this response in which the State will summarize the evidence presented through George Donald's recording.

Michelle Harrison testified that on April 10, 2004, she was living at 3047 N. 24th St., Milwaukee. She testified that after 3 a.m., a person she knew as "G" (who was identified as George Donald) was

¹³ June 28, 2005, transcript, pgs. 133 – 178.

¹⁴ George Donald was arrested on a material witness warrant and was deposed. When George Donald failed to appear for the trial, the court granted the State's motion to admit into evidence, and play to the jury, the recorded deposition of George Donald. The recording of the deposition was received as Exhibit # 82. The court's ruling to allow this evidence to be presented can be found in the June 27, 2005, transcript, pgs. 3-7, and the June 28, 2005, transcript, pg. 181.

loudly knocking on her door and he asked to use her phone because his guys got shot. She testified that she allowed "G" to use her phone to call 911.¹⁵

Hugh Saddler testified that Janari Saddler was his brother and after his brother was killed, he met with Eric Howard. He testified that Eric Howard told him that he, Eric Howard, was present when Janari was killed and that "Chan" was the person who killed Janari.¹⁶

Det. Katherine Hein testified that the first 911 call to report this shooting was made at 4:12 a.m. and made from 3047 N. 24th Pl. (Michelle Harrison's home.) The second 911 call to report this shooting was made at 4:16 a.m. from a pay phone at 2400 W Burleigh. Det. Hein testified that the picture shown to Michelle Harrison, the picture she identified as being a picture of "G", was a picture of George Donald.¹⁷ Det. Hein then testified about two interviews she and her partner conducted of Defendant. She testified that the substance of those two interviews were written out and agreed to by Defendant. Det. Hein read to the jury the reports of those two interviews.¹⁸

Det. Billy Ball testified about an interview he and Det. Percy Moore had with Defendant on May 10, 2004. Det. Ball testified that the interview was written out and agreed to by Defendant. Det. Ball read to the jury the report of that interview.¹⁹

Det. Eric Gulbrandson testified about an interview he and Det. Michael Wilkerson had with Defendant on May 10, 2004. Det. Gulbrandson testified that the interview was written out and agreed to by Defendant. Det. Gulbrandson read to the jury the report of that interview.²⁰

Det. Gulbrandson also testified that on May 28, 2004, he and Det. Timothy Heir drove from Milwaukee to Minneapolis. He testified that the distance was 340 miles and it took them 4 & ½ to 5 hours to complete that drive. He testified that while in Minneapolis, they went to the Greyhound bus station in regard to a property receipt recovered from Defendant showing that Defendant had rented a

¹⁵ June 29, 2004, transcript, pgs. 71-74, and June 29, 2005, transcript, pg. 97.

¹⁶ June 29, 2005, transcript, pgs. 76-83.

¹⁷ June 30, 2005, transcript, pgs. 88-97.

¹⁸ June 29, 2005, transcript, pgs. 106-124. The two written statements are attached to this response as Exhibits A & B.

¹⁹ June 29, 2005, transcript, pgs. 144-155. The written statement is attached to this response as Exhibit C.

²⁰ June 29, 2005, transcript, pgs. 159-169. The written statement is attached to this response as Exhibit D.

locker on the Greyhound station on May 1, 2004, at 1:15 a.m. Det. Gulbrandson testified that they went to the bus station to see if there was any content still in the locker, and there was not.²¹

Diana Scherwin testified that she was the general manager for the Super 8 Motel in Golden Valley, Minnesota, and that she had obtained the motel's records for April 10, 2004. Those records were received into evidence as Exhibits 88 – 98. She testified that according to those records, (1) Lawrence Paine checked into the motel at 11:01 a.m. on April 10, 2004, and he checked into room 249; (2) No signed registration card for room 249, on April 10, 2004, was located; (3) Paine's last day at the motel was April 12, and his stay was for three days; (4) on April 11, 2004, a housekeeper had entered room 249 and noted "No Service" and "No Service" means that nothing in the room needed to be cleaned; (5) On April 12, room 249 was vacated; (6) a guest, named Christopher Vale, had checked into the motel on April 8, 2004, and was given room 249; and (7) Christopher Vale checked out of the motel on April 10 at 9:33 a.m.²² At the conclusion of Ms. Scherwin's testimony, the State rested.

Defendant did present a case by testifying. Defendant testified that on April 9, 2004, he and "Skin" went to Club Paradise, and that he believed he arrived "about like 10:30." He testified that he was driving a 93 Buick Century wagon, "one of those little ones", and that he parked at the bottom of the lot, like when you're pulling out. He testified that he and "Skin" left the club at about 1:30, but that he then returned to the club because he had been given a wrong phone number by one of the dancers. He testified that he subsequently dropped off "Skin" and he then left Milwaukee to drive to Minneapolis. He testified that it was about 2-3 a.m. when he left Milwaukee. He testified that on the drive from Milwaukee to Minneapolis, he stopped three times; he estimated the stops to be for 15 minutes, 25 minutes, and 3 & ½ minutes. He testified that upon arriving in Minneapolis, he went to the home of a friend named "Steve", but "Steve" was not home, so he went to the Super 8 Motel. He testified that he arrived at the motel at 8:30, but he admitted that he was not sure about the time. He testified that he checked into the motel early, but he admitted that he did not provide that information to the police. He testified that on April 10, after checking into the room, he slept there until about 12:45, left to go to a mall, and that he came and went from that room over the next few days. He testified that while in the

²¹ June 29, 2005, transcript, pgs. 173-174.

²² June 30, 2005, transcript, pgs. 6-19. Exhibits 88 – 98 are attached to this response as Exhibit E.

room, he ate, slept, and used the toilet. He also testified that on May 1, 2004, he rented a locker at the Greyhound bus station to store his clothes and that he tried to leave Minneapolis that morning (at about 1 a.m.), but he could not leave because a Timberwolves basketball game had happened that night and the bus was full. When asked by the judge, he testified that he did not go to the basketball game but that he recalled that the Timberwolves were playing the Lakers.

In rebuttal, he State recalled Det. Gulbrandson. Through his testimony evidence was presented that there was no basketball game on May 1, 2005. Evidence was presented, though, that on April 30, 2004, there was a basketball game between the Timberwolves and the Denver Nuggets.

Surveillance footage from Club Paradise

Defendant's first claim of newly discovered evidence concerns video collected by the police from Club Paradise. This video was collected prior to Defendant's trial, but no evidence of the video was presented at the trial. In his motion, Defendant informs the court that a request was made to MPD to "demultiplex" the video, which was done, and as a result, what can now be observed in the video "conclusively demonstrates that he was at the club as he testified to until bar close."²³ Defendant argues that this newly-discovered evidence entitles him to a new trial.

It is the State's position that there is not a reasonable probability that a jury, looking at both the evidence presented at trial and the video evidence from Club Paradise, would have a reasonable doubt as to Defendant's guilt.

To set aside a judgment of conviction based on newly discovered evidence, the evidence must be sufficient to establish that the defendant's conviction resulted in a "manifest injustice." In a motion for a new trial based on newly discovered evidence, the defendant must prove, by clear and convincing evidence, that "(1) the evidence was discovered after conviction; (2) the defendant was not negligent in seeking the evidence; (3) the evidence is material to an issue in the case; and (4) the evidence is not merely cumulative." If the defendant is able to make this showing, then "the circuit court must determine whether a reasonable probability exists that a different result would be reached in a trial." A reasonable probability of a different result exists if there is a reasonable probability that a jury, looking at both the old and the new evidence, would have a reasonable doubt as to the defendant's guilt. A court reviewing the newly discovered evidence should consider whether a jury would find that the evidence "had a sufficient impact on other evidence presented at trial that a jury would have a reasonable doubt as to the defendant's guilt."

State v. Avery, 2013 WI 13, ¶ 25, 345 Wis. 2d 407, 826 N.W.2d 60 (internal citations omitted).

²³ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pg. 16.

The images from the Club Paradise video do depict two males entering the club at 11:33 p.m. At trial, though, Defendant testified that he arrived at Club Paradise at about 10:30. Of more significance though, is the fact that the quality of the images from the video makes it impossible to identify either man; even the enhanced pictures are not of sufficient quality that the identity of either man can be determined.

But even if the court were to assume that the two men depicted in the images from the Club Paradise video are Defendant and "Skin," that fact does not create a reasonable probability that a jury would have a reasonable doubt as to Defendant's guilt. The evidence presented at trial established that the homicides of Janari Saddler and Aaron Harrington happened at approximately 4 a.m. The images from Club Paradise show, assuming that Defendant is one of the males in those images, that Defendant and "Skin" had left the club at approximately 1:44 a.m. There was more than sufficient time for Defendant, once he left Club Paradise, to go to 3011A N. 24th Pl. The images from Club Paradise can only establish where Defendant was until 1:44 a.m.; those images cannot establish where Defendant was at the time the homicides were committed. Also, no evidence was presented at the trial that Defendant was at 3011A N. 24th Pl. during the period of time between 10:30 p.m. on April 9, 2004, and 2:00 a.m. on April 10, 2004. Defendant's alibi was that he was driving on I-94 at the time of the homicides, not that he was at Club Paradise. Where Defendant was on April 9, 2004, from 10:30 or 11:30 p.m. until 1:45 a.m. on April 10, 2004, is of no relevance to where Defendant was at the time of the homicides. There is, accordingly, not a reasonable probability that a jury, looking at the evidence presented at trial and the images from the Club Paradise video, would have a reasonable doubt as to Defendant's guilt.

Testimony challenging Mr. Paine's claim that he drove to Minnesota and checked into Room 249 of a Super 8 in Golden Valley, Minnesota, was false

Defendant's second claim of newly discovered evidence is that "evidence demonstrating the testimony of a State witness was incorrect related to Mr. Paine's hotel check-in, which led the State to wrongly argue Mr. Paine could not have checked into Room [249] as he claimed at 8:30 a.m. because it

was occupied by another patron at that time"²⁴ is newly discovered evidence that entitles him to a new trial.

It is the State's position that the information about Room 249 is not newly discovered evidence. Prior to Defendant's trial, Milwaukee Police detectives had investigated Defendant's statements about where he was on April 10, 2004. That investigation included a phone interview of Diana Schwerin,²⁵ an in-person interview of Diana Schwerin during which Ms. Schwerin provided the detectives with the documents that were introduced into evidence as Exhibits ## 88 – 98,²⁶ and an in-person interview of Michael Humphry.²⁷ Also, evidence regarding the records from the Super 8 Motel was presented at Defendant's first trial.²⁸

In order for information to be defined as newly discovered evidence, the information must meet the four-prong definition of newly discovered evidence. The first two prongs of that definition are: "(1) the evidence was discovered after conviction; [and] (2) the defendant was not negligent in seeking the evidence". Avery, 2013 WI 13, ¶ 25, 345 Wis. 2d 407, 826 N.W.2d 60. The documents which are the basis of Michael Humphrey's 2022 affidavit were known prior to trial; the identity of Michael Humphrey was known prior to trial; Michael Humphrey's explanation of those documents was known prior to trial; the substance of Diana Schwerin's testimony was known prior to trial. By definition, the information contained in the documents from the Super 8 motel and the affidavit of Michael Humphrey cannot be newly discovered evidence. "Newly discovered evidence does not include the 'new appreciation of the importance of evidence previously known but not used'" State v. Fosnow, 2001 WI App 2, ¶ 9, 240 Wis. 2d 699, 624 N.W.2d 883. Michael Humphrey's 2022 affidavit is a new interpretation of evidence that was not merely previously known, but is evidence that was presented during Defendant's first trial. As such, this is not newly discovered evidence.

Defendant's motion suggests that Defendant is aware that the information contained in the Super 8

²⁴ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pg. 16.

²⁵ This interview is documented in a report written by Milwaukee Police Det. Gil Hernandez. That report is attached to this response as Exhibit F.

²⁶ This interview is documented in a report written by Milwaukee Police Det. Timothy Gulbrandson. That report is attached to this response as Exhibit G, and the documents are attached as Exhibit E.

²⁷ This interview is documented in a report written by Milwaukee Police Det. Timothy Gulbrandson. That report is attached to this response as Exhibit C.

²⁸ February 9, 2005, transcript, pgs. 180-183.

documents and Mr. Humphrey's affidavit do not meet the definition of newly discovered evidence because Defendant argues, in the alternative, that all previous attorneys were ineffective. This claim is also without merit.

At the core of Defendant's motion is the claim that trial counsel was ineffective because trial counsel failed to present the information described in Mr. Humphrey's 2022 affidavit. However, Defendant is barred from raising this claim of ineffective assistance of trial counsel because following his conviction, Defendant filed a post-conviction motion, alleging ineffective assistance of trial counsel; Defendant did not, in that motion, allege that trial counsel was ineffective for failing to present the information contained in Mr. Humphrey's 2022 affidavit. Following the denial of that motion, Defendant filed an appeal which was denied. Defendant subsequently filed a motion for post-conviction relief, pursuant to Wis. Stat. § 974.06, arguing that he was entitled to a new trial on the basis of newly discovered evidence; in that motion, Defendant did not allege ineffective assistance of trial counsel nor ineffective assistance of post-conviction/appellate counsel for failing to raise this issue.

A § 974.06 motion provides a defendant with a means of correcting errors when "(1) the sentence violated the United States or Wisconsin Constitution; (2) the court lacked jurisdiction to impose the sentence; or (3) the sentence exceeded the maximum or was 'otherwise subject to collateral attack.'" State v. Romero-Georgana, 2014 WI 83, ¶ 32, 360 Wis. 2d 522, 849 N.W.2d 668 (citation omitted). However,

all grounds for relief available to a person under [§ 974.06] must be raised in [defendant's] original, supplemental or amended motion. Any ground finally adjudicated or not so raised ... in any other proceeding the person has taken to secure relief may not be the basis for a subsequent motion, unless the court finds a ground for relief asserted which for sufficient reason was not asserted or was inadequately raised in the original, supplemental or amended motion.

Wis. Stat. § 974.06. As interpreted, this means that a defendant must

bring all available claims in a single proceeding unless there exists a sufficient reason for not raising some claims in that initial proceeding.

...

A defendant need not provide a 'sufficient reason' for a claim cognizable under Wis. Stat. § 974.06 if the defendant did not file a motion under Wis. Stat. § 974.02 or a direct appeal. But if the defendant did file a motion under § 974.02 or a direct appeal ... the defendant is barred from making a claim that could have been raised previously unless he shows a sufficient reason for not making the claim earlier.

Romero-Georgana, 2014 WI 83, ¶¶ 33-35, 360 Wis. 2d 522, 849 N.W.2d 668 (citations omitted).

Ineffective assistance of postconviction counsel and/or appellate counsel may, in some instances, be a sufficient reason for “failing to raise an available claim in an earlier motion or on direct appeal.” Romero-Georgana, 2014 WI 83, ¶ 36, 360 Wis. 2d 522, 849 N.W.2d 668. “[A] defendant who argues ... that he received ineffective assistance of appellate counsel because certain arguments were not raised must demonstrate that the claims he believes should have been raised on appeal were ‘clearly stronger’ than the claims that were raised.” Starks, 2013 WI 69, ¶ 6, 349 Wis. 2d 274, 833 N.W.2d 146 (emphasis added). The “clearly stronger” requirement also applies when a defendant argues that he received ineffective assistance of postconviction counsel because certain arguments were not raised before the circuit court. Romero-Georgana, 2014 WI 83, ¶ 46, 360 Wis. 2d 522, 849 N.W.2d 668.

The question of trial counsel’s representation can only be asked if Defendant can show that Attorney Sommer and Attorney Soukup were ineffective for failing to raise the issue that trial counsel was ineffective because trial counsel failed to present evidence described in Mr. Humphrey’s 2022 affidavit. Attorney Sommer and Attorney Soukup can be found to be ineffective only if the claim now being raised is clearly stronger than the claims those attorneys raised in their respective post-conviction motions. The claim now being raised is not, in the State’s view, clearly stronger than the claims raised by Attorney Sommer and Attorney Soukup.

The affidavit of Michael Humphrey does not prove that Defendant checked into the Super 8 Motel earlier than 11:01 a.m., the check-in time documented in the Super 8 documents. Viewing the affidavit in the light most favorable to Defendant, the affidavit of Michael Humphrey only establishes that Christopher Vale was not in room 249 the morning of April 10, 2004. It does not establish that Defendant had checked into room 249 prior to 11:01 a.m.

That, though, is viewing the affidavit in the light most favorable to Defendant. Viewing the affidavit in context of all the evidence, it does not appear that Mr. Humphrey viewed Exhibit 88. Exhibit 88 documents Christopher Vale being in room 249 at 9:33 a.m., and Defendant being in room 249 at 11:01 a.m., the morning of April 10, 2004.

The affidavit of Mr. Humphrey contains no basis to conclude, as testified by Defendant, that he was provided access to room 249 sometime around 8:30 a.m. Also, Defendant ignore the fact that information in the Super 8 documents shows that no one used room 249 on April 10. The "NS" documentation for room 249 on April 11 means that the housekeeper entered the room and nothing needed to be done in the room – meaning that no one had been in the room. This information contradicts Defendant's claim that after entering the room, he fell asleep, and then continued to use the room the rest of the day. The affidavit of Mr. Humphrey is of such uncertain weight, when viewed in the light of all the other evidence, that it cannot reasonably be said that this claim is clearly stronger than the claims raised in the prior post-conviction filings.

Evidence regarding uniform color of Los Angeles Lakers

Defendant's third claim of newly discovered evidence is that he should be granted a new trial so that he can correct an incorrect statement he made concerning the team that played the Minnesota Timberwolves on April 30/May 1, 2004. This argument is meritless because evidence regarding the Timberwolves' opponent is not newly discovered evidence – evidence of the Timberwolves' opponent was presented during the trial; evidence that during the 2003-04 basketball season the Los Angeles Lakers wore "throw-back" jerseys similar to those worn by the Denver Nuggets is of no significance and or relevance; and even if the court wants, for the sake of argument, to consider this information to be newly discovered evidence, no reasonable person could conclude that had Defendant testified that the Timberwolves' opponent was the Denver Nuggets and not the Lakers, there is a reasonable probability that the result of the trial would have been different.

At trial, evidence was presented that Defendant had rented a locker at the Greyhound Bus Station on May 1, 2004, at 1:15 a.m.²⁹ Defendant testified that he tried to leave Minneapolis that night, but that he could not board a bus because it was too crowded due to a Timberwolves basketball game that evening. When asked by the judge, Defendant testified that although he did not go to the basketball game, he believed that the Timberwolves' opponent was the L.A. Lakers.

After the Defendant rested, the State recalled Det. Gulbrandson. Det. Gulbrandson testified that

²⁹ June 29, 2005, transcript, pg. 173-174.

according to the Timberwolves' schedule, there was no game on May 1, but the Timberwolves had played the Denver Nuggets on April 30.

It appears that the State was mistaken about the significance of April 30 and May 1 with regard to the rented locker. Defendant rented the locker at 1:15 a.m. on May 1; and he testified that he wanted to leave Minneapolis but could not get on a bus because there had been a basketball game. It is clear from that time chronology that the basketball game he was talking about happened on April 30, 2004. The fact that there was no game on May 1, the night after he rented the locker, is of no significance. The State's attempt to impeach him with that information was confused and of no significance. More importantly, though, is the fact that renting a locker on May 1 had no relevance to whether Defendant committed the homicides on April 14. In sum, the State sought to impeach Defendant on a collateral matter. Who the Timberwolves played several hours before Defendant rented the locker had no relevance to whether Defendant committed the crimes. As such, it cannot be said that there is a reasonable probability that the result of the trial would have been different if Defendant had testified that the Timberwolves' opponent was the Denver Nuggets and not the LA Lakers. The fact of who they played was collateral to the issue at trial – who killed the victims.

Due process and new trial

Defendant's last claim for relief is that he is entitled to a new trial because his conviction was based in substantial part on "False and misleading evidence that was put forth by the State to undermine Mr. Paine's credibility in a case with no physical evidence tying him to the crime."³⁰

The premise of this argument is that the State presented false and misleading evidence. The claimed false and misleading evidence would be: (1) the video from Club Paradise, (2) the evidence from the Super 8 Motel, and (3) the information about a Timberwolves basketball game on May 1. Looking at each of those pieces of evidence shows that Defendant's due process argument, like all prior arguments is baseless.

With regard to the Club Paradise Video, at trial there was no evidence presented by the State with regard to the Club Paradise video. No evidence was presented that the video does not show

³⁰ Defendant's March 31, 2023, Motion for Post-Conviction Relief, pg. 18.

Defendant being at Club Paradise. Even now, as described above, the video is of insufficient quality for one to be able to identify Defendant as being at Club Paradise. Also, even if Defendant was at Club Paradise, that does not mean he could not have committed the homicide. The people depicted in the video, who Defendant claims are him and "Skin," left Club Paradise before 2 a.m. The homicides happened at approximately 4 a.m. The video does not support Defendant's alibi.

With regard to the information from the Super 8 Motel, nothing in Defendant's motion supports the claim that the evidence presented to the jury was false. At best, the affidavit of Michael Humphrey creates an issue regarding whether Christopher Vale was or was not in Room 249 on the morning of April 14, 2004. There is information in the documents to support that Mr. Vale was in room 249 and Mr. Humphrey's affidavit does not prove otherwise -- it simply creates an issue. What Mr. Humphrey's affidavit does not do, though, is provide evidence that Defendant checked into room 249 at 8:30 a.m.

Finally, no false evidence was presented regarding a Timberwolves basketball game on May 1, 2004. The evidence presented by the State was that there was no basketball game on May 1, 2004, and that was not false evidence. Instead, Defendant now wants to offer an explanation about why he thought the Timberwolves basketball game was against the Lakers and not the Denver Nuggets. Defendant has no due process right to have a new trial so that he can change his testimony.

Date Signed: 07/20/23

Electronically Signed By:

Paul L. Tiffin

Assistant District Attorney

State Bar #: 1017260

EXHIBIT A

FA-45 B Rev. 08/02

Paine, Laurence C. 10 20 76

NAME

LAST

FIRST

MIDDLE

D.O.B.

CIB FILE#

5-9-04, 12:30 PM

940-01

ARREST DATE AND TIME:

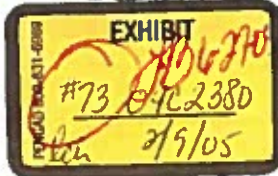
CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

On Sun, May 9, 2004 @ 2:30 PM
 I, Det. Kathy Huan and Gilbert Hernandez,
 did advise Laurence Chen Paine
 of his Miranda rights, while in Room 467
 of the Police Administration Building.
 These rights were read to him from the
 State of Wisconsin Dept. of Justice Rights
 card, which he stated he knew and
 understood, and wished to make a
 statement at this time.

X Laurence Paine

Regarding the homicide of Jason
 Sudder and Aaron Harrington, that
 occurred on April 10, 2004 at 3011 N.
 W. 24 Place, Laurence Paine indicated
 that he was not involved, he was
 shown CTF photo #110296374 and positively
 identified this subject as his close friend
 Jason A Sudder born 2-18-76, he was also
 shown CTF booking photo # 313695605
 and positively identified as Aaron M.
 Harrington born 7-10-83, as Paine stated
 that Sudder, whom he referred to as "Pip"
 was a close friend that he has known
 for many years. I stated he knew
 Aaron Harrington was address [unclear]



Name, Rank, Payroll Number

Date and Time of Interview

Kathy Huan PR 55076

Laurence Paine
 Date 5/9/04
 Det. Gilbert Hernandez 5/9/04

PA-45 B Rev. 08/02

PAINE, LAURENCE C

10 20 76

NAME

LAST

FIRST

MIDDLE

D.O.B.

CIB FILE#

59.04

940.01

ARREST DATE AND TIME:

CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

whom he called "Ace", stated he never had any problems with either Soldier or Harrington, and indicated he had stayed at General's home on numerous occasions. Stated the last time he was inside Soldier's home was on 11/24/76 (Chambers 30119) - it was three or four weeks prior to [redacted] and General never had any problems and felt General was his close friend. Stated he would spend his time at a lot of different places, other friends and girlfriends and that he had a permanent address.

Laurence Chon Paine stated that he had plans to go to Minneapolis, Minn to spend Easter with his sister Aubie Lynn Paine, and he also wanted to try to get up with his seven-year-old son and make payments with him. Stated he is grandfather's name is Julie Fournier (Minn) who is the mother of his seven-year-old son, Laurence Chon Paine II. Stated he hasn't seen her in four years and wanted to try to rebuild this relationship with his son, ~~knowing~~ not necessarily with his grandfather.

INTERVIEWING OFFICER: Name, Rank, Payroll Number

Date and Time of Interview

SUPERVISOR SIGNATURE

Det. Kathy Hill PR 55076

Date

Det. Silvest [redacted] 5/9/04

PA-45 B Rev. 08/02

PAINE, LAURENCE C

NAME

LAST

FIRST

MIDDLE

D.O.B

CIB FILE#

ARREST DATE AND TIME: 5:30 PM

CHARGE: STATUTE NO. / ORD. NO. 9340.01

STATEMENT OF PRISONER (Continued)

Paine stated that he did not make specific plans to go to Menominee because he was afraid his ex-girlfriend would ~~be there~~ ~~and he would be~~ ~~in~~ ~~trouble~~ ~~if~~ ~~he~~ ~~did~~ ~~not~~ ~~show~~ ~~up~~ ~~and~~ ~~she~~ ~~would~~ ~~be~~ ~~mad~~ ~~if~~ ~~he~~ ~~did~~ ~~not~~ ~~show~~ ~~up~~. stated he did not let his sister know that he was planning on coming to her house for Easter.

On April 10, 2004 in the early morning hours around 1 AM ^(arrived at 10:30 PM) ~~not sure of~~ exact time; he was at a strip club, Paradise Club on Lake National. stated he went there to meet some females, stated he just bought a station wagon ~~to~~ ~~use~~ ~~had~~ ~~just~~ ~~been~~ ~~at~~ ~~lot~~ ~~of~~ ~~clubs~~ ~~prior~~ ~~stated~~ it was a Buick '93 station wagon ~~with~~ ~~a~~ ~~deep~~ ~~purple~~ ~~in~~ ~~color~~, bought ~~at~~ ~~a~~ ~~dealership~~ ~~on~~ ~~the~~ ~~main~~ ~~and~~ ~~Villard~~; stated while at the strip club he stayed until about 1:30 AM. stated while he ~~was~~ ~~there~~ ~~with~~ ~~a~~ ~~friend~~ ~~he~~ ~~knows~~ ~~from~~ ~~the~~ ~~neighborhood~~ and has seen him at other clubs, stated that he doesn't want to see ~~him~~ ~~and~~ ~~his~~ ~~friends~~, but remembers that there

INTERVIEWING OFFICER: Name Rank, Payroll Number

Date and Time of Interview

SUPERVISOR SIGNATURE

Det. Kathy Nien

Det. Stuart Hernandez 5/9/04

PA-45 B Rev. 08/02

PAYNE LAURENCE C PAGE 4 OF 9 10-20-76

NAME LAST FIRST MIDDLE D.O.B CIB FILE#

ARREST DATE AND TIME: 59.04 CHARGE STATUTE NO. / ORD NO. 940.01

STATEMENT OF PRISONER (Continued)

was on the assault there and were two black men in the club, dressed in suits, that his friend told him that the two men in suits were detectives; stated he remembers that he saw the same two detectives in Rubeys the night before while at this club. He also took the phone number of one of the dancers, stated other dancers Tracy Morrison, Kenison being there; stated his friend had gotten a call from the dancer that he had gotten from ~~the dancer~~ ^{number from} that evening; stated he had heard this number from this dancer and believed it was dated April 14th.

Laurence Payne stated that after leaving the Paradise Club he went to the "City" Gas station down the block and may be on the video there; ~~was at the gas station~~ (2nd + 3rd) parked his auto in the pump area that should show at least part of the vehicle. stated he then left the Gas station to drop his friend off on N. 23rd and W. Kille Ave. and then got on the freeway and start to drive

INTERVIEWING OFFICER: Name, Rank, Payroll Number

Date and Time of Interview

SUPERVISOR SIGNATURE

Det. Keithly Klein

Date

Det. Albert Neiswander 45027

PA-45 B Rev. 08/02

NAME	LAST	FIRST	MIDDLE	D.O.B	CIB FILE#
PAINE,		LAURENCE	C	10/20/76	

ARREST DATE AND TIME	CHARGE	STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

to the Minneapolis area, stated his sister lives in Blaine Minn. Stated he tried to call his sister to see if she was up, stated his cell phone was a prepaid - and doesn't remember the number, and had that phone for ~~about~~ a few days bought off the street, stated his sister's # is 612-388-7807, stated he did not receive an answer from his sister, so he decided to stop at a Super 8 Motel to sleep, stated the Super 8 is in "Quinn Valley", stated it is right off the freeway, stated he knows the number to ~~be~~ 763-546-~~0000~~⁰²⁷⁷ because when he heard the police were looking for him he called to see if they had a record of when he came there, stated he ~~called~~^{called} "Katie" ^{at the hotel, to some individual} who told her that she couldn't find the disc when the records were kept, stated she may have the information on Monday for him. Stated when he arrived at the Motel that he was booked on a white room, around 7³⁰ ^{got the call} ~~st~~ stated

INTERVIEWING OFFICER: Name, Rank, Payroll Number

Date and Time of Interview

4184

[Signature]

SUPERVISOR SIGNATURE

[Signature: Keith New]

[Signature: Det. Robert ...]

Date

45027

PA-45 B Rev. 08/02

NAME	LAST	FIRST	MIDDLE	D.O.B.	CIB FILE#
	PAINÉ	LURENCE	C	10-20-76	

ARREST DATE AND TIME:

CHARGE STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

He had called over several times just to rest his eyes but only stayed for a few minutes. cannot be sure of exact times.

Painé stated that he slept during the day at the Motel, waking up later in the ~~morning~~ afternoon and then went out to a club. stated he went to a club downtown called "Anger's" and met a black female dancer there named Zoronica who actually was from Whitewater; stated Zoronica has been in White water, pn # 688-388-7807 and admitted she is a ~~former~~ student in Whitewater; stated while in Minnesota ~~he~~ try to meet with her son but Julie Garcia won't let her even come and visit. stated he stayed at his sister's house for awhile and kept in touch with Zoronica by phone. stated that within a week of being in Minnesota he heard from his friend (unnamed), the same person he was in the ~~club~~ Club, ~~that~~ had told him that

INTERVIEWING OFFICER Name, Rank, Payroll Number

18

Date and Time of Interview

SUPERVISOR SIGNATURE

Det. Harvey New 55076 *[Signature]*

Date

PA-45 B Rev. 08/02

PAINÉ, LURENCE C 10-20-76

NAME LAST FIRST MIDDLE D.O.B. CIB FILE#

ARREST DATE AND TIME:

CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

Pep was killed in Milwaukee; stated he didn't know any details at that time. Stated he did not call anyone in Milwaukee to find out what happened.

Paine stated that he and Zonoua had struck up a friendship and around May 2nd he took a bus to Whitewater to stay with Zonoua. Stated while at Zonoua's in Whitewater, his mother and his uncles friend told him that his name came out in the paper as being a suspect in this case and he then decided to come in and tell the police that he was not responsible.

Paine indicated that he had absolutely no problem with Jonson Saddle or Aaron Harrington and had no reason to kill them. Stated that he was close to Jonson's mother and family and that he stayed there last and would call for his mom and help around the house. Stated

INTERVIEWING OFFICER: Name Rank, Payroll Number

Date and Time of Interview

Det. Kelly Allen

Date 1-7

SUPERVISOR SIGNATURE

PA-45 B Rev. 08/02

NAME LAST FIRST MIDDLE D.O.B CIB FILE#

ARREST DATE AND TIME:

CHARGE STATUTE NO. / ORD NO.

STATEMENT OF PRISONER (Continued)

That Jonari and Aaron ~~were~~ were real cool and had no problems ~~that~~ with anyone that he knows of.

Ben wanted to explain that on ~~that~~ ^{the} ~~date~~ ^{date} of ~~the~~ ^{the} ~~14th~~ ^{14th} at around 10:00 while at the park that he came there with one of his friends, who he does not want to name and that this is the same person that has the message for him from the dancer of ~~the~~ ^{the} ~~14th~~ ^{14th} stated there was another ~~friend~~ ^{friend} that ~~could~~ ^{could} tell us he was in there, and that this is the friend who told him the two men ~~in~~ ⁱⁿ suits were detectives; stated once he found out that he was wanted for the homicide he tried to ask his friend to come forward for him and that his friend ~~would~~ ^{would} that he come with may be willing to come forward but he would like to call him himself. stated the other subject he asked to have him come forward but he would not.

INTERVIEWING OFFICER Name, Rank, Payroll Number

Date and Time of Interview

Det. Kathy New

SUPERVISOR SIGNATURE

Date

PA-45 B Rev. 08/02

Paine, Lawrence C.

NAME LAST FIRST MIDDLE D.O.B CIB FILE#

5-9-04, 12:30pm

ARREST DATE AND TIME

CHARGE STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

This report was read back to Lawrence Paine as he read along and stated it is true.
X L Paine

During this interview Lawrence Paine was given two bottles of water, refused any offers of food and had one twenty-minute break. Interview terminated 6:40pm
X L Paine 5-9-04

Det. Kaye Stein Det. William Hernandez

INTERVIEWING OFFICER: Name Rank, Payroll Number

Date and Time of Interview

SUPERVISOR SIGNATURE

Date

EXHIBIT B

PA-45 B Rev. 08/02

Paine, Lawrence

NAME LAST FIRST MIDDLE D.O.B CIB FILE#

5-9-04, 12:30 PM

940-1

ARREST DATE AND TIME:

CHARGE: STATUTE NO. / ORD NO.

STATEMENT OF PRISONER (Continued)

On Mon 5-10-04 @ 3:15 PM Det Kathy Keen in the presence of Det Robert [unclear] read aloud Paine's Miranda warnings which he stated he understood and wished to talk to these detectives X.V

Paine stated that he told us the truth yesterday when he explained that he was at the Paradise Club on 2nd & National on Sat 5-9-04 @ 1:30 AM when he left with his friend "Skid" cell # 975-1077 B/M 24 years of age. stated he was at the Super 8 Hotel as he stated before and still believes he arrived sometime around 7 AM but can't be sure. stated he got a receipt when he came to the hotel but left it in his room. stated he went through the entire check-in procedure and believes he would not have spent time in his room that he ate pizza in there and in private he spent time in his room. stated he believes his room was on the first floor at

INTERVIEWING OFFICER Name Rank, Payroll Number

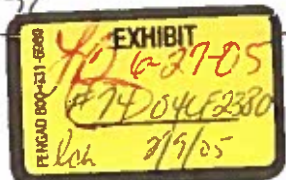
Date and Time of Interview

D. T. Kathy Keen 55076

Det Robert [unclear]

SUPERVISOR SIGNATURE

Date



PA-45 B Rev. 08/02

PRAINE, LAURENCE (PAGE 2 OF 4)
10-30-76

NAME LAST FIRST MIDDLE D.O.B. CIB FILE#

5-9-04 12:30 P

ARREST DATE AND TIME:

CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

The end of the hallway, near the jail sign.
Paine was shown the following
photos.

CJF # 110268700 DONTA C. WEDDLE, BOM
10-02-73. stated he has
seen him before on the
street, didn't recognize
anywhere on Fri 4-9-04
Sat. 4-10-04

CJF # 354860608 Ronald & Terry BOM
4-29-75. has seen in the
area before, did not see
any time on 4-9-04 or
4-10-04.

CJF # 110295667 ERIC D. HOWARD, BOM
12-22-78; knows from area
not with him on 4-9-04 or
4-10-04.

CJF # 224325515 Monroe A. Donald
BOM 7-21-80, knows from area
was not with him on 4-9-04
or 4-10-04.

CJF # 4394517 Ronald Banks BOM 11-24-80
knows from area, was not
with him on 4-9-04 or 4-10-04.

INTERVIEWING OFFICER. Name, Rank, Payroll Number

Date and Time of Interview

Det. Kathy Hill
SUPERVISOR SIGNATURE

D. J. [Signature]
54

Date 4-10-04

PA-45 B Rev. 08/02

Paine, Lawrence

NAME LAST FIRST MIDDLE D.O.B. CIB FILE#

5-9-04; 12:30 P

ARREST DATE AND TIME:

CHARGE: STATUTE NO. / ORD NO.

STATEMENT OF PRISONER (Continued)

CJF #10295411 Kenneth E. Hudson
Born 4-5-84; knows him from
area. Was not with him
on 4-9-04 and 4-10-04.

CJF photo # 307281 422 L. J. Jolly
Born 10-27-76 knows from area
was not with him on 4-9-04, and
4-10-04

CJF 110247398 Leano Jenkins
Born 10-30-78 knows from area
was not with him on 4-9-04 or
4-10-04.

CJF 11021792 Wayne T. Kegera
Born 6-21-81, knows from area
was not with him on 4-9-04 and
4-10-04;

Paine stated he did not want
to involve his friends in any of this
and does not want to give further
information regarding "Allen."

Paine was advised that
the hotel records indicate he arrived
at around 11^{PM}, he indicated that
he drove around a suburban area
to see a friend but his friend

INTERVIEWING OFFICER: Name, Rank, Payroll Number

Date and Time of Interview

Det Kathy Klein

SUPERVISOR SIGNATURE

Det A. [Signature]

Date

25

PA:45 B Rev. 08/02

Paine, Lawrence E. 10-30-76

NAME

LAST

FIRST

MIDDLE

D.O.B

CIB FILE#

5-9-04 12:30P

940.1

ARREST DATE AND TIME:

CHARGE STATUTE NO / ORD NO.

STATEMENT OF PRISONER (Continued)

Was not home; states he does not want to involve his friend.

Paine still doesn't remember involvement in this incident; believes he may have arrived at the hotel about 7:30 or 8:00 but can't be sure of the time.

This report was read back to Paine as he read along and indicated it is the truth.

X. L. Paine

Paine was given two bottles of water, cigarettes and refused any offers of food during this interview. Work opinion time bathroom activities terminated 6:30 PM

X. L. Paine

INTERVIEWING OFFICER Name, Rank, Payroll Number

Date and Time of Interview

Det. Kathy Green

Det. [Signature]

SUPERVISOR SIGNATURE

Date

5/9

EXHIBIT C

ORIGINAL

PAGE 1 OF 3

PA-45 B Rev. 08/02

Paine Lawrence C

10 20 76

NAME

LAST

FIRST

MIDDLE

D.O.B.

CIB FILE#

M4195-84

ARREST DATE AND TIME.

5-9-04 12:50 pm

CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

On 5-10-04 at 2:25 pm I Det Billy Ball in the presence of Det Percy Moore advised the subject of his Miranda warnings at which time he stated that he understood them and was willing to talk with the police without a lawyer present. Paine

Paine relates that everything that he told the other Detectives regarding the homicide of Janice Suddler and Aaron Harrington was true. Paine relates that he wanted to add information regarding the people that he went to the Paradise Club with on 4-18-04.

One of the people that went with him to the bar was SKIN, Blm, 24-25, 5'7", 58, 160 and has the cell phone number of 975-1077. While they were in the club 2 Detectives came into the Paradise bar, 1 Blk, 40, 5'11", 235, 550 lbs, short hair, dark skin, gold glasses. The second Det. Blm 33, 6'1", 6'2", 200 lbs, med. complexion, dark hair, cut. Both people that Paine thought were Detectives were wearing dark clothes. Paine relates that he remained at the bar until closing and when he left the 2 people that he thought were Detectives left also. Paine never spoke to the Detectives.

Paine relates that skin dropped him off at the police station on 5-9-04 to turn himself in.

Paine viewed a color photo of the blue and white home at 2011 N. 24th and stated that was Janice Suddler's home. Paine

EXHIBIT 6-27-05 #96 3/9/05 04CF2380

Name, Rank, Payroll Number Billy Ball Det 55761

Date and Time of Interview 5-10-04 2:25 pm 64204 749 W 2nd St Rm 419

Det Percy Moore 46029

Date 04

PA-45 B Rev. 08/02

NAME LAST

FIRST

MIDDLE

D.O.B.

CIB FILE#

Paine Lawrence C

10 30 76

ARREST DATE AND TIME

5 9 04 12 30 p

CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

Paine stated that a few days after the homicide on 4-10-04 while he was in MN he got ~~by phone~~ ^{called} Sker on his cell phone to see what was going on. Sker told him that [redacted] "Red" got killed. Paine related that he

remained in MN until May 2 2004. Paine stated on May 1, 2004 he got a bus ticket and went ^{WITH} Whitewater to ~~is~~ ~~with~~

ZUCOVIA (212 21) 315 29 561 150 DORE SKER (008 312 9166) ^L ~~travel~~ at Chicago in MN.

PA-45 B Rev. 08/02 Paine Laurence C 10-20-76
 NAME LAST FIRST MIDDLE D.O.B. CIB FILE#

ARREST DATE AND TIME: 5-7-04 12:30 pm CHARGE: STATUTE NO. / ORD. NO.

STATEMENT OF PRISONER (Continued)

Paine states that he has had sex with Isaac
Washington's son "Lincoln" in the past on 2 pure occasions but he
and Isaac are together with no problems between them.

Paine relates that he is not responsible for any homicides
in Milwaukee @ L Paine

INTERVIEWING OFFICER: Name, Rank, Payroll Number Billy Buel Det 55766 Date and Time of Interview 5-7-04 12:54-6:42

SUPERVISOR SIGNATURE Det. Steve J. Moore 46029 Date 5-7-04 4:14

EXHIBIT D

PA-45 B Rev. 08/02

NAME	LAST	FIRST	MIDDLE	D.O.B	CIB FILE#
	<u>PAINF</u>	<u>Lawrence</u>	<u>C</u>	<u>10-20-76</u>	<u>1M4184/1M4185</u>
ARREST DATE AND TIME:		<u>3-7-04</u>	<u>12:25pm</u>	CHARGE: STATUTE NO. / ORD. NO. <u>940.0</u>	
STATEMENT OF PRISONER (Continued)					

On Monday, 05/10/04 at the below time while in interview room #414 of the CIB, I Det Gulbrandsen while witnessed by Det Michael Wilkerson did read Paine his Miranda rights to which he stated he understood and wished to waive. to make the following statement. Paine stated that he has had his Miranda rights read to him on at least five different occasions. L PAINF

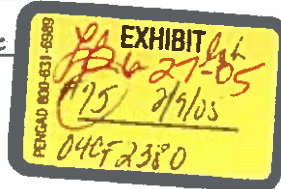
Regarding the homicide on 04-10-04 on 3011 N. 24th Pl involving the victims Janari A. Saddle (B/M; 2-18-76) and Aaron M. Harrington (B/M; 7-10-83), Paine makes the following statement. Paine was shown CJI's #110296274 (Janari A Saddle B/M 2-18-76) and identified this subject as "Janari" or "Pop". Paine was shown CJI's #313695605C (Aaron M. Harrington B/M; 7-10-83) and identified him as "Ace", "Pop's Cousin". L P

Regarding Paine's account for his activities on 04-09-04 and 04-10-04, Paine provides the following. States that on 04/09/04 around 10:30pm he drove his friend "Skin" (B/M, 24 yrs, #975-1077) to the "Paradise" Strip Club (2nd and National). States that they stayed at this location until last call (around 2:00am). States that while at this location he drank two bottles of beer (Heineken). States that after the last call, he and "Skin" left. States that while they were in the bar, he recognized a guy that he knows as "Ken". States that while in the club "Ken" pointed out two other guys that he believed to be LP from the Police Department. L P

Paine states that after he left the bar, he drove his 1995 Buick Stratus wagon (Beige People Car) to the gas station (Citgo) just South of the bar. States that while he was at the gas station, he put 28⁰⁰ of gas into his car. States that after LP filling the car up with gas, he remained in the lot so he could roll a blunt (marijuana cigarette). Paine states that he then drove

INTERVIEWING OFFICER: Name, Rank, Payroll Number Det Erik M. Gulbrandsen 62595 Date and Time of Interview 05/10/04 3:53pm

SUPERVISOR SIGNATURE Det. Michael Wilkerson 59096



PA-45 B Rev. 08/02

NAME	LAST	FIRST	MIDDLE	D.O.B	CIB FILE#
	PAINE	Laurence	C	10-20-76	174184/174185
ARREST DATE AND TIME:		5-9-01	12:25	CHARGE STATUTE NO / ORD NO 940.01	

STATEMENT OF PRISONER (Continued)

"Skin" home and dropped him off in the area of 23rd and Keefe. States that he dropped "Skin" off around 2:30am. LP

Paine states that after dropping "Skin" off, he started to drive to Minnesota States that he planned on going to Minnesota to visit his son (Quincy) but didn't want to set a date so he wouldn't disappoint anyone if he didn't come. States that he didn't have any set time that he was going to go so he thought this would be a good time to go visit. States that he didn't pack any clothes because he already had a lot some of his clothes in his vehicle. Paine states that he made about three stops during the trip. Paine states that the first two stops were at rest areas and each stop was about 25-30 minutes. Paine states that he arrived in Minneapolis around 7:40a-8:00am. LP

Paine states that his first stop in Minnesota was at a Friends (Steve) house in Crystal MN. Paine states that he went to Steve's house but no one was home. Paine states that he was planning on staying at Steve's but since no one was home he decided to go to the Super Eight Hotel in Golden Valley MN. Paine believes he arrived at the hotel around 8:00am. Paine states that he has stayed at this hotel (Super Eight) about five previous times. Paine states that he initially booked the room for one night for \$65-\$70/night. Paine states that on Sunday (4/11/04) he booked the room for an additional night. Paine states that he checked out of the hotel on Monday (4/12/04) morning. Paine states that on Sunday 5/18/04 he called the hotel in an attempt to verify his times of arrival on Sat 4/10/04 but they were unable to help him because they were under new management. LP

Paine states that after checking out of the hotel he drove over to his sister's (Audra Lynn PAINE (612) 388-7807) house in Bloomington

INTERVIEWING OFFICER: Name, Rank, Payroll Number Det. Michael Lischman 59096 Date and Time of Interview 13/01/2011 9:37

SUPERVISOR SIGNATURE Det. Michael Lischman 59096 Date 3/2

PA-45 B Rev. 08/02

NAME	LAST	FIRST	MIDDLE	D.O.B	CIB FILE#
	PAINE	Laurence	C.	10-20-76	1174184/1174185
ARREST DATE AND TIME: 5-9-04 12:25pm			CHARGE, STATUTE NO. / ORD. NO.		
STATEMENT OF PRISONER (Continued)					

Paine states that he then stayed at his sister Andrea's house until 5/11/04. Paine states that he left his sister's house to take a bus to visit a girl he met while in Minnesota. Paine states he met this girl ("Zee-Zee" B/F 20 y.o. (608) 312-9166) when he was out of a Strip Club (Aucy's) on Sunday 04/11/04. Paine states that "Zee-Zee" was a dancer at this club, but is also a student at the University of Whitewater. Paine states that he took a Greyhound bus from Minnesota to Madison. Paine states that "Zee-Zee" then picked him up at Madison. Paine states that his arrival to Whitewater was on 5/21/04. Paine states that he hung out with "Zee-Zee" for a week (5/21/04 - 5/29/04). ^{LY} Paine states that ~~prior~~ while he was in Minnesota, he heard about this homicide (1174184 + 1174185). Paine believes he heard about this incident from "Skim" on 4/14/04. Paine states that he stayed in touch with his ~~family~~ ^{"Skim"} ~~family~~ while he was in Minnesota, but he was never told that the police wanted to talk to him. Paine states that he did not know he was wanted by the Police until Friday 4/17/04 when he was in Whitewater. Paine stated that he turned himself ~~in~~ ^{LY} ~~in~~ ^{because} he was afraid of being harmed and wanted to get this cleared up. ^W

Upon reviewing this statement, Paine would like to add that after he initially left the strip bar ("Paradise") on Sat 4/10/04 he returned because he was given a wrong phone number and after it was corrected he then went to the gas station.

Laurence Paine

During the statement Paine was provided with the following:

- 6 Newspaper Cigarettes
- 4 - cups of water
- Dellies for

The following breaks:

11:03 - 11:19 General Break 12:35 12:57 lunch break + bathroom 2:19 2:34 General Break

INTERVIEWING OFFICER: Name, Rank, Payroll Number Date and Time of Interview

Det. Mike M. Gulbransen 6255- 3100 2:27
Det. Michael Wickham 59096

SUPERVISOR SIGNATURE

Date

23

EXHIBIT E

1

17.BCs16.6H12E

Department Audit Report - by Departments

Date: 04/11/04 01:47

MTL GOL MSP Golden Valley

Dept: (CA) CASH.

Business Day: 07/11/04

Shift: All Operator: All Adjustments Only: N

Post Date	Post Time	Post Oper	S Room	Account Nbr	Item Nbr	Corr	Guest Name	Reference	Monetar	Rate	Tax	Adj	Total
PR10	22:03	JK	C	210	P33787-00	1	REGGUINI/AM	CHECK-IN	64.53	64.53	.00		64.53
PR10	22:39	JK	C	213	P33788-00	1	BADILE/BOUCE	CHECK-IN	59.77	59.77	.00		59.77
PR11	00:09	JK	C	257	P33789-00	1	BOHEZ/MARTIN	CHECK-IN	67.73	67.73	.00		67.73
PR10	15:21	KE	R	351	P33790-00	1	VAZQUEZ/ROSE	CHECK-IN	59.20	59.20	.00		59.20
PR10	16:37	KE	R	353	P33792-00	1	BRATTANO,SAB	CHECK-IN	59.20	59.20	.00		59.20
PR10	16:42	KE	R	349	P33787-00	1	CLARK/MEYON	CHECK-IN	59.20	59.20	.00		59.20
PR10	18:44	KE	R	309	P33728-00	1	HOUSELOS/DAV		59.20	59.20	.00		59.20
PR10	07:53	MH	A	House 001		177	MISC INCOME		1.00	1.00	.00		1.00
PR10	09:01	MH	A	317	P33765-00	5	EDISON, YAVIE		70.50	70.50	.00		70.50
PR10	09:33	MH	A	248	P33771-00	5	VAN CHRISTA		59.50	59.50	.00		59.50
PR10	10:03	MH	A	241	P33772-00	5	LEINER/NICHE	CHECKED-OUT			.00		
PR10	10:05	MH	A	352	P33758-00	5	WASH/TONY		40.50	40.50	.00		40.50
PR10	11:01	MH	A	249	P33776-00	1	PAINE, LAUREN	CHECK-IN	49.50	49.50	.00		49.50
PR10	11:17	MH	A	217	P33617-01	1	LINDELL/LOIS		59.30	59.30	.00		59.30
PR10	12:02	MH	A	348	P33777-00	1	PELTSMAN, MIC	CHECK-IN	49.50	49.50	.00		49.50
PR10	04:02	TB	A	225	P31847-01	216	HEADLEY, MARC		67.12	67.12	.00		67.12
PR10	04:02	TB	A	225	P31847-01	217	HEADLEY, MARC		48.56	48.56	.00		48.56
PR10	04:27	TB	A	250	P31847-03	1	HEADLEY, MARC	CHECK-IN	48.56	48.56	.00		48.56
PR10	04:43	TB	A	127	P33774-00	1	JOHNSON/LATE	CHECK-IN	59.20	59.20	.00		59.20
PR10	04:43	TB	A	127	P33774-00	5	JOHNSON/LATE	NO CASH GIVEN	59.20	59.20	.00		59.20
PR10	04:47	TB	A	127	P33774-01	1	JOHNSON/LATE	CHECK-IN	59.20	59.20	.00		59.20
PR10	05:57	TB	A	313	P33775-00	1	SMITH/CYRUS	CHECK-IN	59.20	59.20	.00		59.20
										122.77	122.77		

EXHIBIT
788
04CF2380
6/2/05
LCL

2

17. Relation: 255 Address: MAVER 5

Page 41 of 60

Similar Names For PATNE

Updated: 07/20/2023 10:19 PM Page 1 of 1

Item	Guest Name	Phone	City	St
1	PATNE	LAURENCE	W	Wisconsin
2	PATNE	DEBORAH	701-253-781	Stearns
3	PANA-STODOLAS	MIKE	N	Jackson
4	PANDOLFI	=====		
5	PANZER	Guest Name: Patne	Laurence	
6	PANZING	Company Name: 9500-5217-6980-05		
7	PANZINE	Address: 2200 N 7th St		
8	PANZINE	City: Milwaukee	State: WI	Zip: 53208
9	PANZER	Phone: 414-381-1111		
10	PANZER	Last Stay: 4/21/04	Guest Room: 240	DI
11	PAYNE	Requests:	Rate Code: 5-	
12	PAYNE	No. of:	Rate:	
13	PAYNE	Notes:	Remarks: 172 30	
14	PAYNE			
15	PAYNE	Action: ENTER=Set	1=Accept	2=Ignore
16	PAYNE	=====		

Display Item: 1 Similar Pages (Just press ENTER) Page 1 of 1

CONFIDENTIAL

EXHIBIT
#89
04CF2380
6/3/05
LCR

3

ates: 04/11/04 01:47

Department of ...

Page 3

apt : (T1) SALES TAX

MTL 001 MFL Golden Valley

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Eff: All Operator: All Adjustments Dr: N

Post	Post S	Room	Account	Rate	Rate	Area	Guest Name	Reference	Total
PR11	01:29	JK	C 119	P33641-00	4		MYERS, AMY	** Auto-posted **				
PR11	01:29	JK	C 127	P33774-01	3		JOHNSON, LATE	** Auto-posted **				
PR11	01:29	JK	C 205	P33608-00	3		HEIN, HERMAN	** Auto-posted **				
PR11	01:29	JK	C 209	P33781-00	3		BEUFORT, KIP	** Auto-posted **				
PR11	01:29	JK	C 210	P33737-00	2		RESOUR, ...	** Auto-posted **				
PR11	01:29	JK	C 211	P33484-00	7		CHELECHAK, ...	** Auto-posted **				
PR11	01:29	JK	C 212	P33701-00	3		ROBINSON, ...	** Auto-posted **				
PR11	01:29	JK	C 213	P33708-00	3		BARTLE, ...	** Auto-posted **				
PR11	01:29	JK	C 214	P33755-00	7		JONES, ...	** Auto-posted **				
PR11	01:29	JK	C 215	P33784-00	3		GAEDE, ...	** Auto-posted **				
PR11	01:29	JK	C 216	P33700-00	3		JEFFREY, D	** Auto-posted **				
PR11	01:29	JK	C 217	P33717-01	3		LINDELL, ...	** Auto-posted **				
PR11	01:29	JK	C 219	P33763-00	2		THOMPSON, ...	** Auto-posted **				
PR11	01:29	JK	C 219	P33622-00	2		WELANDER, ...	** Auto-posted **				
PR11	01:29	JK	C 221	P33617-00	4		LINDELL, ...	** Auto-posted **				
PR11	01:29	JK	C 225	P316-7-01	21		HEADLEY, ...	** Auto-posted **				
PR11	01:29	JK	C 227	P33463-00	2		BROWN, ...	** Auto-posted **				
PR11	01:29	JK	C 243	P32854-00	7		DENSE, ...	** Auto-posted **				
PR11	01:29	JK	C 248	P33751-00	2		NANN, ...	** Auto-posted **				
PR11	01:29	JK	C 249	P33776-00	2		BAINE, ...	** Auto-posted **				
PR11	01:29	JK	C 250	P31347-00	3		HEADLEY, ...	** Auto-posted **				
PR11	01:29	JK	C 251	P33658-00	19		MACKENZIE, ...	** Auto-posted **				
PR11	01:29	JK	C 253	P33683-00	2		CRADOCK, ...	** Auto-posted **				
PR11	01:29	JK	C 257	P33709-00	2		GOMEZ, ...	** Auto-posted **				
PR11	01:29	JK	C 307	P33728-00	3		HOUSE, ...	** Auto-posted **				
PR11	01:29	JK	C 310	P33762-00	2		NEAR, ...	** Auto-posted **				
PR11	01:29	JK	C 311	P33766-00	3		TJONSLAND, ...	** Auto-posted **				
PR11	01:29	JK	C 313	P33775-00	3		CRITCHFIELD, ...	** Auto-posted **				
PR11	01:29	JK	C 314	P33785-00	3		LAUREN, ...	** Auto-posted **				
PR11	01:29	JK	C 317	P33765-00	7		EDISON, ...	** Auto-posted **				
PR11	01:29	JK	C 348	P33777-00	2		FELTMAN, ...	** Auto-posted **				
PR11	01:29	JK	C 349	P33783-00	2		CLARK, ...	** Auto-posted **				
PR11	01:29	JK	C 350	P33375-00	2		WOLF, ...	** Auto-posted **				
PR11	01:29	JK	C 351	P33780-00	2		VAPOUR, ...	** Auto-posted **				
PR11	01:29	JK	C 352	P33758-00	7		NASH, ...	** Auto-posted **				
PR11	01:29	JK	C 353	P33782-00	3		GRADIA, ...	** Auto-posted **				
PR11	01:29	JK	C 357	P33778-00	2		COFFELAND, ...	** Auto-posted **				
PR11	01:29	JK	C 359	P30126-00	2		BOTTING, ...	** Auto-posted **				
PR10	04:43	TR	A 127	P33774-00	3		JOHNSON, ...	** Auto-posted **				
PR10	04:45	TR	A 127	P33774-00	3		JOHNSON, ...	NO STAY				

EXHIBIT #90
 04CF2380
 6/2/05
 LUK

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Guest File Exception Report

Date: 04/11/04 01:47

Page: 3

Acct Nbr	Arrival	Nites	Room Type	Room Nbr	Guest Name	Message
P33774-01	10APR04	1	01 D1	127	JOHNSON/LATS	Due to Check out
P33775-00	10APR04	1	01 CD1	313	SMITH/OKPADA	Due to Check out
P33774-00	10APR04	1	01 D1	247	FAINE, LAUFEN	Due to Check out
P33777-00	10APR04	1	01 ND1	343	PELTMAN, MIC	Due to Check out
P33778-00	10APR04	1	01 ND1	357	TOPP/AND, SC	Due to Check out
P33780-00	10APR04	1	01 ND1	351	VAZQUEZ/RODR	Due to Check out
P33782-00	10APR04	1	01 ND1	353	GRACIANO, SAA	Due to Check out
P33783-00	10APR04	1	01 ND1	349	CLARK/MEYER	Due to Check out
P33784-00	10APR04	1	01 NCD1	215	SAEDE/WATHLE	Due to Check out
P33785-00	10APR04	1	01 NCD1	314	JAMPESU/AMA	Due to Check out
P33786-00	10APR04	1	01 NCD1	310	NEWCOMER/LEE	Due to Check out
P33787-00	10APR04	1	01 CD1	210	REGGINTI/AN	Due to Check out
P33788-00	10APR04	1	01 NCD1	213	BAZILE/BRUCE	Due to Check out
P33789-00	10APR04	1	01 NK1	257	SOYER/MARTIN	Due to Check out
P33790-00	10APR04	1	01 NCD1	209	BECERRA-VIOR	Due to Check out
P56317-11	27MAR04	4	01 NK1	241	ROSENBERG, NE	PLS GO TO CHECKOUT

EXHIBIT
#91
04CF2380
6/30/05 LK

PENGAD 800-631-6203

5

Handwritten notes on the left margin, possibly including a date like '11/11'.

Hotel Golden Valley MN.

Name _____

of rooms

19

Room#	C/O	S/O	Out	Comments
114	CO		XVR	257 CO VR
117	CO		VR	
205	CO		VR	
209	CO		VR	
210	CO		VR	
211		SO	SO	
212		SO	SO	
213	CO		VR	
214	CO		XVR	
215	CO		VR	
223		SO	SO	
225	CO		N/SO	
227		SO	SO	
243	CO		VR	
248		SO	SO	
249	CO		XVR	
250	CO		VR	
251		SO	SO	
253	CO		XVR	

EXHIBIT #92
 04CF2330
 6/3/05 LSK

Date: 4-11-04

Golden Valley Super 8

(6)

ROOM#	STATUS	COMPLETE	COMMENTS	ROOM#	COMPLETE	COMMENTS
1st Floor				3rd		
119				301	UC	
120	UC			303	UC	
121	UC			305	UC	
122	UC			306	UC	
123	UC			307	UC	
124	UC			308	UC	
125	UC			309	CO	UR
126	UC			310	CO	UR
127	CO		UR	311	CO	UR
129	UC			312	NIS	
2nd				313	CO	UR
203	CO		UR	314	CO	UR
205	CO		UR	315	UC	
207			art mkt	316	UC	
208	UC			317	CO	UR
209	CO		UR	318	UC	
210	CO		UR	319	UC	
211	SO		SO	320	UC	
212	SO		SO	321	UC	
213	SO		UC	322	UC	
214	CO		UR	323	UC	
215	CO		UR	324	UC	
216	CO		UR	325	UC	
217	CO		UR	326	UC	
218	CO		UR	327		art mkt
219	CO		UR	329		CLEAN
220	CO		UR	333	UC	
221	CO		UR	335	UC	
222	UC			336	UC	
223	SO		SO	337	UC	
224	UC			338	UC	
225	SO		NIS	339	UC	
226	UC			340	UC	
227	SO		SO	341	UC	
229	UC			342	UC	
239	UC			343	UC	
240	SO		NIS	344	UC	
241	UC			345	UC	
242	UC			346	UC	
243	CO		UR	347	UC	
244	UC			348	CO	UR
245	UC			349	CO	UR
246	UC			350	CO	UR
247	UC			351	CO	UR
248	SO		SO	352	CO	UR
249	CO		SO	353	CO	UR
250	CO		UR	354	UC	
251	SO		SO	355	UC	
252			art mkt	357	CO	UR
253	UC			358	UC	
254			art mkt	359	CO	UR
255	UC					
256	UC					
257	CO		UR			

EXHIBIT #93
 04CF 2380
 4/30/05 LK

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Department: ...

Date: 04/12/04 00:00

Dept: (CA) CASH
Shift: All Operator: All Adjustments Only: N

Post Date	Post Time	Post Oper	S Room	Account Nbr	Item Nbr	Guest Name	Reference	Voucher	Total	Priority	Tax	Adj. Item
APR11	07:20	CS	A 225	P31847-01	221	HEADLEY, MARC	ROOM		48.54	48.54		
APR11	10:28	CS	A 249	P33776-00	5	PAINÉ, LAUREN	ROOM		48.54	48.54		
APR11	10:48	CS	A 213	P33788-00	5	BAZILE/BRUCE	CHECKED-OUT		.01	.01		
APR11	13:12	CS	B 226	P33794-00	1	PHUNG, THY	CHECK-IN		48.48	48.48		
APR11	13:20	CS	B 320	P33795-00	1	SCHULTZ, TERE	CHECK-IN		48.65	48.65		
APR11	22:04	JS	C 359	P33806-00	1	BELL, BRUNETT	CHECK-IN		48.54	48.54		
APR11	15:27	KE	B 314	P33791-00	1	WYTTENBACH/R			53.27	53.27		
APR11	15:28	KE	B 315	P33792-00	1	WYTTENBACH/R			53.27	53.27		
APR11	15:31	KE	B 348	P33796-00	1	TORRES/LUIS	CHECK-IN		53.98	53.98		
APR11	18:20	KE	B 221	P33799-00	1	ADUINO, OLGA	CHECK-IN		53.57	53.57		
APR11	19:03	KE	B 351	P33800-00	1	MALECHA/ELIZ	CHECK-IN		53.58	53.58		
APR11	19:43	KE	B 352	P33802-00	1	TIRADOSANCHE	CHECK-IN		53.58	53.58		
APR11	20:14	KE	C 353	P33803-00	1	SAURUS/CURTIS	CHECK-IN		53.58	53.58		
APR11	21:11	KE	C 210	P33804-00	1	SCOTT, KENNET	CHECK-IN		53.58	53.58		
APR11	22:14	MH	C 208	P33807-00	1	THOMSON/CHAR	CHECK-IN		53.58	53.58		

EXHIBIT
94
04CF2380
6/30/05 LK

Super 8 Motel Golden Valley Mt. Name Blanca

Scanned 02-10-2005

Page 1 of 1

8

er 8 B

Date 04/12/04 #of rooms 14 = (15)

Room#	CIO	SIO	Out	Comments
205		SO	SO	
208	CO		UR	
210	CO		UR	
211	CO		UR	
212	CO		X UR	
218	CO		X UR	
221	CO		UR	TRASHY ROOM \$6.00 Betty
223		SO	SO	
225	CO		UR	
243	CO		X UR	
248	CO		UR	
249	CO		UR	
250		SO	SO	
251		SO	SO	

NS

NS

217	VC			326	VC	
218	UR			327		OFF MHT
219	VC			329	VC	
220	VC			333	VC	
221	UR			335	VC	
222	VC			336	VC	
223		SO		337	VC	
224	VC			338	VC	
225		SO		339	VC	
226	UR			340	VC	
227	UR			341	VC	
229	VC			342	VC	
239	VC			343	VC	
240	DND	SO		344	VC	
241	VC			345	VC	
242	VC			346	VC	
243	UR			347	VC	
244	VC			348	UR	
245	VC			349	VC	
246	VC			350	UR	
247	VC			351	UR	
248	UR			352	UR	
249	UR			353	UR	
250		SO		354	VC	
251		SO		355	VC	
252		OFF	MHT	357		SO
253	VC			358	VC	
254		OFF	MHT	359	UR	
255	VC					
256	VC					
257	VC					

EXHIBIT #95
 04CF2380
 6/30/05 LCK

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Department Audit Report - by Departments

04/13/04 03:03

Page: 2

MTL GOL MSP Golden Valley

CA CASH

Business Day: APR12 04

Operator: All Adjustments Only: N

Time	Post	Oper	S	Room	Account	Item	Corr	Guest Name	Reference	Voucher	Total	Primary	Tax	Adjusts	Dep
12 08:11	CS	A	320	P33795-00	5			SCHULTZ, TERE	ROOM		69.85	69.85	.00		
12 09:42	CS	A	208	P33807-00	5			THOMSON/CHAR	ROOM		53.36	53.36	.00		
12 11:30	CS	A	249	P33811-00	1			SOMCRANT, PAT	CHECK-IN		53.88	53.88	.00		
12 12:05	CS	A	119	P33812-00	1			TAHER, SEAN	CHECK-IN		1.07	1.07	.00		
12 14:16	CS	B	225	P31847-01	228			HEADLEY, NARC	GL		1.07	1.07	.00		
12 05:38	JS	A	225	P31847-01	225			HEADLEY, NARC			48.56	48.56	.00		
12 16:03	KE	B	248	P33673-00	1			WENKING/JEFF	CHECK-IN		53.88	53.88	.00		
12 17:46	KE	B	348	P33819-00	1			MENDOZA, LUIS	CHECK-IN		53.88	53.88	.00		
12 19:27	KE	B	349	P33823-00	1			BELL, BRUNETT	CHECK-IN		48.56	48.56	.00		
12 20:21	KE	B	353	P33803-01	1			PAURUS/CURTI	CHECK-IN		53.88	53.88	.00		
12 21:27	KE	C	227	P33825-00	1			POLINSKY/GAR	CHECK-IN		53.88	53.88	.00		
13 01:43	TD	C	208	P33807-00	6			THOMSON/CHAR			53.36	53.36	.00		
Totals											545.23	545.23	.00		.00

EXHIBIT
 # 96
 04CF2380
 4/30/05 LCK

EXHIBIT F

PO-15A 3/98 SUPPLEMENTAL REPORT MILWAUKEE POLICE DEPARTMENT		<input type="checkbox"/> INCIDENT SUPPLEMENT <input type="checkbox"/> ACCIDENT SUPPLEMENT <input type="checkbox"/> JUVENILE SUPPLEMENT		DATE OF REPORT 5-11-04	INCIDENT/ACCIDENT # 04-101-3040/M4184
INCIDENT INFORMATION	INCIDENT HOMICIDE		DATE OF INCIDENT/ACCIDENT 4-10-04		
	VICTIM SADDLER, Janari A.		LOCATION OF INCIDENT/ACCIDENT 3011A N. 24 th Place		DIST. # 7
JUVENILE LAST NAME FIRST MIDDLE		DATE OF BIRTH		<input type="checkbox"/> DETAINED <input type="checkbox"/> ORDERED TO MCCC <input type="checkbox"/> OTHER	
QUANTITY	TYPE OF PROPERTY	DESCRIPTION	SERIAL #	CODE #	VALUE

This report is being dictated by Detective Gilbert HERNANDEZ, squad 127, assigned to the Criminal Investigation Bureau, Day Shift.

On Tuesday, May 11, 2004, we, squad 127, Detective Gilbert HERNANDEZ along with Detective Katherine HEIN, while conducting interviews of a suspect in this offense, Laurence PAINE, B/M, DOB 10/20/76, who was in custody now for the above incident.

While conducting interviews, he did indicate that at the time of this incident that he was in Minnesota. He indicated that he was staying at a Super 8 Motel, which is located at 6300 Wayzata, which is located in Golden Valley, Minnesota, zip 55541, phone of #763-546-6277.

Mr. PAINE indicated that he arrived in Minnesota approximately 7:30-8:00 a.m. and indicated that he could have not been involved in a homicide because of the traveling time.

I, Detective HERNANDEZ, did take the opportunity to make contact with the management of the Super 8 Motel. I was able to make contact with a daytime manger, identified as Diana SCHWERIN, W/F, DOB 4/14/65, with the Super 8 Motel address of 6300 Wayzata.

At this time I did indicate to Ms. SCHWERIN that an individual by the name of Laurence PAINE had checked into the hotel, particularly the dates of April 10, 2004. She at this time did indicate that the records did indicate that there was a check-in time of April 10, 2004 at 11:01 a.m. She did indicate that the individual who did check-in did use cash and related that the clerk who checked PAINE in would have been an individual by the name of Michael HUMPHREY, DOB 5/25/80, with an address of 1408 111th Avenue Northwest in Coon Rapids, Minnesota, zip code 55433. Further, the computer indicated that room 249 was the room, which was rented to Mr. PAINE.

Diana SCHWERIN indicates that she is suspicious of this transaction. She indicates that there was not a signature card with the signature information, such as the driver's license number on the registration card for the hotel. She indicated this was somewhat strange.

Diana SCHWERIN indicates upon continuing to check the computers she indicates that on April 11, 2004 at 10:28 a.m. that there was another payment taken for an extended stay of cash and once again this payment was taken by a clerk identified as Christopher R. SMIEJE, DOB 8/26/77, address of 2940 Beachwood Avenue in Minnetonka, Minnesota, zip code 55391.

HOMICIDE-04-101-3040/M4184

Diana SCHWERIN indicates that she again finds this to be suspicious. She indicates that after the morning of 4/11/04, when the room was to be cleaned by room service, the computer indicated that there was no room service needed, indicated that the room was never used.

Ms. SCHWERIN further relates that upon checking the room in the morning of 4/12/04, the second night in which Mr. PAINE would have had the room rented, again upon room service arriving service was not needed because the room was never used.

Ms. Diana SCHWERIN indicates that the room in question was subsequently again rented on 4/12/04 by a Patricia SONCRANT, at which time, she checked in at 11:30 a.m. This would have been for the day of 4/12/04 but again Diana SCHWERIN indicated that there was no cleaning service needed because it appeared that Mr. PAINE who stayed for the 2 days, that he never used the room. Ms. SCHWERIN indicates that she recalls that Laurence PAINE called her approximately 5-6 times, she believes on Wednesday, May 5th and Thursday, May 6th. She indicated that Mr. PAINE was inquiring for a receipt and Ms. SCHWERIN indicated that it appeared that Mr. PAINE was extremely upset regarding not able to obtain a receipt. Ms. SCHWERIN indicates that she felt uncomfortable, due to the fact that Laurence PAINE seemed to know quite a lot of information regarding the operation of the hotel computer, as far as, operating the computer, entering and retrieving information. She said that during the phone conversation, that he would ask her to push the exact buttons to obtain the receipt. Again, Ms. SCHWERIN indicated that she did not retrieve a receipt for this individual. She indicated that she wasn't sure who she was basically talking to and for this reason did not issue a receipt.

Ms. Diana SCHWERIN did indicate that the hotel has a new management. She related that the old management was having numerous problems with the employees. She indicated that there was a large amount of prostitution and drug related incidents, which were occurring, that the hotel was having numerous contacts with the City Police and this is why the new management was obtained. She further indicates that there were some employees, which were asked to leave, that being the individual Michael HUMPHREY, an individual by the name of Christopher SMIEJE. She indicated that there was another individual who still is employed, identified as Katie, it should be noted that during the interview of Mr. PAINE, he did indicate that he had a female friend who was employed at the motel. This person was identified as "Katie", identified through the hotel records as Katherine H. EUTING, B/F, DOB 11/10/78, with an address of 1824 Elliot Avenue, apartment 10, Minneapolis, Minnesota, zip code 55404, with a phone number of #612-226-7364.

Further investigation was attempted to get a videotape of the check-in, which met with negative results, due to the fact that the tape was taped over. At the time of this report, we will also

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be contacting again Diana SCHWERIN to obtain records as to the keycards, which possibly maybe computerized to possibly determine if the room and time of entering and exiting of the said room, that being room 249.

Report Dictated by Detective Gilbert HERNANDEZ.

GH:cg 5-12-04

REPORTING OFFICER <i>Det. Gilbert Hernandez</i> Detective Gilbert HERNANDEZ		Payroll 45027	Loc Code 91	SUPERVISORS SIGNATURE <i>Lt. Daniel Jih</i>
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EXHIBIT G

PO-15A 3/98 SUPPLEMENTAL REPORT MILWAUKEE POLICE DEPARTMENT		<input checked="" type="checkbox"/> INCIDENT SUPPLEMENT <input type="checkbox"/> ACCIDENT SUPPLEMENT <input type="checkbox"/> JUVENILE SUPPLEMENT	DATE OF REPORT 05/31/2004	INCIDENT/ACCIDENT NO. 04-101-3040/M4184
INCIDENT INFORMATION	INCIDENT HOMICIDE	DATE OF INCIDENT/ACCIDENT 04/10/2004		
	VICTIM SADDLER, JANARI A.	LOCATION OF INCIDENT/ACCIDENT 3011A N. 24 TH PL.	DIST. NO. 7	
JUVENILE LAST NAME	FIRST	MIDDLE	DATE OF BIRTH	<input type="checkbox"/> DETAINED <input type="checkbox"/> ORDERED TO MCCC <input type="checkbox"/> OTHER

This report is being dictated by Detective Erik M. GULBRANDSON, assigned to the Criminal Investigation Bureau, early shift, Squad 125.

On Friday, May 28, 2004, Detective Timothy HEIER and I went to Minneapolis, Minn., to conduct follow-up regarding the above incident. While in Minnesota, we went to the Super 8 Motel, which is located at 6300 Wayzata Blvd., Golden Valley, Minn. (business phone no. 763-546-6277). The purpose of this visit was to interview the present manager (Diana SCHWERIN), as well as any employees that were deemed relevant to this incident.

While at this location, we did speak with the manager, Diana SCHWERIN (W/F, DOB: 04/14/1965), of 13845 86th Ave., Maple Grove, Minn. (home phone no. 763-420-8795). Diana states that she has been working at this motel since April 28, 2004. She states that she knows that, prior to her becoming the general manager of this Super 8 Motel, this motel has a history of drug-related problems, as well as prostitution-related problems. Regarding security at this motel, Diana states that they do have video tape recorders, but that they record over these tapes every week.

Diana was shown CJIS photo no. 110309715 (Laurence C. PAINE, B/M, DOB: 10/20/1976), and states that she does not recognize this subject. But when given the name "Laurence PAINE," she does recognize the name from a previous conversation on the phone, as well as from talking to a detective, Gil HERNANDEZ, at an earlier time. Regarding the phone conversation that she had with PAINE, Diana states that she provided the details of this conversation to Detective Gilbert HERNANDEZ. (It should be noted that Detective HERNANDEZ filed a supplemental report regarding that conversation.)

While at the motel, Diana provided us with the following documents, which were computer-generated:

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HOMICIDE

Document no. 1 is a sheet which reveals that on April 10, 2004, a subject named Laurence PAINE checked in to Room 249 at 11:01 AM. This sheet also shows that a subject by the name of Christopher VAIL also had a transaction on April 10, 2004, at 9:33 AM, regarding Room 249. It was later discovered that the transaction with Christopher VAIL was in regards to VAIL checking out of this room, while the transaction with PAINE was in regards to PAINE checking in to the room.

Document no. 2 is an information sheet which provides the information that PAINE provided at the time of his check-in. Diana states that this sheet is a way of recording the subject's personal information. And, if a previous stay has already occurred and the information remains the same, there is nothing additional that is typed in. Diana further states that this screen and form will show the subject's last contact or last date that he stayed (time of check-out), the room he stayed in, and the number of nights that he stayed.

Document no. 3 is a department audit report, which depicts all subjects that have checked in to the motel room, and this sheet was printed out at 1:29 AM on April 11, 2004. It should be noted that mid-page, it states that Laurence PAINE is checked in to Room 249 at this time.

Document no. 4 is a sheet depicting all parties that are scheduled to check out on the next date. And it states, regarding arrival dates of April 10, 2004, that Laurence PAINE is scheduled to check out the next day from Room 249.

Document no. 5 is a cleaning-status sheet, which is filled out by the cleaning personnel. The subject that was responsible for cleaning PAINE's room on April 11, 2004, was identified as Angel AUQUILLA (H/M, DOB: 01/24/1964). Regarding the line for Room 249, there are three pairs of letters on this line: the first, "CO," stands for "check out"; the second, "SO," stands for "stay over"; and the third, "N/S," stands for "no service." The reason for these three lines, as explained, was that this room was originally scheduled to be checked out, and was later switched over to stay-over status; and, upon checking the room in the comments section, there is the "N/S," which means that no cleaning service was required. (It should be noted that a separate supplemental report will be filed regarding the interview of Angel, who confirmed this information.)

Regarding the same cleaning-status sheet, an interview of the cleaning supervisor, Patricia WILLIAMS (B/F, DOB: 05/19/1960), revealed that her Room 249 check-out-status sheet reveals the same information; again, on WILLIAMS' sheet, which is document no. 6, the line for Room 249 contains a "CO," and then an "SO," and then an "N/S."

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HOMICIDE

Document no. 7 is another document created by the audit department. This document reveals that on April 11, 2004, at 10:28 AM, there was another transaction involving Laurence PAINE in Room 249, which involved a fee of \$48.56, paid at that time for an additional night.

Document no. 8 is another cleaning-status form, which reveals that on April 12, 2004, Room 249 was scheduled for check-out. It should be noted that this cleaning sheet is assigned to a cleaning personnel who is identified as Bianca BEGGER (H/F, DOB: 05/25/1963). (A supplemental report regarding her interview will be filed by Detective Timothy HEIER.)

Document no. 9 is another department audit form, which shows that on April 12, 2004, at 11:30 AM, a subject by the name of Pat SONCRANT checked into Room 249, and paid \$53.88 for that night.

Documents nos. 10 and 11 are statements regarding the Christopher VAIL, who stayed in the room prior to the check-in of Laurence PAINE, and these show that he did check out at 9:33 AM on Saturday, April 10, 2004.

These documents have been numbered in the upper-left-hand corner to depict the same number as referred to in this report.

Regarding motel policy, Diana relates the following. She states that it is their policy to check for identification and visually see a photo ID, prior to accepting payment and allowing a person into the room. Diana further states that payment must be obtained by either cash or credit card, prior to this subject receiving a key to this room. Diana states that she is willing to vouch for her employees at this time, but that, prior to her arrival on April 28, 2004, she is not certain of the exact procedure that the motel used at that time.

Diana further states that she has no further information as it relates to this investigation at this time.

That concludes this report, dictated by Detective Erik M. GULBRANDSON.

EMG:jwk 06/01/2004

REPORTING OFFICER <i>Erik M. Gulbrandsen</i> DETECTIVE ERIK M. GULBRANDSON	PAYROLL NO. 63595	LOC. CODE 92	SUPERVISOR'S SIGNATURE <i>Lt. David C. Vahl</i>
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PO-15A 3/98 SUPPLEMENTAL REPORT MILWAUKEE POLICE DEPARTMENT		<input type="checkbox"/> INCIDENT SUPPLEMENT <input type="checkbox"/> ACCIDENT SUPPLEMENT <input type="checkbox"/> JUVENILE SUPPLEMENT		DATE OF REPORT 6/1/04	INCIDENT/ACCIDENT # 04-1013040/M4184
INCIDENT INFORMATION	INCIDENT HOMICIDE			DATE OF INCIDENT/ACCIDENT 4/10/04	
	VICTIM SADDLER, Janari A.			LOCATION OF INCIDENT/ACCIDENT 3011A N. 24 th Pl.	DIST. # 7
JUVENILE LAST NAME	FIRST	MIDDLE	DATE OF BIRTH	<input type="checkbox"/> DETAINED <input type="checkbox"/> ORDERED TO MCCC <input type="checkbox"/> OTHER	
QUANTITY	TYPE OF PROPERTY	DESCRIPTION	SERIAL #	CODE #	VALUE

This report is submitted by Detective Timothy HEIER, assigned to Squad 125, Criminal Investigation Bureau, Early Shift.

On Saturday, May 29, 2004, I, Detective HEIER, and my partner, Detective Erik GULBRANDSON, conducted follow-up to this offense and interviewed the General Manager of the Super 8 Motel, located 6300 Wayzata Blvd., Golden Valley, Minnesota, 55416, work phone #763-546-6277.

Follow-up is in regards to an interview of the suspect, Laurence C. PAINE-M/B, dob-10/20/76, who stated in an interview to Detectives Gilbert HERNANDEZ and Katherine HEIN that he stayed at the Super 8 Motel in Golden Valley. A check of motel records indicated that the former General Manager Michael HUMPHREY checked PAINE into the hotel and received cash renting Room #249 to Mr. PAINE.

I and Detective GULBRANDSON interviewed Michael D. HUMPHREY-M/W, dob-5/25/80 at his residence, 1408 111th Ave., N.W., Apt. #111, Coon Rapids, Minnesota, 55433, home phone #763-757-0571. HUMPHREY stated that he held the title of General Manager and was employed at the Super 8 Motel in Golden Valley for approximately two years. He stated that he was released from service as a new buyer came forward for the hotel and was released April 30, 2004 and currently collects unemployment. HUMPHREY was shown a color CJIS photo #110309715 of the suspect PAINE and stated that he remembers coming in contact with PAINE previously and thought that he recognized him as a problem customer and may have had him escorted out of the hotel but could not provide any specific details to this contact.

HUMPHREY was shown a department audit report, which indicated PAINE had checked in April 10, 2004 at 11:01 P.M. and assigned to Room #249. HUMPHREY after viewing the report, indicated that he checked PAINE in and part of the check-in procedure would be to ask for an identification card and also have the person checking in sign a registration card. The only exception to asking for ID is if a customer would be known to him. HUMPHREY stated that they did not as practice take photocopies of identification and that the cameras, which would have recorded the

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check-in would be erased on the second day. HUMPHREY stated that he had no direct recollection of registering PAINE as a customer and indicated that cash payment was received from him.

Also observed on the department audit report was a customer identified as Christopher VALE, who according to this report at 9:33 A.M. was also assigned to Room #249. HUMPHREY stated that VALE would have checked out of this room prior to the check-in or registering of PAINE for this same room. He stated that VALE would not have been able to change the person responsible to the room to PAINE and that VALE was an entirely different customer and had vacated the room prior to PAINE'S check-in.

Referring to an item number on the department audit report indicating a #1 by PAINE, HUMPHREY indicated that when pulling a room on the computer, a #1 indicated one contact for that person, not as if PAINE had requested different rooms or made other requests prior to check-in as other numbers in the item category for different customers appear higher is a result of contacts made on that customer or room. The number increases as more contacts are made with customers.

HUMPHREY was asked information the card swiping mechanism in each room relative to recalling times of entry and exit to each room, specifically #249 on the dates April 10th, 11th, and 12th. HUMPHREY stated as new customers stay, it erases the prior memory and these times could not be recalled.

HUMPHREY stated that he has no personal relationship with PAINE and would not alter in anyway customer registration or history but could not provide as to where the signed registration check-in would be located as per his standard practice, PAINE would have signed a registration card and it would be placed on file. He could offer nothing further regarding this offense.

Report per Detective Timothy HEIER.

TH:jaj 6/2/04

REPORTING OFFICER <i>Timothy Heier</i> DET. TIMOTHY HEIER		Payroll 58400	Loc Code 92	SUPERVISORS SIGNATURE <i>Lt. David C. Vahl</i>
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