Knolly Brown Mental Health and Education Summary

The mental health and education records for Knolly Brown were reviewed by NCIIC Staff. The following areas were noted and are described below: Education/Literacy/Functioning, IQ, and Diagnoses.

EDUCATION/LITERACY/FUNCTIONING:

- 7/11/2008 Evaluation for Capacity: "During the current evaluation he denied ever receiving special education services; during previous evaluations he has reported receiving special education services. He has consistently reported that he graduated high school."
- 10/30/2009 Test Scores: WRAT 4 (Reading 3.8, Spelling 4.7, Math 6.5).
- 12/3/2009: "He states he completed high school and Rocky Mount Senior High school in 1989 and attended one semester of the Edgecombe Nash Community College. He reports behavior problems in school and states he attended specialized education classes for children with learning disabilities."
- 5/7/2012 Developmental Disability Assessment: WRAT 4 (reading grade level of 3.8, spelling grade level of 4.7, and arithmetic grade level of 6.5). Diagnosed with Borderline Intellectual Functioning based on scores and meets criteria for classification as developmentally disabled.
- 5/9/2013 Social Work Assessment: "Mr. Brown reports completing his high school diploma and some college classes, although achievement testing indicates fourth fifth and sixth grade levels."
- High school graduate and two semesters at community college.
- 5/9/2013 Social Work Assessment: "...achievement testing indicates fourth fifth and sixth grade levels."
- 3/30/2015 Test Scores WRAT 4 (Reading 3.7, Spelling 5.1, Math 4.3).

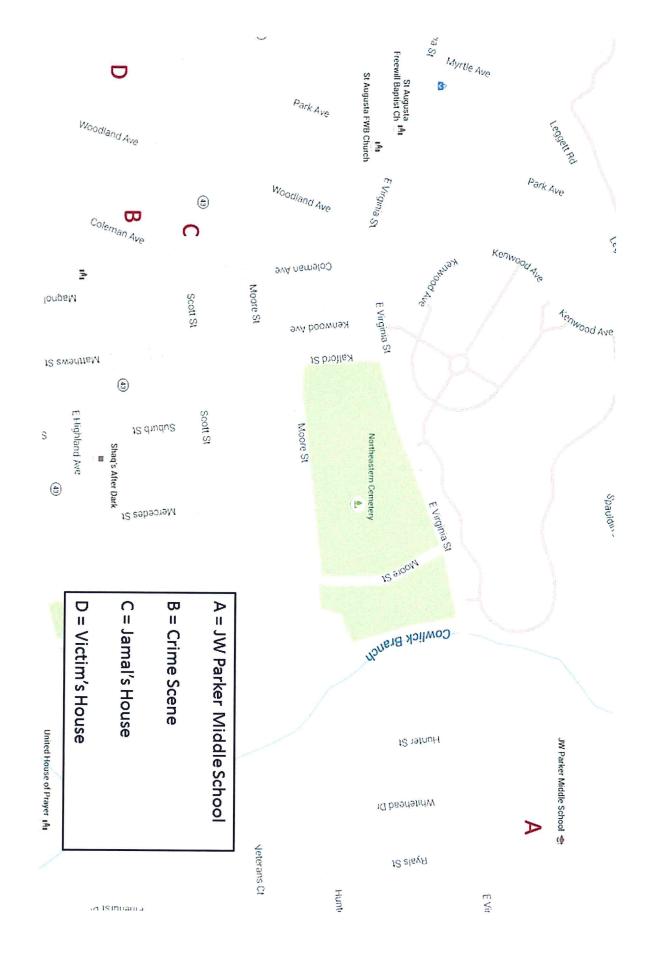
IQ:

- 10/30/2009 Revised Beta IQ: 72.
- 4/19/2012 WAIS III: Full scale IQ 67.
- 6/26/2012 WAIS Score: 67.
- 3/30/2015 IQ: 71.

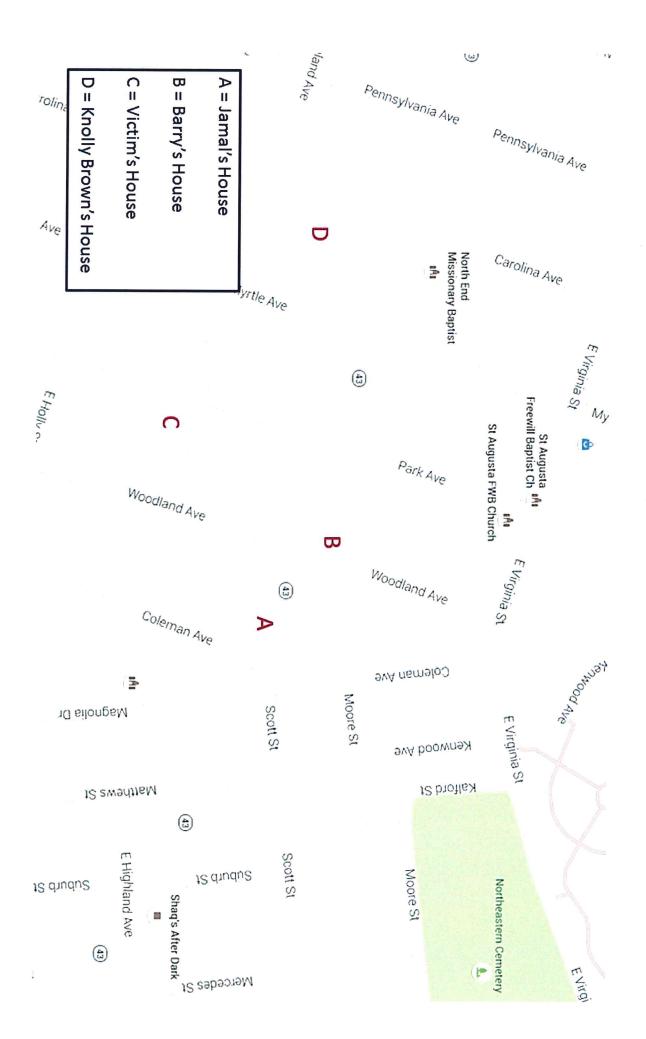
DIAGNOSES:

Between October 2009 and April 2015, Knolly Brown was diagnosed with:

- Borderline Intellectual Functioning
- Impulse Control Disorder, NOS
- Mixed Substance Use Disorder
- Personality Disorder, NOS
- Polysubstance Dependence
- Post-Traumatic Stress Disorder
- Psychotic Disorder, NOS
- Schizophrenia



Moore St



DNA COMPARISON CHART

NAME	RELATION	DNA COLLECTED	DATE	COMPARED	RESULTS
Knolly Brown	Suspect	Yes	1/26/2008	Yes	Brown is excluded from all major profiles on all items tested. No conclusion can be drawn on the minor typing detected on some items due to allelic dropout.
Aaron Delaney Atkins	Alternate Suspect	Yes	3/19/2015	Yes	Atkins is excluded from most profiles on the items tested. No conclusion can be drawn on some items due to allelic dropout.
James Lamar Brinkley	Alternate Suspect	Yes	4/22/2015	Yes	Brinkley is excluded from most profiles on the items tested. No conclusion can be drawn on some items due to allelic dropout.
James Luther Andrews	Alternate Suspect	No Refused	N/A	N/A	N/A
Emmanuel Battle	Alternate Suspect	No Unable to Locate	N/A	N/A	N/A
Thomas Lee Battle	Alternate Suspect	No Unable to Locate	N/A	N/A	N/A
Benjamin Gadson	Alternate Suspect	No Refused	N/A	N/A	N/A
Michael Antoine Johnson	Alternate Suspect	No Unable to Locate	N/A	N/A	N/A
Devonte Jamal Johnson	Friend of Victim	No Refused/Motion for DNA Denied	N/A	N/A	N/A
Keith Antonio Pressley	Stepfather of Victim	No Refused/Motion for DNA Denied	N/A	N/A	N/A

EMMANUEL MAURICE BATTLE

Conviction	Jurisdiction	Date of Offense	Date of Conviction
SHOPLIFTING CONCEALMENT GOODS (MISDEMEANOR)	EDGECOMBE	5/12/2007	8/16/2007
SIMPLE WORTHLESS CHECK (MISDEMEANOR)	NASH	1/19/2007	9/5/2007

JAMES LAMAR BRINKLEY

Conviction	Jurisdiction	Date of Offense	Date of Conviction
DISORDERLY CONDUCT (MISDEMEANOR)	NASH	1/22/1999	3/10/1999
SECOND DEGREE TRESPASS (MISDEMEANOR)	NASH	3/13/2001	7/23/2001
SIMPLE AFFRAY (MISDEMEANOR)	NASH	7/25/2001	12/10/2001
RESISTING PUBLIC OFFICER	NASH	11/6/2001	12/10/2001
CARRYING CONCEALED WEAPON (MISDEMEANOR)	NASH	4/29/2005	8/25/2005
FELONY POSSESSION MARIJUANA	NASH	4/29/2005	8/25/2005
POSSESSION OF FIREARM BY FELON	HALIFAX	10/18/2007	10/15/2008
SIMPLE ASSAULT (MISDEMEANOR)	NASH	6/2/2015	6/30/2015
AWDWWITK (AID & ABET) X2	NASH	1/5/2014	10/29/2015

BENJAMIN CHRISTOPHER GADSON

Conviction	Jurisdiction	Date of	Date of Conviction
	V 41 15 41 45 41	Offense	2440 01 001111011011
ASSAULT GOVT OFFICAL/EMPLOYEE (MISDEMEANOR) X2	MECKLENBURG	12/22/1997	2/16/1998
DISORDERLY CONDUCT (MISDEMEANOR)	MECKLENBURG	12/22/1997	2/16/1998
RESISTING PUBLIC OFFICER	MECKLENBURG	12/22/1997	2/16/1998
SECOND DEGREE TRESPASS (MISDEMEANOR)	MECKLENBURG	12/22/1997	2/16/1998
DWLR	MECKLENBURG	12/29/2000	1/16/2001
DWLR	NASH	8/10/2001	12/12/2001
DWLR	MECKLENBURG	4/14/2001	4/25/2003
DWLR	MECKLENBURG	4/12/2003	4/25/2003
DWLR	EDGECOMBE	12/1/2001	5/8/2003
FINANCIAL CARD THEFT	MECKLENBURG	7/2/2004	3/7/2006

THOMAS LEE BATTLE

Conviction	Jurisdiction	Date of Offense	Date of Conviction
NOISE ORDINANCE VIOLATION (MISDEMEANOR)	NASH	4/16/1996	6/3/1996
DWLR	NASH	6/22/1997	4/8/1998
DWLR	HALIFAX	9/8/2001	12/18/2001

JAMES LUTHER ANDREWS

CAMMALAECOAD			
Conviction	Jurisdiction	Date of Offense	Date of Conviction
SECOND DEGREE TRESPASS (MISDEMEANOR)	PITT	7/6/1994	8/23/1994
UNAUTHORIZED POSS. MALT BEVERAGE (MISDEMEANOR)	EDGECOMBE	9/16/1994	10/20/1994
INJURY TO PERSONAL PROPERTY (MISDEMEANOR)	PITT	6/7/1997	8/11/1997
COMMUNICATING THREATS	PITT	9/8/1997	10/22/1997
ASSAULT ON FEMALE (MISDEMEANOR)	PITT	2/28/1998	5/1/1998
ASSAULT INFLITING SERIOUS INJURY (MISDEMEANOR)	PITT	2/28/1998	5/1/1998
AWDW – SERIOUS INJURY	PITT	11/6/1997	10/2/1998
FELONY POSSESSION OF COCAINE	PITT	11/20/1997	10/2/1998
ASSAULT ON FEMALE (MISDEMEANOR)	PITT	2/28/1998	12/9/1998
ASSAULT INFLITING SERIOUS INJURY (MISDEMEANOR)	PITT	2/28/1998	12/9/1998
INTOXICATED & DISRUPTIVE (MISDEMEANOR)	PITT	12/11/1998	4/8/1999
RESISTING PUBLIC OFFICER (MISDEMEANOR)	PITT	4/27/2001	5/31/2001

SELL COCAINE	PITT	6/27/2002	1/30/2004
SELL COCAINE	PITT	7/10/2002	1/30/2004
DWI – LEVEL 5	PITT	7/29/2003	4/15/2004
SELL SCHEDULE II CS	PITT	8/22/2003	2/9/2005
SELL SCHEDULE II CS	PITT	8/26/2003	2/9/2005
SELL SCHEDULE II CS	PITT	9/2/2003	2/9/2005
DWI – LEVEL 1	PITT	8/10/2004	2/10/2005
DWI – LEVEL 1	PITT	7/1/2004	4/25/2005
PWISD COCAINE	PITT	2/20/2008	2/5/2009
RECKLESS DRIVING TO ENDANGER	EDGECOMBE	9/10/2007	9/17/2009
SIMPLE WORTHLESS CHECK (MISDEMEANOR)	EDGECOMBE	7/11/2009	9/23/2010

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MICHAEL ANTOINE JOHNSON

Conviction	Jurisdiction	Date of	Date of Conviction
Conviction	Julisaletion	Offense	Date of Conviction
BREAKING OR ENTERING (MISDEMEANOR)	NASH	8/24/2003	11/18/2003
INJURY TO REAL PROPERTY (MISDEMEANOR)	NASH	8/24/2003	11/18/2003
RESISTING PUBLIC OFFICER	NASH	8/24/2003	11/18/2003
POSSESS DRUG PARAPHERNALIA (MISDEMEANOR)	NASH	3/15/2006	8/18/2006
BREAKING OR ENTERING (MISDEMEANOR)	NASH	1/12/2009	3/12/2009
MISDEMEANOR LARCENY	NASH	1/12/2009	3/12/2009
BREAKING OR ENTERING	NASH	7/20/2009	10/28/2009
MISDEMEANOR LARCENY	NASH	7/20/2009	10/28/2009
POSSESS MARIJUNA UP TO ½ OZ (MISDEMEANOR)	EDGECOMBE	6/19/2012	10/2/2012
CARRYING CONCEALED GUN (MISDEMEANOR) X2	EDGECOMBE	6/19/2012	10/2/2012
BREAKING OR ENTERING (MISDEMEANOR)	EDGECOMBE	7/6/2012	11/5/2012

AARON DELANY ATKINS

CIGITAL RECORD			
Conviction	Jurisdiction	Date of Offense	Date of Conviction
ASSAULT GOVT OFFICIAL/EMPLOYEE (MISDMEANOR)	NASH	7/9/2005	3/1/2006
CARRYING CONCEALED WEAPON (MISDEMEANOR)	EDGECOMBE	4/12/2006	8/23/2006
POSSESS MARIJUANA UP TO ½ OZ (MISDEMEANOR)	EDGECOMBE	4/12/2006	8/23/2006
DISORDERLY CONDUCT (MISDEMEANOR)	EDGECOMBE	7/19/2006	2/21/2007
POSSESS MARIJUANA UP TO ½ OZ (MISDEMEANOR)	WAKE	9/7/2007	2/5/2008
DISORDERLY CONDUCT (MISDEMEANOR)	EDGECOMBE	2/15/2008	7/18/2008
CARRYING CONCEALED GUN	NASH	12/16/2007	7/2/2009
SECOND DEGREE TRESPASS (MISDEMEANOR)	WAKE	3/21/2010	9/14/2010
DWI – LEVEL 5	NASH	8/1/2010	4/15/2011
DWLR NOT IMPAIRED REV	NASH	7/9/2015	11/13/2015
ASSAULT GOVT OFFICAL/EMPLOYEE (MISDEMEANOR) X2	NASH	8/31/2015	11/19/2015

RESISTING PUBLIC OFFICER	NASH	8/31/2015	11/19/2015
(MISDEMEANOR)			

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CASE SUPPLEMENTAL REPORT

Printed: 10/13/2009 11:12

Rocky Mount Police Department

OCA: 2008000931

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLOSE/CLEARED

Case Mng Status: CLEARED BY ARREST

Occured: 01/25/2008

Offense: RAPE

Investigator: LEWIS, M. T. (282)

Date / Time: 10/13/2009 11:07:25, Tuesday

Supervisor: ROBINSON, G. D. (1256)

Supervisor Review Date / Time: 10/13/2009 11:07:47, Tuesday

Contact:

Reference: Followup

RAPE, 1-25-08 KEYONA MERCER 113 VILLAGE DR. NASHVILLE

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ON 10-13-09 DET. WALCOTT DIRECTED ME TO MEET WITH THE VICTIM IN THIS CASE. I WAS INSTRUCTED TO SHOW THE ATTACHED PHOTO TO THE VICTIM TO SEE IF SHE RECOGNIZED SAME. I MET WITH THE VICTIM AND HER MOTHER AT NASH CENTRAL MIDDLE SCHOOL. THE VICTIM VIEWED THE PHOTO AND STATED SHE HAS NEVER SEEN THIS PERSON BEFORE.

FURTHER INVESTIGATION





Offender Images



\$\$\$Z-XX-XXX :NSS **LEL WPN DRG DWI**

Reference #: 29051011

DT: NC-56576747

DOC ID: 0802977

Age: 29

2ID: NC1005023

FBI ID: 726154XB6

VOC 02/33/5002







Printed For: Sarah M Riney Printed By: Sarah M Riney

Printed Reason: Criminal Justice - Purpose

STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
COUNTY OF EDGECOMBE	08 CRS 50309
STATE OF NORTH CAROLINA	· ·
V.) AFFIDAVIT
KNOLLY BROWN)

The undersigned, having first been duly sworn, deposes and says the following:

- 1. I am over the age of eighteen, suffer no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify.
- 2. I am employed as a Senior Police Officer at the Rocky Mount Police Department (RMPD). As of July 2014, I was moved to the position of Property and Evidence Manager and was responsible for the acceptance, handling and transfer of all evidence related to RMPD cases. I currently hold the position of Property and Evidence Manager.
- 3. We currently hold evidence in 3 facilities. Drugs, money, and firearms are stored securely at the police department. Bicycles, mopeds, and other large items of conveyance are stored securely in the basement of the Rocky Mount Judicial Center. Other properties are stored in a secure area on the second floor of the Rocky Mount City Warehouse. The warehouse area is separated into shelving sections. One section (A) are purposed for small items and they are labeled and placed in numbered banker boxes. Sections B-F are all separated into smaller numbered shelving units. Cases that involve multiple items of property are placed in convenience boxes, labeled, and stored on the corresponding shelf. Other large bulky items stored at the warehouse are placed in a bulk bin or on a pallet and labeled accordingly.
- 4. In April 2015, I was informed by Lindsey Guice Smith (Ms. Smith) of the North Carolina Innocence Inquiry Commission that the requested sample sent from the North Carolina Crime Lab to the Connecticut Crime Lab was not in our custody and I was unable to locate any documentation of RMPD ever receiving said items from the Connecticut Crime Lab. According to our records, tracking documents from UPS were scanned into our RMS System on 07-03-2014, indicating that items from the Connecticut Crime Lab were shipped to R.L. Walcott. The UPS tracking documents were provided to RMPD by Lindsey Guice Smith with the North Carolina Innocence Inquiry Commission.
- 5. It is my understanding from reviewing documentation, that the above-listed items were transferred from the North Carolina State Bureau of Investigation Crime Lab (now North Carolina State Crime Lab) to the Connecticut Crime Lab in September

- 2008. Documentation further shows that this evidence was shipped via UPS from the Connecticut Crime Lab to Detective Walcott of RMPD on March 31, 2009. RMPD had no record of ever receiving this evidence or the lab report directly from the Connecticut Lab. Ms. Smith informed me that this was discussed in 2014 with my predecessor, Corporal Matt Edwards and that Corporal Edwards had informed her that he had been unable to locate the slides and/or public hair sample that was sent from the North Carolina State Lab to the Connecticut Crime Lab.
- 6: On or about May 25th, 2015, I physically searched for evidence related to the Knolly Brown case at the request of the Commission and located a box of evidence related to the case. The specific items that were requested were RMPD Bag/Group numbers 1 (Shoes) and 15 (Shoe cast/Dental stone). I did not open the box at that time. Documentation for the case indicates that the box should contain RMPD Items 1, 4, 7, 15, 16, and 17. The documentation does not indicate that the items listed above (hairs and DNA standards) were included with this evidence. The above items requested were stored at our off site location, on the second floor of the warehouse, and were pulled from Warehouse B, shelf 9 for RMPD case 2008-000931.
- 7. I also searched RMPD's electronic evidence tracking system for documentation of the above-listed items (hairs and DNA standards). The items in question are not listed in RMPD's computerized system. RMPD's computerized system shows that several items of evidence were transferred to Ms. Smith of the Commission, by Cpl. Matt Edwards, on February 13, 2013. These items include: RMPD 2 (1 pair female jeans and red jacket from Victim); RMPD 3 (Sexual Assault Evidence Kit from Victim); RMPD 5 (1 pair black jeans size 38x32 from Knolly Brown); RMPD 6 (1 pair jeans size 38x32 with stain on right front from Knolly Brown); RMPD 8 (assorted clothes collected from Knolly Brown); RMPD 9 (assorted clothes collected from Knolly Brown); RMPD 10 (assorted clothes collected from Knolly Brown); RMPD 11 (red/black Pony shoes from Knolly Brown); RMPD 12 (Subject Evidence Collection Kit from Knolly Brown); RMPD 13 (condom collected from crime scene); RMPD 14 (condom wrapper collected from crime scene).
- 8. RMPD currently utilizes OSSI ONE SOLUTION for report and property tracking. Seizing or submitting Officers are responsible for packaging, data entry, and submission of any property obtained during an investigation. As of July 2014, it is to the best of this officer's knowledge that all items of evidence retained by RMPD have a barcode and property number for tracking purposes.
- 9. RMPD conducts regular inspections and audits of our evidence facility every three months. Our last inspection and audit was conducted on September 25th, 2015, by RMPD Professional Standards, Lt. H. King. At that time, there were no discrepancies.

- 10. To the best of this officer's knowledge, there are no unlabeled items of evidence or evidence that cannot be associated with a case in the evidence facility.
- 11. All applicable areas where evidence related to this case is retained, were searched in an effort to ensure nothing was overlooked.
- 12. On May 22, 2015, I met with Ms. Smith and Sarah Riney (Ms. Riney) of the Commission. During that meeting, the evidence that I had previously located was opened and examined. RMPD Item 1 (Shoes collected from Aaron Delaney Atkins) and RMPD Item 15 (Cast/Dental stone—shoe prints from crime scene) were transferred to Ms. Smith at that time. RMPD Items 4, 7, 16, and 17 (documents) remain in the care, custody and control of RMPD. Copies of these items have previously been provided to the Commission.
- 13. During the May 22, 2015 meeting, I provided the following information to Ms. Smith.
 - a. When mail is received it is sent to the mail room. The administrative assistant, Gail Watson (or someone else) picks up the mail and disperses it to individual officers. Each officer has their own mailbox. If a package is addressed to a particular officer, that package is put in that officer's individual mail box.
 - b. All items within a case get scanned into the system. In this case, the last item that Detective Walcott had scanned in was the September 2008 NC SBI lab report indicating that the evidence was being transferred to the CT lab. If the report was not scanned into the file then either Detective Walcott did not scan it OR Detective Walcott never received it.
 - c. When an officer leaves the agency, if a case is open it is reassigned to another officer. If the case is closed, then it is not reassigned. This case was closed, so it would not have been reassigned.
 - d. Detective Walcott should have scanned in anything she had left or turned it into evidence, before leaving.
 - e. Although there is not a specific policy, I do not believe that Detective Walcott should have taken anything with her when she left.
- 14. Further, during the May 22, 2015 meeting, I accompanied Ms. Smith and Ms. Riney to meet with Cynthia Johnson (Ms. Johnson) in the RMPD records division. During that portion of the meeting, Ms. Smith was provided a printed copy of the file. Ms. Smith requested that Ms. Johnson find out if the original master file was still

available or if it had been destroyed when the file was scanned in. Ms. Johnson contacted Kream Mosley in central records. That individual brought the master file to Ms. Johnson. Ms. Smith flipped through the master file. Ms. Johnson also looked for any portion of the file in the RMPD records office. Neither the missing CT lab reports nor the samples shipped from the Connecticut Crime Lab were located.

- 15. On August 27, 2015, I was contacted by Detective Rick Miller of RMPD regarding a package that he was instructed to pick up from former Detective Walcott. I was contacted by Detective Rick Miller, by phone, while at home, regarding a package that was picked up regarding an old case. Because I was aware of the Knolly Brown case being a prior case of Detective Walcott, I asked Detective Miller if he was aware of what specific case he had in his custody. Detective Miller confirmed that the package included items that had the name of Knolly Brown on same. I then contacted my supervisor, Sgt. Roy Dew and advised him of my conversation with Detective Miller and it was decided that I would respond to the Police Department to assist Detective Miller in the submission of the items that were transferred to his custody from former Detective Walcott. RMPD Bag/Group numbers 19- 26 were added into our RMS voucher system at that time and secured until notification could be made to Lindsey Smith regarding the items being received into our custody.
- 16. On September 3, 2015, I called Ms. Smith and informed her that the UPS package that was mailed to former Detective Walcott had been located by her. I am uncertain of how or when she located these items or who she spoke with when our agency was notified of the package being in her custody. I advised Ms. Smith that the package had been retrieved and was now in our custody.
- 17. On September 4, 2015, I transferred the evidence listed in Paragraph 15 above, to Investigator Ed Brooks of the Commission.

Julson - SPO (Serior Police Officer)

This the 11 day of November, 2015.

Sworn to and subscribed before me this 17 day of November, 2015

Hail C. (Lottsov)

Notary Public

My Commission Expires: 12/9/17

STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE
COUNTY OF EDGECOMBE	SUPERIOR COURT DIVISION 08 CRS 50309
STATE OF NORTH CAROLINA)
v.)) AFFIDAVIT
KNOLLY BROWN))
)

The undersigned, having first been duly sworn, deposes and says the following:

- 1. I am over the age of eighteen, suffer no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify.
- 2. I was employed as a Detective at the Rocky Mount Police Department (RMPD) in January 2008. As part of my duties, I was assigned to investigate the rape of Keyona Mercer that occurred on January 25, 2008 at an abandoned house located at 516 Coleman Avenue.
- 3. During the investigation, several items of evidence were collected, including, but not limited to, a sexual assault kit for the Victim and a suspect kit for the defendant.
- 4. According to SBI Crime Laboratory paperwork, on May 9, 2008, the sexual assault kit and the suspect kit were submitted to the SBI Crime Lab by R.S. Dew and I was listed as the requesting officer. It was normal practice for the lead investigator to be listed as the requesting officer on this form.
- 5. On September 11, 2008, I received a laboratory report from the SBI Crime Laboratory. The lab report is dated September 5, 2008 and was prepared by Kristen M. Crawford. The results of the examination revealed that the pubic hair combings from Keyona Mercer revealed the presence of one pubic fragment with Negroid characteristics that was found to be microscopically similar to the pubic hair standard from Knolly Brown, Jr. The SBI Lab submitted the hair for mitochondrial DNA analysis to the Connecticut Department of Public Safety via UPS. I placed a copy of this lab report into evidence and prepared a supplemental report describing it.
- 6. Based on the September 5, 2008 lab report, it is my understanding that the SBI Crime Laboratory sent the following items to the Connecticut Department of Public Safety:
 - a. Item 1-5: Known cheek scraping collected from Keyona Mercer.
 - b. Item 1-7: Known pubic hair collected from Keyona Mercer.

- c. Item 1-9: Slide containing hair from the victim's pubic hair combings (Item 1-6).
- d. Item 2-2: Known cheek scraping collected from Knolly Brown, Jr.
- e. Item 2-4: Known pubic hair collected from Knolly Brown, Jr.
- 7. To my knowledge, I never received a laboratory report or the evidence from the Connecticut Department of Public Safety after analysis was complete in this case.
- 8. On August 1, 2014, I spoke with NC Innocence Inquiry Commission Associate Counsel, Lindsey Guice Smith via telephone. During that conversation, Ms. Smith informed me that according to records from the Connecticut Department of Public Safety and a UPS shipping label, the evidence was returned to RMPD to my attention via UPS Next Day Air on March 31, 2009. I was still working at RMPD at that time, but did not receive a package addressed to me from the Connecticut Department of Public Safety.
- 9. If I had knowingly received a package from the Connecticut Department of Public Safety, I would have submitted it into evidence at RMPD.
- 10. It was not normal practice for detectives at RMPD to receive evidence in the mail from laboratories. It was normal practice for our Evidence Technicians to pick up and drop off evidence at the NC State Crime Laboratory in Raleigh unless otherwise contacted by an agency.
- 11. Prior to my conversation with Ms. Smith on August 1, 2014, I was not aware of the results of the testing conducted by the Connecticut Department of Public Safety. Ms. Smith informed me of those results during that conversation.
- 12. With respect to my files, I copied all original notes from my cases that were prosecuted. The original notes were turned into evidence prior to court. When I left RMPD in 2013, I kept copies of my homicide cases and some other major cases in case I was ever contacted about them. These files are copies only and are in storage. I destroyed copies of all other assigned case files (non-homicide, juvenile, and other major cases) by shredding them before I left RMPD.
- 13. When I spoke with Ms. Smith on August 1, 2014, I informed her that I did not know if I had kept a copy of the file. Since that time, I searched my storage unit for this case file and the evidence requested. I stored files in white banker-style boxes when I left RMPD. I went through each one of these boxes and did not locate either of the items requested, the case file or an envelope from the Connecticut Department of Public Safety.
- 14. About two weeks prior to Thursday August 27th, I received another phone call from Lindsey Guice Smith requesting me to complete an affidavit stating I did not receive the items requested. Prior to completing and signing the affidavit, I wanted to make absolutely certain I did not possess either item requested.

- 15. On the afternoon of August 27th, 2015, I was able to re-search my storage unit. During that search I located the case file in my unit but not a UPS package. Also during my search, I noticed a copy of large homicide file which I knew I had kept was missing. This prompted me to go back and search a previous storage unit that I shared with family when I first moved in 2013. (In August 2014, during my original search, I only searched my current unit.) I went to the previous unit and continued my search. After about an hour of searching, I located an old Pampers diaper box partially opened with what appeared to be trash inside. As I went through the box, I located my large homicide file. I removed the file folder from the box and located a wrinkled up white, red and brown UPS bag. I opened the bag and realized it was the evidence in this case. The bag was completely sealed and had never been opened until I found it on August 27th, 2015. Nothing I originally packed from RMPD was stored in a diaper box. During my move to Virginia, I hired a moving company to move most of my belongings. Other items were moved separately over a few months.
- 16. Once I located the package on August 27th, I immediately contacted RMPD and spoke with Captain McGrath. Captain McGrath sent Detective R. L. Miller to meet me at the NC/VA state line to retrieve the package that afternoon. While traveling to meet Detective Miller, I called Lindsey Guice Smith to inform her I located the evidence and case file. Ms. Smith did not answer and I left her a voicemail to call me.
- 17. Prior to August 27, 2015, I had never seen, nor knowingly handled, this package. I do not remember it ever being placed on my desk or in my department mail box at any time in 2009. If it had been placed in either of those locations, I would have opened it. When I left RMPD in 2013, I still had never seen this package.
- 18. With the exception of the mailing envelope, all of the contents of the package, including the evidence items and the results/lab report, were still in a sealed condition. The contents were removed from the mailing envelope and photographed to document that the seals were unbroken. These photographs were provided to Ms. Smith via email.

This the 9th day of October, 2015.

John Reth Grange [Seal]

My Commission Expires: 03/31/2017

JOSHUA KEITH ORANGE NOTARY PUBLIC 7577288 COMMONWEALTH OF VIRGINIA MY COMMISSION EXPIRES MARCH 31, 2017

Curriculum Vitae

Meghan E. Clement, MS, F-ABC

Education

1985

Master of Science, Forensic Science

University of New Haven, West Haven, Connecticut

Honors: Graduate Fellow, 1984

1983

Bachelor of Science, Biology

Westfield State College, Westfield, Massachusetts

Graduated Cum Laude

Professional Experience

DIRECTOR OF OPERATIONS July 2015- Present

Bode Cellmark Forensics, LabCorp Specialty Testing Group Lorton, VA

Responsibilities: Oversee all forensic operations, quality assurance aspects and work closely with the General Manager on other aspects of the business, perform technical reviews, provide case consultation and expert testimony.

SENIOR DIRECTOR July 2012- Present

Cellmark Forensics, LabCorp Specialty Testing Group Dallas, TX

Responsibilities: Manage the daily responsibilities of laboratory personnel and flow of both contract and independent casework, manage implementation of new tests, participate in analysis of casework and interpretation of results of STR, Y-STR and mtDNA analysis, perform technical reviews and administrative reviews, provide expert testimony, participate in marketing and sales functions.

TECHNICAL DIRECTOR, FORENSIC IDENTITY May 2000- July 2012

Laboratory Corporation of America Research Triangle Park, North Carolina

Responsibilities: Manage the daily responsibilities of laboratory personnel and flow of casework, as well as implementation of new tests, participate in analysis of casework and interpret results of DNA analysis, prepare reports,

provide expert testimony, direct and coordinate marketing and sales functions.

ASSOCIATE DIRECTOR, FORENSIC IDENTITY Aug. 1998- May 2000

Laboratory Corporation of America Research Triangle Park, North Carolina

Responsibilities: Direct and participate in the DNA analysis of samples submitted to the laboratory, prepare reports of results and provide expert testimony, supervise and direct laboratory technologists and lab clerk positions, direct and coordinate marketing and sales functions.

ASSISTANT DIRECTOR, FORENSIC IDENTITY Nov. 1994- Aug. 1998

Laboratory Corporation of America (formerly Roche Biomedical Laboratories) Research Triangle Park, North Carolina

Responsibilities: Conduct forensic DNA analysis on biological samples using both RFLP and PCR techniques, oversee and direct the laboratory technologists in the production of forensic DNA casework, prepare reports of results and provide expert testimony, assist in laboratory operations to ensure timely handling of cases and QA/QC measures, assist in the marketing and sales aspects of the Forensic Identity department.

FORENSIC BIOLOGIST March 1991 - Nov. 1994

Tarrant County Medical Examiner's Office Fort Worth, Texas

Responsibilities: Forensic analysis of biological samples using traditional serological techniques as well as RFLP DNA profiling, conduct research and validation of new techniques in the forensic biology field, provide expert testimony, provide training to officer's in various law enforcement agencies concerning the collection and preservation of evidence, crime scene investigation.

SENIOR CRIMINALIST March 1985 - March 1991

City of Albuquerque, Police Department, Criminalistics Albuquerque, New Mexico

Responsibilities: Assisted in implementing a DNA section including setting up quality control measures and population data bases, as well as performing validation studies, traditional serological analysis, blood/breath alcohol concentration analysis, provide expert testimony, crime scene investigation, train new personnel, officers and detectives.

TEACHING ASSISTANT, FORENSIC SCIENCE Sept. 1984- Mar. 1985

University of New Haven, West Haven, Connecticut

Responsibilities: Assist in teaching serological techniques to graduate students in the Criminalistics laboratories, assist in research projects being conducted.

TEACHING ASSISTANT, BIOLOGY Sept. 1983 - Sept. 1984

University of New Haven, West Haven, Connecticut

Responsibilities: Set up and assist in teaching various biology laboratories to undergraduate students.

FORENSIC SCIENCE INTERNSHIP August 1984

New Mexico State Police Crime Laboratory, Santa Fe, New Mexico

Observed and participated in case analysis under the supervision of New Mexico State Police forensic analysts in the serology, trace, drugs and firearms sections.

Affiliations

American Academy of Forensic Sciences, Member

Southwestern Association of Forensic Scientists, Member

ASCLD/LAB-Biology Proficiency Review Committee Member (2013-Present)

ASCLD/LAB- Technical Advisory Committee Member (2014-Present)

Expert Testimony and Depositions

Testified 350+ times in 33 states

Testified in local, state, military and federal courts

Forensic Laboratory Experience	Qualified
RFLP	1989
PCR Analysis and Interpretation	1990
DQ Alpha + Polymarker Testing	1995
Paternity Testing	1995
Mitochondrial DNA Analysis	1997
Commercial Kit STR Analysis	2002
Y-STR Analysis	2003

Certifications

Molecular Biology Fellow - American Board of Criminalistics (ABC)

Publications and Oral Presentations

Budowle, B., Monson, K., Anoe, K.S., Baechtel, S., Bergman, D.L., Buel, E., Campbell, P.A., Clement, M.E. et al (1991) A Preliminary Report on Binned General Population Data on Six VNTR Loci in Caucasians, Blacks and Hispanics from the United States. Crime Lab Digest 18:9-26.

Validation of Multiplex STR Profiling Systems for Forensic Casework Specimens American Academy of Forensic Sciences, Feb. 1998

Developing a DNA Laboratory on a Shoestring Budget Southwestern Association of Forensic Scientists, Spring Meeting 1991

Continuing Education

Feb 2015	AAFS Annual Meeting, Orlando, FL				
Sept 2014	Genome ID Forum, Greensboro, NC Forensic Genomic Applications				
May 2014	ASCLD Annual Meeting, Scottsdale, AZ Workshop-Solving Mixtures Genome-wide: Practical, Measureable Solutions				
Feb 2014	AAFS Annual Meeting, Seattle, WA				
Oct 2013	International Symposium on Human Identification, Atlanta, GA				
Feb 2013	AAFS Annual Meeting, Washington, DC				
June 2012	2012 NIJ Meeting, Arlington, VA				
Feb 2012	AAFS Annual Meeting, Atlanta, GA				
Oct 2011	Mixture Interpretation Workshop-Promega International Symposium on Human Identification, National Harbor, DC				
Nov 2011	CODIS Meeting, Jasonville, FL				
Feb 2010	AAFS Annual Meeting, Seattle, WA				
Aug 2009	HID Future Trends in DNA Technology, Applied Biosystems, Richmond, VA				

Ape 2009	FBI DNA Auditor's Refresher Training, Raleigh, NC
Feb 2009	AAFS Annual Meeting, Denver, CO
July 2008	NIJ Meeting, Arlington, VA
Feb 2007	AAFS Annual Meeting, San Antonio, TX
Aug 2006	AFDAA Summer Meeting, Austin, TX
May 2006	ABI Human Identity University, Research Triangle Park, NC
Feb 2006	AAFS Annual Meeting, Seattle, WA
Jun 2005	6th Annual DNA Grantees Workshop, Arlington, VA
Apr 2004	FBI DNA Auditor's Training, Quantico, VA
Feb 2004	AAFS Annual Meeting, Dallas, TX Forensic Human mtDNA Analysis Workshop
Oct 2003	International Symposium on Human Identification, Phoenix, AZ Making Sense of Popstats Workshop
Apr 2003	ASCLD/LAB-Laboratory Inspector Training Course, Raleigh, NC
Feb 2003	AAFS Annual Meeting, Chicago, IL Low Copy Number DNA Analysis Workshop
Jun 2002	DNA Grantees Workshop, Arlington, VA
Oct 2001	7th Annual CODIS User's Conference, Arlington, VA
Feb 2001	AAFS Annual Meeting, Seattle, WA
Feb 2000	AAFS Annual Meeting, Reno, NV
Oct 1999	NIJ Meeting, Arlington, VA
Apr 1998	Mitochondrial DNA Analysis and Data Basing, presented by Mark Wilson and Clint Stauffer
Feb 1998	AAFS Annual Meeting, San Francisco, CA
Sept 1997	International Symposium on Human Identification, Phoenix, AZ

Curriculum Vitae Meghan E. Clement, MS Page 5 of 7 Aug 10, 2015

Feb 1997 AAFS Annual Meeting, NYC, NY Oct 1996 English Speaking Working Group International Society for Forensic Haemogenetics Sept 1996 International Symposium on Human Identification, Phoenix, AZ

Specialized Schools and Training					
Dec 2011	ASCLD/LAB TECHNICAL ASSESSOR REFRESHER TRAINING (June 2011 revision-on line training)				
Apr 2009	DNA AUDITOR REFRESHER TRAINING, Presented by the FBI, Research Triangle Park, NC				
Jan 2006	ASCLD/LAB-International ASSESSOR TRAINING COURSE, Houston, TX				
Apr 2004	DNA AUDITOR TRAINING, FBI Academy, Quantico, VA				
Apr 2003	ASCLD-LAB INSPECTOR TRAINING, Raleigh, NC				
Mar 1995	FORENSIC AMPLITYPE PM + HLA DQA1 PCR WORKSHOP, Perkin-Elmer Training Dept., Foster City, CA				
June 1991	ADVANCED FORENSIC DNA TYPING SCHOOL, FBI Academy, Quantico, Virginia				
Mar-Jun1990	0 <i>VISITING SCIENTIST PROGRAM</i> , FBI Academy, Quantico, Virginia				
	Assisted in numerous DNA research projects being conducted by the FBI Research and Training Center including data base compilation, ethidium bromide use in DNA analysis, quantitation of human DNA using slot blot techniques, effect of glycerol concentration on DNA, studies on possible ladders for amplified fragment length polymorphisms (amp-FLPs)/variable number tandem repeats (VNTRs), and population data base compilation of amp-Flp MCT118.				
Dec 1989	FORENSIC APPLICATIONS OF DNA TYPING, FBI Academy,				

Quantico, Virginia

May 1988 DNA POLYMORPHISM AND DNA TYPING

COURSE/WORKSHOP, University of New Haven, West Haven,

Connecticut

DNA TESTING CHART OF VICTIM'S CLOTHING

ITEM TESTED	TESTING SUMMARY	COMPARISONS
Victim's Jacket	A partial Y-STR profile was obtained from the right outer sleeve and shoulder areas of the jacket. This partial profile is a possible mixture. No determination can be made regarding the minor typing detected.	Knolly Brown, James Brinkley and Aaron Atkins are excluded as the major contributor to this sample.
Victim's Belt	A partial Y-STR profile was obtained from the outside of the belt and buckle areas. This partial profile is a mixture of at least two males.	Knolly Brown, James Brinkley and Aaron Atkins are excluded as a contributor of the male DNA detected from this sample.
Victim's	Waistband: A partial Y-STR profile was obtained	Waistband: Knolly Brown and James
Pants	from the waistband of the pants. This partial profile is a mixture of at least three males.	Brinkley are excluded as contributors to this mixture. Due to the partial, mixed profile and the possibility of allelic dropout, no conclusion can be made regarding Aaron Atkins as a contributor to this sample.
·	Stain on Waistband: A Y-STR profile was	Stain on Waistband: Knolly Brown, James
	obtained from the stain on the inner front	Brinkley and Aaron Atkins are excluded as
	waistband of the pants. No determination can	contributors of the male DNA detected
	be made regarding any minor typing detected.	from this sample.
	Additionally, this stain was AP Positive, Sperm Search Negative and P30 Positive.	
Ì	Crotch: A single Y-STR result was obtained from	Crotch: Knolly Brown, James Brinkley, and
	the stain on the crotch seam of the pants.	Aaron Atkins are excluded as contributors to the male DNA detected from this
	Additionally, this stain was AP Negative, Sperm	sample.
	Search Negative, and P30 Positive.	Sample.
Victim's Panties	Waistband of Panties: A partial Y-STR profile was obtained from the waistband of the panties. This partial profile is a mixture. No determination can be made regarding any minor typing detected.	Waistband of Panties: Knolly Brown, James Brinkley, and Aaron Atkins are excluded as contributors to the male DNA profile detected from this sample.
	Crotch of Panties: Partial Y-STR profiles were obtained from the epithelial fraction and sperm	Crotch of Panties: Knolly Brown, James Brinkley, and Aaron Atkins are excluded as
	fraction of crotch of the panties.	contributors to the male DNA profile detected from this sample.
	Slide made and viewed microscopically. Sperm Search Positive – 2 sperm heads seen on slide.	
	Stain on Front of Panties: AP Positive. No further testing because male quants were 0.0.	

SUMMARY: The profiles from the crotch of the panties, the waistband of the panties, and the major profile obtained from the stain on the inner front waistband of the pants, are consistent with one another and could have a common origin.

DEVONTE JAMAL JOHNSON

Conviction	Jurisdiction	Date of Offense	Date of Conviction
AID & ABET MISDEMEANOR BREAKING & ENTERING (MISDEMEANOR)	EDGECOMBE	8/23/2010	4/20/2011
POSS STOLEN GOODS/PROP (MISDEMEANOR)	EDGECOMBE	8/23/2010	4/20/2011
FELONY POSSESSION OF COCAINE	EDGECOMBE	6/28/2013	3/23/2015

KEITH ANTONIO PRESSLEY

Conviction	Jurisdiction	Date of Offense	Date of Conviction
MISDEMEANOR LARCENY	NASH	12/22/1984	1/31/1985
DRIVING WHILE IMPAIRED	NASH	10/18/1987	12/31/1987
DWLR	NASH	10/18/1987	12/31/1987
DWLR	EDGECOMBE	8/30/1987	1/28/1988
DRIVING WHILE IMPAIRED	NASH	10/18/1987	2/2/1988
DWLR	NASH	10/18/1987	2/2/1988
CRIME AGAINST NATURE	NASH	7/22/1991	7/29/1992
DWI LEVEL 2	EDGECOMBE	8/15/1992	11/30/1992
DWLR	EDGECOMBE	8/15/1992	11/30/1992
DWLR	NASH	9/18/1992	1/11/1993
RESIST/OBSTRUCT PUBLIC OFFICER (MISDEMEANOR)	NASH	9/18/1992	1/11/1993
SHOPLIFTING CONCEALMENT GOODS (MISDEMEANOR)	NASH	5/7/1993	5/26/1993
RESIST/OBSTRUCT PUBLIC OFFICER (MISDEMEANOR)	NASH	5/7/1993	5/26/1993

DWI – LEVEL 2	EDGECOMBE	5/21/1995	11/30/1995
MISDEMEANOR LARCENY	WAKE	10/5/1995	3/29/2006
DWI – LEVEL 3	WAKE	8/2/2007	2/20/2008
POSSESS MARIJUANA UP TO ½ OZ (MISDEMEANOR)	EDGECOMBE	6/13/2008	8/11/2008
MISDEMEANOR PROBATION VIOLATION – OUT OF COUNTY	EDGECOMBE	8/4/2008	8/31/2011
RESISTING PUBLIC OFFICER (MISDEMEANOR)	EDGECOMBE	9/30/2012	1/3/2013
SEXUAL BATTERY (MISDEMEANOR)	NASH	3/17/2012	6/11/2013
RESISTING PUBLIC OFFICER (MISDEMEANOR)	NASH	9/19/2012	7/1/2013
DWI – LEVEL 1	DURHAM	11/29/2014	7/22/2015

et.

STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
COUNTY OF EDGECOMBE	08 CRS 50309
STATE OF NORTH CAROLINA)
ν.) AFFIDAVIT OF LAMONT WIGGINS
KNOLLY BROWN, JR.)
)

Lamont Wiggins, having appeared before the undersigned notary and first been duly sworn, deposes and says:

- 1. I am an attorney duly admitted to the practice of law in North Carolina.
- 2. I practice law in Rocky Mount, North Carolina.
- 3. On January 28, 2008, I was appointed to represent Knolly Brown, Jr. on charges in the above-captioned case. On June 24, 2009, I was allowed to withdraw for good cause shown.
- 4. In August 2012, I was contacted by Lindsey Guice Smith, Associate Counsel for the North Carolina Innocence Inquiry Commission regarding my representation of Mr. Brown. Ms. Smith provided me with a copy of Mr. Brown's rights waiver and requested a copy of my file in the case. In September 2012, I informed Ms. Smith that I had been unable to locate the file for this case. As of this date, I have not located a file for this case.
- 5. On August 13, 2015, Ms. Smith contacted me to request an affidavit outlining any admissions of guilt or declarations of innocence that Mr. Brown made to me during my representation of him in this case.
- 6. I do not recall Mr. Brown making any admissions of guilt during my representation.
- 7. I vividly recall Mr. Brown declaring his innocence during my representation.

This the 24h day of August, 2015.

Lamont Wiggins Attorney

Sworn to and subscribed before me, this ZHM day of August, 2015.

Jotary Public

[Seal]

My Commission Expires: \ -30-2016

STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
COUNTY OF EDGECOMBE	08 CRS 50309
STATE OF NORTH CAROLINA)
v.	AFFIDAVIT OF MATTHEW SPERATI
KNOLLY BROWN, JR.) WATTHEW SPEKATI
)

Matthew Sperati, having appeared before the undersigned notary and first been duly sworn, deposes and says:

- 1. I am an attorney duly admitted to the practice of law in North Carolina.
- 2. I practice criminal law in Rocky Mount, North Carolina.
- 3. On June 24, 2009, I was appointed to represent Knolly Brown, Jr. on charges in the above-captioned case. This appointment was made after Attorney Lamont Wiggins was allowed to withdraw for good cause shown.
- 4. On October 14, 2009, Mr. Brown pled no contest to Second Degree Forcible Rape. In exchange for that plea, charges of First Degree Rape of a Child and First Degree Kidnapping were dismissed.
- 5. In August 2012, I was contacted by Lindsey Guice Smith, Associate Counsel for the North Carolina Innocence Inquiry Commission regarding my representation of Mr. Brown. Ms. Smith provided me with a copy of Mr. Brown's rights waiver. In August 2012, I mailed a copy of my file to the Commission.
- 6. On August 11, 2015, Ms. Smith contacted me to discuss any admissions of guilt or declarations of innocence that Mr. Brown made in this case. At that time I informed Ms. Smith that I would need to retrieve the case file from archives and review it.
- 7. Prior to reviewing the case file, it was my recollection that Mr. Brown had not admitted guilt during my representation of him.
- 8. On August 12, 2015, I reviewed the case file. Upon reviewing the file, I did not see anything within the file, including my notes, which indicates that Mr. Brown ever admitted guilt.

- 9. I do recall Mr. Brown declaring his innocence during my representation. However, there is not anything within the file, including my notes that indicates that Mr. Brown ever declared innocence.
- 10. I recall that Mr. Brown pled No Contest rather than guilty because he believed he was innocent.

This the 18th day of August, 2015.

Matthew Speratf Attorney

Sworn to and subscribed before me, this 18th day of August, 2015.

Notary Public

[Seal]

My Commission Expires: (0-25-2017)

CAROL L. LUCAS
NOTARY PUBLIC
Nash County, NC

KNOLLY BROWN, JR.

Conviction	Jurisdiction	Date of Offense	Date of Conviction
POSSESS DRUG PARAPHERNALIA (MISDEMEANOR)	EDGECOMBE	5/24/1991	6/19/1991
INJURY TO REAL PROPERTY (MISDEMEANOR)	EDGECOMBE	3/5/1993	5/7/1993
SECOND DEGREE TRESPASS (MISDEMEANOR)	EDGECOMBE	8/20/1993	9/15/1993
POSS/CONS BEER/WINE PUBLIC ST (MISDEMEANOR)	EDGECOMBE	10/9/1994	11/21/1994
RESISTING PUBLIC OFFICER (MISDEMEANOR)	EDGECOMBE	9/6/2007	12/10/2007
SECOND DEGREE RAPE	EDGECOMBE	1/25/2008	10/14/2009
SECOND DEGREE TRESPASS (MISDEMEANOR)	EDGECOMBE	3/11/2015	4/6/2015
DISORDERLY CONDUCT (MISDEMEANOR)	NASH	8/5/2015	9/15/2015