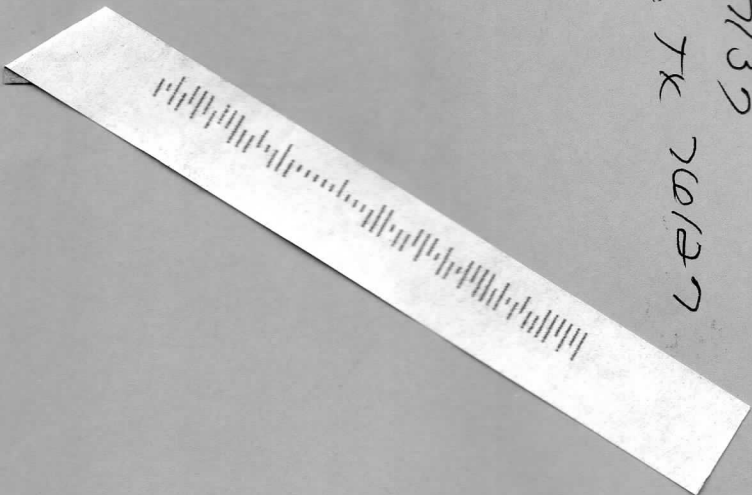


Amy Gonzalez
49619-379
FMC Carswell
PO Box 27137
Fort Worth, TX 76127



Legal Mail

↔49619-379↔
Rudy Davis
PO BOX 2088
Attorney
Forney, TX 75126
United States



MAY 09 2019
FORTH WORTH TX

FMC Carswell
P.O. Box 27066
Fort Worth, TX 76127
Mailed: *[Signature]*
The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has neither been opened nor inspected. If the writer raises a question or problem over which this facility has jurisdiction, you may wish to return the material for further information or clarification. (4)

Hi Rudy,

12/8/19

These are the answers to the questions that you sent with your letter along with the packet of information that I have been sending out for legal assistance + others that can help.

I was given your business card by a friend here, Sandra Cook who is friends with Elaine Brown. She told me that I needed to contact you.

I have been a believer of Jesus Christ since I was a little girl. I have been Baptized, confirmed + have had Holy Communion. I attend Church every week, sometimes twice a week. I start every day with my Bible, devotionals + say my Rosary in the morning + again at night. I want to get home to my little girl, Tatiana, who is not so little anymore, to assist her with getting the Holy sacraments. Unfortunately, due to all of this tragedy, my daughter no longer prays or believes in God + that absolutely breaks my heart.

Yes, I do have a King James Bible + New Believers Bible also.

My birthday is March 31, 1972.

My arrest date was August 8, 2013 + I have been in prison for 6 years + 4 months.

My charges are conspiracy to commit Interstate stalking + cyber stalking along

with cyber stalking resulting in death. I absolutely maintain my innocence + will do so until I take my last breath on this earth.

I am in contact with my husband, Juan, daughter, Tatiang, son, Christopher, my brother, David also incarcerated for this crime, occasionally my aunt Gloria Kula, Tom + Melinda Kula aunt + uncle, Dianna Kula cousin + some friends.

People have never heard my side of this story because we were told by our lawyers at trial not to testify. We were also told not to do media interviews even though media was contacting us, until after the appeal process so it wouldn't prejudice our case.

My voice can be heard now because I am ready for the world to hear not the governments twisted version of their theory. I have been contacted also by a London based production company regarding a documentary on stalking + they would like to interview victims + people that have been convicted of stalking for research purposes. I have had this company researched and have learned that they are legitimate + produced 3 movies already. I have been silent for far too long.

Yes, I wouldn't mind calling you, but financially it is better for me to use the email or regular mail as I rarely get money from home.

Mostly I need prayers because there is power in prayer, especially intercessory prayer.

People can advocate by writing to congress, senators, the President of the US regarding this overbroad, vague statute that will incarcerate so many more Americans. You have read for yourself that my family is the "test case."

I do have a copy of my indictment + trial transcripts.

Included is the packet with my story.

Thank you so much for your letter and prayers. They are greatly appreciated.

God Bless!

Amy Gonzalez
49619-379

I finally received
22 volumes of 400-
800 pgs of appendixes
Transcripts included
on a 2/27/19 + CD from
my lawyer on 10/24/19.

These 1st 4 pages
was my plea one
of the lawyers
told me to write why
I feel I deserve
pro bono assistance
out of all of the
thousands of requests
they receive.

Rudy - I'm not
sure about my
ex sister-in-law's
family being on the
jury or alternate. I
know she testified for
the prosecution + I
thought she was on the
jury, but David, my
brother, doesn't think so.
Jennifer Pugliese
The plea offer - my lawyer
never responded to my
asking the question if
there was an offer or
not.

What has happened that I know I deserve your help?

I was given a life sentence and I am innocent. Due to the significance of these experts to this case, I asked my trial attorney for a brain tumor expert as well as a child abuse expert for rebuttal to the prosecution experts testimony. We never had rebuttal defense experts. My ex sister-in-law's family member was on the jury that convicted us (ex sister-in-law #1). I was told by my brother that in the middle of our trial we were offered a plea agreement that my lawyer never disclosed to me. The sentencing plea offer context provided the following sentence recommendation: David 15 years, Lenore 12 years, Amy 5 years. I have asked for my trial transcripts for 4 years and still haven't received them. I motioned the court for a copy for free due to my indigent status and received a notice that the copy was already sent to my lawyer. I still have not been notified by my attorney that the supreme court denied to hear our case. I had to hear

it from friends. The same thing happened with the direct appeal and En banc court decisions. While investigating my case, Private Investigator, Greg Auld, told me that out of the 5,000+ cases that he has investigated, only 5% were innocent. He said that I am amongst that 5% that are innocent.

Due to my case being a precedential case, thousands more people in this country that use the Internet and social media to express their opinions and beliefs will be incarcerated using this cyber stalking statute. I am fighting for justice and I will continue in this fight until my brother and I walk out of these prison doors, knowing that we didn't only fight for ourselves, but we fought for others as well.

I am asking for pro bono legal representation because I have suffered in prison for 6 years already for a crime that I did not commit and have still persevered pledging my innocence since day 1, never wavering, knowing that with the right legal representation I will get justice.

Who am I that I think I deserve your help?

I am the woman that built a loving home with my husband to raise our family and was forced to sell our home. I am the mother that plans to send my daughter and son to college. I am the compassionate RN that has selflessly served my patients by helping to heal them or hold their hand as they were dying. I am the woman who's father tragically murdered 2 people and then selfishly committed suicide. I am the woman who's entire family has been unjustly convicted of this crime. I am the little girl that needlessly watched her mother suffer and die in prison. I am the mother that has missed out on the last 6 years of my precious little girl's life. I am the loving wife of a husband that has been diagnosed with anxiety, depression, panic attacks and PTSD due to this horrific tragedy.

I AM ALSO THE WOMAN THAT WAKES UP EVERY DAY AND GOES TO BED EVERY NIGHT WITH ONLY THESE THOUGHTS ON MY MIND... TRUTH, JUSTICE AND FREEDOM AND HOW TO GET THEM BACK. THIS IS MY SOLE PURPOSE AND I WILL NOT REST UNTIL THAT HAPPENS.

Thank you for your time
and consideration!

Sincerely,
Amy Gonzalez
Amy Gonzalez
49619-379

In 2006, my sister-in-law, Christine Belford, abruptly stopped taking her post partum depression medications and to make a long story short started acting very erratically. She signed a false Restraining Order on my brother, her husband, even the officer taking the statement didn't believe. She gave my brother, David Matusiewicz, sole custody of all three of their girls and her ex sister-in-law temporary guardianship of her 1st daughter that was born of her 1st husband. Christine said that she had to figure out what was "really wrong with her." After the constant chaos of Christine not wanting the kids and then wanting them back, the courts granted joint custody to David and Christine. David and Christine divorced in 2006 and the children lived with David. Christine was granted visitation. Due to the suspicions of abuse of the children in Christine's presence, David's lawyer hired a Private Investigator to follow Christine when the children were with her. The Private Investigator recorded a video of Christine dragging her Autistic daughter by the arm across the road 7 times. The children would cry that they didn't want to go with their mother. I have an audio recording of the children crying when their mother would come to pick them up because we did not trust Christine and always had 2 adults present with 1 of us wearing a recording device for the exchange of the children.

As you can only imagine, life was very chaotic for our family at this time as we were trying to find out what was going on with Christine, help David raise 3 little girls (4 years old and under, 1 which was just diagnosed with Autism), help David run his Optometric practice and his home, while I had just given birth to my first child that was 1 month old when David's wife abruptly stopped taking her medications. Then my mother and I discovered that my oldest niece was exhibiting signs of possible sexual abuse. The thing I regret about this is not going to the authorities or DYFS at that time with my suspicions.

In 2007, my brother, David, and our mother, Lenore, left the country with the 3 girls. In 2009, after 19 months, they were captured and David served 4 years for International Parental Kidnapping, while Lenore served 18 months for Endangering the Welfare of a Child. The children were returned to Christine. My father, Tom Matusiewicz, and I attempted to go through the courts to obtain visitation with the girls since we didn't trust Christine.

While David was still incarcerated my family was reaching out to people to try to get help for my sister-in-law, Christine, who we believed was suffering from mental health issues, get my nieces safe from abuse, get David's parental rights back since Christine pushed to have them terminated due to his felony conviction, even though she said he "was a good father."

My family got involved with Unite 4 Justice, a national organization, that encouraged us to put our story on the Internet to reach out to people for help for Christine, the girls and David. I had the video of Christine dragging my Autistic niece across the road along with polygraphs of my mother and I regarding our beliefs of sexual abuse of my oldest niece put on YouTube in hopes to get help for Christine, the girls and David.

In 2012, David was released from prison. He was still required to pay \$2,000.00 per month in child support, even though he was no longer an Optometrist, he was a waiter.

Due to the mediation to reduce child support ending without any agreement, David was scheduled for a court appearance on February 11, 2013 in Delaware. My father, Thomas Matusiewicz, who suffered from a left frontal lobe meningioma/brain tumor, shot and killed my ex sister-in-law, Christine and her friend and then shot and killed himself at the DE courthouse on February 11, 2013. My mother, Lenore Matusiewicz, brother, David, and myself were all arrested and convicted of Cyber Stalking resulting in death and Conspiracy. My mother and brother were also charged with Interstate Stalking because they travelled with my father from Texas to NJ and DE for David and Christine's court hearing regarding reduction in child support and to visit our family.

We took our case to trial, as recommended by our lawyers since they knew we were not guilty. Shockingly, we were convicted and sentenced to life in prison. We had our direct appeal denied. We petitioned the En Banc court to rehear our case and that was denied as well. The appellate Judges commented that the trial Judge did an "exemplary job." We have petitioned the Supreme Court to hear our case and just learned on July 26, 2019 that it was denied to be heard. Our mother (age 71), who suffered due to deliberate indifference/medical neglect by the BOP medical staff, died on May 6, 2016 with 3 brain tumors prior to our appeal process.

I have been sending this packet out to lawyers, law professors, law schools, President Donald Trump and Jared Kushner, trying to reach out to people that can help me get justice for my family and prevent more people from going to prison that are innocent. If you read this Cyber Stalking statute you will see how overbroad, ridiculous and dangerous this statute really is, especially for those with no criminal intentions. Just like Professor Eugene Volokh says his opinion is that this statute is overbroad and unconstitutional. He said that the prosecutors are "reaching" to try to convict more Americans under this Cyber Stalking statute. Our lawyers have cited in our petition of certiorari to the Supreme Court, Professor Volokh's work in his article regarding Harassment and Speech, "One to One vs One to Many."

With this being the age of the Internet and social media, I am afraid that so many others are going to suffer from being incarcerated the same way my mother, brother and myself have suffered along with the rest of our family that are suffering along with us. I have no intention on staying in prison for a crime that I did not commit. This has been a witch hunt from the very beginning.

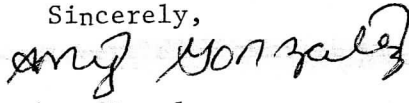
We have had contact with media sources, but our trial/appellate lawyers recommended that we don't do any interviews until after the Supreme Court decision to prevent any prejudice to our case.

Please let me know if you have any ideas that you can recommend to help my brother and I get home to our family instead of dying in prison as the government believes would serve their kind of justice. We had the same lawyers from our trial represent us throughout the appeal process and the Supreme Court. We need pro bono lawyers to get a fresh set of eyes to look at our case in order to file 2255 motions on our behalf. If you are that lawyer that has experience and passion to fight for the innocent, please let me know.

Thank you so much for your time and consideration!

God Bless!

Sincerely,

A handwritten signature in black ink that reads "Amy Gonzalez". The signature is written in a cursive style with a large, looped initial "A".

Amy Gonzalez

49619-379

wife, mother and RN of 26 years

UNITE 4 JUSTICE

TRULINCS 49619379 - GONZALEZ, AMY - Unit: CRW-B-A

FROM: Juan, Gonzalez - *emailed from my husband,*
TO: 49619379
SUBJECT: Something to read
DATE: 06/29/2019 08:21:06 PM

Now you have to fight the honour of these people also. There honor is going to be question I assume and their accomplishment in the trial. I had high hopes but when I seen this, it broke my heart. You're fighting the court system, Joe Biden's son legacy and now the honor of these people who were involved to prosecute you. I feel that this is not going to be easy. Too many people reputation, honor and career are at stake.

Delaware Public Media
Live From Here with Chris Thile

U.S. v. Matusiewicz trial team honored by U.S. Dept. of Justice
By KELLI STEELE JUN 26, 2019
Share Tweet Email

The U.S. Department of Justice has honored the trial team which prosecuted the country's first cyberstalking resulting in death case, which happened here in Delaware.

The U.S. Department of Justice has honored the trial team which prosecuted the country's first cyberstalking resulting in death case, which happened here in Delaware.

SUBMITTED PHOTO

A local trial team is being honored by the U.S. Department of Justice for its work on a landmark case here in Delaware.

Listen Listening... 1:18 Listen to this story

The team - led by the U.S. Attorney's Office for the District of Delaware - earned the Justice Dept's Director's Award for Superior Performance by a Litigative Team for prosecuting the country's first cyberstalking resulting in death case.

The case stemmed from a 2013 New Castle County Courthouse shooting where Thomas Matusiewicz killed his former daughter-in-law, Christine Belford, and her friend before taking his own life.

The subsequent investigation uncovered evidence that Matusiewicz and members of his family engaged in a three-year stalking campaign designed to psychologically torture and intimidate Belford.

Following a five-week trial in 2015, the family members involved - Lenore Matusiewicz and her children David Matusiewicz and Amy Gonzalez - were found guilty of cyberstalking resulting in death and other charges, and sentenced to life in prison.

Delaware's U.S. Attorney David Weiss calls it a significant case, "Anytime you experience violence of that nature in a public setting, I think it's important that people want to be assured that those places, which are critical places for societal functions, are safe places to go."

Weiss went on to say that his office has a commitment to prosecute these type of cyber terror cases, "And unfortunately, the internet/social media - there is a lot of good that comes with it, but it also can be used for an instrument of evil as it was in this case. And unfortunately, we're seeing more and more of this these days."

The team included five members of Delaware's U.S. Attorney's Office along with investigators from the FBI and Delaware State Police. It was one of 10 teams honored this year.

In the photo, the prosecution team honorees, from top to bottom are:

- ∅ Shawn A. Weede, Criminal Chief, USAO
- ∅ Millard Greer, Lieutenant, Delaware State Police
- ∅ Joseph P. Gordon, Supervisory Senior Resident Agent, FBI
- ∅ Edward J. McAndrew, former Assistant U.S. Attorney, USAO
- ∅ Jamie M. McCall, Assistant U.S. Attorney, USAO

TRULINCS 49619379 - GONZALEZ, AMY - Unit: CRW-B-A

- Ø Christine C. Oliver, Special Agent, FBI
- Ø Susan P. Alfree, Victim/Witness Coordinator, USAO
- Ø Sherry Kaminski, Legal Assistant, USAO
- Ø Barbara Lotharp, Litigation Support Specialist, USAO

TAGS:
UNITED STATES ATTORNEY'S OFFICE DISTRICT OF DELAWARE U.S. DEPARTMENT OF JUSTICE
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RE:CR-13-83-3 PRECEDENTIAL
3RD CIRCUIT, DELAWARE
UNITED STATES OF AMERICA
-VS-

DAVID MATUSIEWICZ, LENORE MATUSIEWICZ
AND AMY GONZALEZ

Rudy -
This is another
plea for help
as we were getting
ready to petition
the supreme court
to hear our
case.

Have you or any of your family or friends ever been accused of committing a crime you did not commit? Well, I have and I am fighting with my last breath to correct this horrific injustice. My little girl is being raised without a mother by my wonderful husband and I am so desperately trying to get Justice and return to my family where my brother and I both belong.

My name is Amy Gonzalez and my brother, David Matusiewicz, after taking our case to trial, are currently serving life sentences for exercising our Freedom of Speech Rights. The charges are Cyber Stalking resulting in death and Conspiracy. Our mother, Lenore Matusiewicz, passed away during her incarceration with these same charges and sentence. She and my brother were also charged with Interstate Stalking.

On September 7, 2018, our direct appeal was denied. On February 7, 2019, our En Banc Court petition for a rehearing was denied. The attorney's representing my brother and I both know we are innocent and are doing their best to help us. Both are court appointed. The next step we are taking is to the Supreme Court.

Counsel, our case is precedential and if the wrong ruling is handed down, not only will I, my brother and our family be affected, **ALL AMERICANS** will be as well. Every American has the potential to have their 1st Amendment Rights taken away. This privilege will be stripped from all of us and this is not something our Forefather's would have ever dreamed of happening.

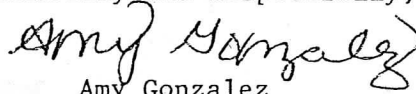
I am hopeful that you will have an opportunity to review the information and will be able to help my family and I with this **Precedential** matter to publicize our case in order to help us restore Justice to our family and to prevent **ALL AMERICANS** from having their Constitutional Rights of Freedom of Speech taken away.

If you are able to offer us any names of potential resources such as Cyber Stalking or Conspiracy advocates, experts or law professors or trustworthy media to interview with to educate the American people or anything that you may be able to recommend helping our cause for truth and justice please let me know

I am afraid for our children and grandchildren to be unjustly incarcerated for exercising their Freedom of Speech the same way my family was unjustly incarcerated. Please help me to prevent that from happening.

I look forward to hearing from you and thank you in advance for your consideration of my request.

Sincerely and Respectfully,



Amy Gonzalez

49619-379

* wife, mother and RN for 26 years prior to arrest.

If you are interested in the truth regarding this case, rather than the government's theory, please respond to this letter and I will gladly send you my story.

HAVE YOU SENT AN EMAIL LATELY? ANSWERED AN EMAIL? USED FACEBOOK OR ANY OTHER FORM OF SOCIAL MEDIA? OR FOR THAT MATTER, U.S.P.S? IF SO, PLEASE CONTINUE TO READ FURTHER AND YOU WILL SEE WHY THIS PRECEDENTIAL CASE, IF NOT REVERSED, COULD POSSIBLY AFFECT EVERY AMERICAN. FREEDOM OF SPEECH, MAYBE OR MAYBE NOT!

CYBER STALKING. DO YOU KNOW WHAT THIS REALLY IS? THAT'S WHAT I THOUGHT. NOT MANY PEOPLE DO. BELIEVE IT OR NOT, FREEDOM OF SPEECH AND CYBER STALKING MIRROR EACH OTHER AND PEOPLE DO NOT HAVE A CLUE.

Let me introduce myself. Hi. My name is Amy Gonzalez. My case number is 13 - CR - 83. My case is PRECEDENTIAL and if not reversed, will affect every man, woman or child walking on American soil. This is how Cyber Stalking, a very serious matter, when flagrantly used and abused, can affect an entire family.

FREEDOM OF SPEECH: PLEASE REFER TO THE UNITED STATES OF AMERICA CONSTITUTION.

CYBER STALKING: ACCORDING TO THE AMENDED STATUTE OF 2013 SAYS:

WHOEVER

(1) TRAVELS IN INTERSTATE OF FOREIGN COMMERCE OR WITHIN THE SPECIAL MARITIME AND TERRITORIAL JURISDICTION OF THE UNITED STATES, OR ENTERS OR LEAVES INDIAN COUNTRY, WITH THE INTENT TO KILL, INJURE, HARASS, OR PLACE UNDER SURVEILLANCE WITH INTENT TO KILL, INJURE, HARASS, OR INTIMIDATE ANOTHER PERSON, AND IN THE COURSE OF, OR AS A RESULT OF, SUCH TRAVEL PLACES THAT PERSON IN REASONABLE FEAR OF THE DEATH OF, OR SERIOUS BODILY INJURY TO, OR **CAUSES SUBSTANTIAL EMOTIONAL DISTRESS TO THAT PERSON...** (STATUTE INCLUDED)

HOW MANY OF YOU RIGHT NOW ARE REALIZING THAT THIS DANGEROUS STATUTE WILL IMPRISON SO MANY AMERICANS JUST FOR EXERCISING WHAT IS SUPPOSED TO BE FREEDOM OF SPEECH?

The PRECEDENTIAL status of this case means that ALL AMERICANS are subject to being arrested using this overbroad statute. The prosecutors and government used my family to set the bar to have more people convicted.

The government pursued convicting my mother, brother and myself because they couldn't convict my father after shooting and killing my ex sister - in - law, Christine Belford, her friend, Laura Mulford and then shooting and killing himself at the Delaware courthouse.

I had a video showing abuse uploaded onto You Tube, along with 2 Polygraphs to show our beliefs of physical and sexual abuse. I attempted to contact 3 Forensic Psychologists and the media seeking help to try to keep 3 little girls safe from a mentally unstable, abusive mother after complaining to several people that didn't take our complaints seriously, such as the children's Guardian Ad Litem and DYFS. I am sitting in prison with a life sentence for loving my nieces enough to want them safe.

Please
Read
Very
Carefully

§ 2261A. Stalking

Whoever--

(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that--

(A) places that person in reasonable fear of the death of, or serious bodily injury to--

(i) that person;

(ii) an immediate family member (as defined in section 115 [18 USCS § 115]) of that person;

(iii) a spouse or intimate partner of that person; or

(iv) the pet, service animal, emotional support animal, or horse of that person; or

(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that--

(A) places that person in reasonable fear of the death of or serious bodily injury to a person, a pet, a service animal, an emotional support animal, or a horse described in clause (i), (ii), (iii), or (iv) of paragraph (1)(A); or

(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title [18 USCS § 2261(b)].

(Added Sept. 23, 1996, P. L. 104-201, Div A, Title X, Subtitle F, § 1069(a), 110 Stat. 2655; Oct. 28, 2000, P. L. 106-386, Div B, Title I, § 1107(b), 114 Stat. 1498; Jan. 5, 2006, P. L. 109-162, Title I, § 114(a), 119 Stat. 2987; March 7, 2013, P. L. 113-4, Title I, § 107(b), 127 Stat. 77; Dec. 20, 2018, P. L. 115-334, Title XII, Subtitle E, Part I, § 12502(a)(1), 132 Stat. 4982 .)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

The bracketed parenthesis has been inserted in para. (2)(B)(ii) as the punctuation probably intended by Congress.

Amendments:

2000. Act Oct. 28, 2000, substituted this section for one which read:

"§ 2261A. Interstate stalking

"Whoever travels across a State line or within the special maritime and territorial jurisdiction of the United States with the intent to injure or harass another person, and in the course of, or as a result of, such travel places that person in reasonable fear of the death of, or serious bodily injury (as defined in section 1365(g)(3) of this title) to, that person or a member of that person's immediate family (as defined in section 115 of this title) shall be punished as provided in section 2261 of this title."

2006. Act Jan. 5, 2006, substituted this section for one which read:

"§ 2261A. Interstate stalking

"Whoever--

"(1) travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel places that person in reasonable fear of the death of, or serious bodily injury to, that person, a member of the immediate family (as defined in section 115) of that person, or the spouse or intimate partner of that person; or

"(2) with the intent--

"(A) to kill or injure a person in another State or tribal jurisdiction or within the special maritime and territorial jurisdiction of the United States; or

"(B) to place a person in another State or tribal jurisdiction, or within the special maritime and territorial jurisdiction of the United States, in reasonable fear of the death of, or serious bodily injury to--

"(i) that person;

"(ii) a member of the immediate family (as defined in section 115) of that person; or

"(iii) a spouse or intimate partner of that person,

uses the mail or any facility of interstate or foreign commerce to engage in a course of conduct that places that person in reasonable fear of the death of, or serious bodily injury to, any of the persons described in clauses (i) through (iii),

shall be punished as provided in section 2261(b)."

Although the matter following para. (2)(B)(iii) was aligned with subpara. (B), we have set it out at the paragraph level to effectuate the probable intent of Congress.

2013. March 7, 2013 (effective 10/1/2013, as provided by § 4 of such Act, which appears as 18 USCS § 2261 note), substituted this section for one which read:

"§ 2261A. Stalking

"Whoever-

"(1) travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel places that person in reasonable fear of the death of, or serious bodily injury to, or causes substantial emotional distress to that person, a member of the immediate family (as defined in section 115) of that person, or the spouse or intimate partner of that person; or

"(2) with the intent-

"(A) to kill, injure, harass, or place under surveillance with intent to kill, injure, harass, or intimidate, or cause substantial emotional distress to a person in another State or tribal jurisdiction or within the special maritime and territorial jurisdiction of the United States; or

"(B) to place a person in another State or tribal jurisdiction, or within the special maritime and territorial jurisdiction of the United States, in reasonable fear of the death of, or serious bodily injury to-

"(i) that person;

"(ii) a member of the immediate family (as defined in section 115 of that person; or

"(iii) a spouse or intimate partner of that person;

uses the mail, any interactive computer service, or any facility of interstate or foreign commerce to engage in a course of conduct that causes substantial emotional distress to that person or places that person in reasonable fear of the death of, or serious bodily injury to, any of the persons described in clauses (i) through (iii) of subparagraph (B);

shall be punished as provided in section 2261(b) of this title."

2018. Act Dec. 20, 2018, in para. (1)(A), in cl. (ii), deleted "or" following the concluding semicolon, and added cl. (iv), and, in para. (2)(A), inserted ", a pet, a service animal, an emotional support animal, or a horse", and substituted "(iii), or (iv)" for "or (iii)".

Rudy -
This is a
petition for
extension to file a
writ of certiorari
with the
supreme court with
our issues.
S.C. denied
hearing our case

**TO THE HONORABLE SAMUEL A. ALITO, ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR
THE THIRD CIRCUIT:**

Pursuant to Supreme Court Rules 13.5, 22, and 30, Petitioners respectfully request a 60-day extension of time, up to and including June 7, 2019, to file a petition for writ of certiorari to the United States Court of Appeals for the Third Circuit to review that court's decision in *United States v. Gonzalez and United States v. Matusiewicz*, 905 F.3d 165 (3d Cir. 2018).

1. The Third Circuit consolidated petitioners' appeals and issued its opinion and judgment on September 7, 2018. (Exhibit A). The court denied Mr. Matusiewicz's petition for rehearing on January 7, 2019, and Ms. Gonzalez's petition for rehearing on January 8, 2019 (Exhibit B). This Court's jurisdiction will be invoked under 28 U.S.C. § 1541(1).

2. Absent an extension, a petition for writ of certiorari would be due on April 8, 2019.¹ This application is timely because it is being filed more than 10 days in advance of that deadline. Petitioners jointly file this application because their appeals were consolidated by the Third Circuit. No prior application has been made in this case.

3. This petition involves a first in the nation prosecution for conspiracy to commit interstate stalking and cyberstalking, interstate stalking resulting in death,

¹ Ninety calendar days after January 7, 2019 is Sunday, April 7, 2019. Pursuant to Supreme Court Rule 30, the period extends until the end of the next day that is not a Saturday, Sunday, or federal legal holiday, or day on which the Court building is closed.

and cyberstalking resulting in death. Petitioners were indicted, along with their mother, after their father shot and killed Mr. Matusiewicz's ex-wife, her friend, and himself in the lobby of a local courthouse before a family court hearing. The government prosecuted petitioners on the theory that they engaged in a years-long conspiracy to stalk and harass Mr. Matusiewicz's ex-wife, which resulted in her death, because petitioners wanted to obtain sole custody of Mr. Matusiewicz's children after his parental rights were terminated.

4. Petitioners' cases were designated complex by the district court, and presented facts and issues not present in prior federal stalking cases. For example, petitioners did not threaten the victim or express a desire to harm the victim. Instead, the government's stalking evidence largely consisted of: private emails and letters between petitioners, or petitioners and third parties, in which they expressed their personal feelings and beliefs about the victim and whether the victim abused the minor children; and petitioners' public statements and publications about the abuse allegations as part of petitioners' efforts to obtain custody of the children. The government used some private communications, such as Mr. Matusiewicz's email references to Bible verses, to establish a stalking intent.

5. The multi-week trial involved a significant amount of witnesses and hundreds of exhibits. The government did not present evidence of intent to kill, but argued the jury could find intent to harass, the "easiest" intent to reach under the stalking statutes. A jury convicted petitioners. The district court sentenced

Petitioners to life in prison after finding they engaged in stalking with the intent to commit first-degree murder.

6. The Third Circuit noted that petitioners' case was complicated and involved numerous issues of first impression for the district court. *United States v. Gonzalez*, 905 F.3d at 174. The issues in petitioners' appeals included: an as-applied challenge to the cyberstalking statute, 18 U.S.C. § 2261A(2), because petitioners' conduct constituted protected speech under the First Amendment, and vagueness and overbreadth challenges to the statute as a whole; whether the federal cyberstalking statutes require a specific unanimity jury instruction, and whether petitioners' Sixth Amendment right to a unanimous jury verdict was violated because the jury was not required to be unanimous on the facts supporting the actus reus element of the stalking offenses; how to define for the jury the proof required to establish petitioners' conduct caused the victim's death, triggering the "death results" enhancement under 18 U.S.C. § 2261(b)(1), after this Court's decisions in *Burrage v. United States*, 571 U.S. 204 (2014) and *Paroline v. United States*, 572 U.S. 434 (2014); and whether the use of facts from a judicial opinion unfairly prejudices a defendant under Rule 403 of the Rules of Evidence when the opinion contains derogatory assessments of a defendant's character that go to the heart of the jury's role, and whether cautionary instructions can cure this prejudice. The issues, among others, present substantial and important questions of federal law, particularly in an emerging area of prosecution.

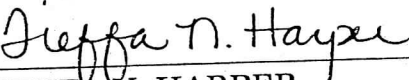
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7. Petitioners plan to file a joint petition for writ of certiorari pursuant to Supreme Court Rule 12.4, which requires significant coordination because of the case's complexity, consolidation, and the important issues presented. Additionally, counsels' trial and appellate caseloads impact their ability to coordinate and properly prepare a joint petition for a writ of certiorari by the filing deadline.

8. Accordingly, petitioners respectfully request that an order be entered extending the time to file a petition for writ of certiorari for 60 days, up to and including June 7, 2019.

Respectfully Submitted,



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Chadds Ford, PA 19317

Counsel for Petitioner Amy Gonzalez

Dated: March 28, 2019

PROOF -> Lenore told her family about chasnat

Belfon
Page
LV 01Aug
Home: 670-6184
Work: 737-5777
(V)

41904) MATUSIEWICZ LENORE F AltID-152367398
29 WHEATLEYS POND ROAD Female (63) 23Feb45
YRNA DE 19977 Ins: DE NA
ctor: 26 - KENKRE NPI#1962409029 POORWA

February 28, 2007 Incoming Phone Call - Phy (aci-041904)
KENKRE NPI#1962409029 POORWA (26)

LABS DONE. - HER LAST VISIT WAS 5/06 AT WHICH TIME SHE WAS TO F/U IN 4 WEEKS AND GET LABS DONE. I DIDN'T SEE AN ORDER IN F3 FOR ANY LABS. LABS WERE FOR METABOLIC SYNDROME, SO I'M ASSUMING IT'S FOR A BASIC METABOLIC, BUT WASN'T SURE (AND NEITHER WAS TINA) OF WHAT ELSE YOU MAY WANT HER TO HAVE DONE.

Phone number - Home [FAX 737-0142] Work []

Allergies:

Pharmacy [] Lab []

Message taken by: JG

DISCUSSION: labs in f3. please make her a 30 min appt to review. pik

Lab order at the front desk. lc
FAXED 10:30 JG

June 14, 2006

Caller (p/s/m/d/other) [0]: Happy Harry's

CC: Pharmacist called and said pt brought in an rx dated 5/18/06 for klor-con 15meq, and it doesn't come that way. It comes in 10 and 20 meq, and she's had 20meq previously. Pharmacist said the tab should not be broken in half, and just wanted to get a verification. There was a note in aci from 3/18/2004, but I wanted to check with you before I told the pharmacist anything.

Phone number - Home [] Work [376-1600]

Allergies:

Pharmacy [376-1600] Lab []

Message taken by: jg

DISCUSSION: okay to disp 20meq qd. pik

6/14/06 DDG 2:51 CALLED BACK TO PHARMACY AND INFORMED OF ABOVE.

18, 2006 Visit Limited (avl-041904)

HPI: here for FMLA form

for the last 5 months has had increased psychosocial stressors
~~her daughter in law stopped taking her psychiatric meds.~~
~~she has been caring for her three grandaughter~~
~~her daughter in law behaves eratically there is some concern that she has bipolar disease or Mult Personality disorder~~
~~she has access to a gun and has said that she could "really get to her" exhusband by hurting the children~~
every friday daughter in law comes over the pick up the children, she gets scared and frightened. she and her hsuband are frightened for her safety, he takes time off to be there when the children are picked patient has symptoms of tearfulness abdominal pain, chest tightness and heart racing for the day of pick up, and while the children are gone + sleeplessness, trouble concentrating
feel relatively well on the days that the children are with her and not their mother

needs refills of her meds

has not have her blood work done for metabolic syndrome

reviewed her meds

taking prevacid prn now less acid reflux - occasinal sympotms every

This was reported to my mother's Dr. prior to this happening
↓

The government's opinion is that our concerns regarding Christine Belford harming the children were baseless and made up as a cover up for my brother, David Matusiewicz and my mother, Lenore Matusiewicz, taking the children out of the country in 2007, 6 years prior to the DE courthouse tragedy. Think about it. Why would a successful optometrist leave all that he loves and has accomplished in life (family, friends, home, optometric practice) if the safety of his children wasn't in question?

David served his time of 4 years for International Parental Kidnapping and now he and I are unjustly serving time for our father's crime... a man who suffered from a brain tumor.

To whom it may concern:

Shortly prior to Christine Matusiewicz's filing for a divorce from David Matusiewicz, she called me at home. This was odd because she had never called our home before.

Because I often counsel women in times of distress, I am accustomed to recording such calls. In this case, I heard the sound of a recorder at Christine's end, which prompted me to activate my own tape recorder.

Christine began the conversation by saying she was worried about David and his frame of mind. She then spoke of a number of personal stories, many of which had nothing to do with David, but always ending with the comment that she just didn't know what to do about David.

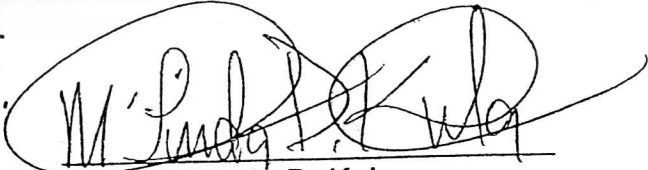
Because I had known David for about 20 years, and was irritated by a number of false comments that she made about David, I asked her bluntly, "What was the real reason for her call?" Her exact words were, "I love my ex-husband, but he had no money. David has wealth but I don't love him. When I take over his business, his home, his children and put him in prison, I will then have his wealth and my ex-husband."

I asked her if she'd thought about what this would do to the children. I told her she'd better think long and hard before going down that road. She had no response so I ended the conversation.

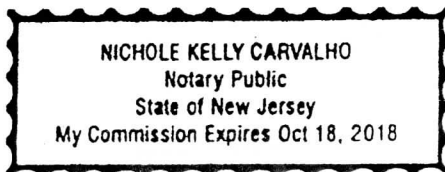
I later found out that she had made similar telephone calls to David's friends and business associates.

My testimony regarding this conversation was entered into evidence at a hearing in the divorce action, possibly concerning the initial Protection From Abuse Order. Thirteen business associates, friends and family were present for that hearing and waited all day to testify on David's behalf. Christina's Father, was also present. He called her a "cold hearted bitch" and stormed out before the hearing.

* I will take a POLYGRAPH.


M'Linda D. Kula

Notary:



Nichole Kelly Carvalho 1/25/14

DATE: Thursday the 9th of July, 2015

TIME: 4:00 P.M.

CASE CAPTION:

CASE NO. ✓ 13-83 GAH

UNITED STATES OF AMERICA

v.

DAVID THOMAS MATUSIEWICZ
LENORE MATUSIEWICZ
AMY GONZOLEZ

JURY NOTE

QUESTION: On page 46 & 47 of the jury instructions, there is confusion about the first & second question on p 46 second paragraph from the bottom. P 47 lists four requirements. First talks about member of the conspiracy. It seems confusing. the interrogatory

ANSWER: refers to counts three and four, yet p 47 talks about the conspiracy. P 46 First refers to the "particular offense": To which offense is it referring? Which is "but for"?
Mat & Amy

Rudy - This is written in a time line format. Back ground history. This is our side of this tragedy that no one has ever heard.

Thank you +
God Bless you!

Amy

On January 2, 2006, my sister-in-law, Christine Belford, after abruptly stopping her medication for Post Partum Depression obtained a falsified order of Protection From Abuse against her husband, Dr. David Matusiewicz. The petition for the Protection From Abuse stated David was hearing voices, he could predict the future and he threatened to kill Christine and dispose of her body where nobody would find it, amongst other "claims." David was escorted from his Optometric practice in Newark, DE by 5 police officers to undergo an emergency psychological evaluation by Dr. Cuba at the Mobile Crisis Center. Dr. Cuba evaluated David and found that David had no mental health issues, but did find that David was shocked by being brought for this emergency psychological evaluation. Dr. Cuba also disclosed in his progress notes that he was more concerned for Christine to have a psychological evaluation due to her sudden erratic behaviors and abrupt cessation of her psychological medications.

While Christine knew David was being taken for an emergency psychological evaluation, she went to pick up their 3 daughters, Laura, Leigh, and Karen from their grandparent's home of Lenore & Thomas Matusiewicz. Christine informed Lee Matusiewicz that her mother, Kathleen Belford, was in the hospital on her "death bed" and that she wanted to take the 3 girls to see her mother before she passed. When Christine arrived at the house Lee noticed that Christine had the family dog and a suitcase in the back of the family van to go to the hospital. Lee offered to accompany the children and Christine to the hospital so she could help with the children, but Christine wouldn't allow her to go. Lee noticed that Christine was acting strangely.

David called me from Dr. Cuba's office requesting a ride home after his psychological evaluation was finished. I called our mother, Lee, who was at home in Smyrna, DE and requested that one of our parents give David a ride home from the doctor's office after I told her that he was taken from his office for an emergency psychological evaluation. Lee explained the situation that just occurred with Christine to me and after putting 2 and 2 together, I realized that Christine was running with the kids. I told Lee to hang up and call 911 immediately, which she did. They informed her that all they could do if they spotted the van was do a safety check on Christine and the girls to make sure that they were all okay.

Lee called all New Castle County hospitals to locate Kathleen Belford to no avail, since she was never in the hospital, which was verified by Jim Belford, Kathleen's ex-husband, and Kathleen Belford herself. Kathleen stated that she didn't know what was going on with Christine because she thought it was odd that Christine called her 14 times that day. Christine doesn't normally phone her mother. Lee also called Christine's psychologist, Dr. Marc Richman and the Rockford Center to get Christine help. Dave Mitchell, an employee at the Vision Center of Delaware office, who was present when David was escorted for the emergency psychological evaluation, also called 911 in fear for Christine and the children due to Christine's irrational behavior.

I travelled from NJ to DE to hire AAAAA Private Investigators to locate Christine and the girls. Tom went to Dave & Christine's residence, as recommended by Dr. Cuba, to remove any weapons from the home that Christine may use to harm the children or herself.

Later that night, Christine called Lee & Tom and sent the girls back to their care, meeting in the parking lot of the State Police Barracks in Bear, DE, escorted by 2 people unknown to the children. The children were sent back without any food, formula, diapers, or clothing to keep them warm. After being unsuccessful at finding a store in the area open that late to buy these needed items for the girls, I went to Dave & Christine's home to retrieve these necessities in the morning. When I went to their house, I found the kitchen phone ripped out of the wall and Christine's Paxil on the kitchen counter and scattered on the kitchen floor.

During the week of January 2, 2006, Christine called my Aunt, M'Linda Kula, stating that when David was in jail she would have his house, his business and his precious children. This was verified with phone transcripts by the Mike O'Rourke agency due to M'Linda Kula providing the O'Rourke agency with the recording of the phone conversation.

On January 3, 2006, Lee & Tom went to Family Court in Wilmington, DE to request an ex parte order for temporary emergency custody of the 3 children. Commissioner Mayo denied the ex parte order, but agreed to a hearing, which he later dismissed.

On January 5, 2006, Christine decided she wanted the girls back. State Trooper, William Thompson, called Lee from the Smyrna, DE Police Station stating that if Lee & I didn't bring the children to the police station in 30 minutes that we would be charged with kidnapping. When we got to the police station with the children, we tried to explain to Trooper Thompson that Christine abruptly stopped taking her Post Partum Depression medications and was behaving in a chaotic manner. We told him that Christine was to be picked up at her residence in Middleton, DE for an emergency psychological evaluation. Trooper Thompson stated that Christine had been at the police station for 2 hours and was acting rationally, so he decided to let her leave with the children even after she was frantically running around in plain view yelling and screaming that she thought she saw David's truck, in light of the Restraining Order she had filed against him. Christine entered the van with the 3 children and proceeded to drive around in circles on Route 300, with the Trooper watching. When we questioned the Trooper if he thought that was rational behavior, he replied that there was nothing that he could do since "Christine got to the paperwork first."

David met us back at Lee & Tom's home and we all decided that we would stay at the Embassy Suites since Christine stated that she had connections to the local crime family through her ex father-in-law, William Moffa, Sr. and we had no means of protection at the house.

That night, Tom attempted to find Christine and the children, without success, to make sure that they were all safe and see to it that Christine got evaluated by a mental health professional.

Since the Restraining Order stated that David couldn't go near his wife, children, or his home, David moved in with his best friend, Dr. Mike Bruno and his wife, Tracy. David had to get a police escort so he could get clothes to go to work at his Optometric practice.

Christine had to be terminated from the Vision Center of Delaware office so David could go back to work and take care of his scheduled patients. The business was losing money due to the Restraining Order since David couldn't go to work because Christine was at the office. David helped Christine obtain employment with Simon Eye Associates.

Dr. Stan Strauss called David to warn him that Christine was not in attendance at a mandatory seminar through the Optometric Association. David was going to receive an award for being the past President. David immediately called Lee, who was at David's house with the 3 children and instructed her to gather the children and take them to my home in NJ. He felt something wasn't right. Lee passed Christine being escorted by a police vehicle on the way to David and Christine's home on Lee's way to NJ.

At the PFA hearing, Christine's father, Jim Belford, called Christine a "cold heartless bitch" and left the court, leaving Christine alone to face the court proceedings by herself. This statement was witnessed by M'Linda Kula, who was present in court to testify regarding the phone calls she received and recorded with Christine. David Scott Osburn and Stephanie Records Cowden, employees of the Vision Center of Delaware were also present in court to testify about Christine's kissing David Scott Osburn at the office, her seductive office attire (not the medical scrubs that complied with the office dress code) and odd behavior at the office. Officer Stamper, the officer that took the complaint that brought about the PFA, was also present along with Lee Matusiewicz to testify in court. Officer Stamper testified in court that he didn't believe Christine's claims were true, but believed that was Christine's way to get a divorce. Christine's and David's counter PFA were dismissed by Commissioner Kinney. They were basically told to "go work it out."

When we got back to David & Christine's house, after noticing pills scattered all over the kitchen floor and upstairs bathroom, we decided to pack bags to take the girls to Lee and Tom's home to stay until we could come back and clean up the house. We noticed a hole in the living room wall and a cracked window in the dining room that Christine stated the dog jumped through. Christine previously called Tom to fix the window and broken hot tub, but he declined because he feared Christine was setting him up to have him arrested so he suggested that she call her father to make the necessary repairs.

The police appeared at Lee & Tom's home to have David turn over all of his gun collection that Tom previously removed from David & Christine's

residence. David was arrested in front of his daughters, due to a Contingency PFA in Kent County, Smyrna, DE that neither he or his lawyer were aware of, since David didn't have any guns to turn over to the police. Tom wouldn't allow the officers to search his home, since they didn't have a search warrant. Tom, who was keeping David's gun collection somewhere else, brought them to the police department the following day and David was released. This arrest was expunged from his record.

After Christine spent another short time with the 3 girls, she returned them to Lee & Tom's care once again, but did not send Leigh's medicine or vitamins. Leigh suffered from Celiac Disease and Autism. Lee contacted the Middletown DE Troopers Station to request a police escort to accompany her to Christine and David's residence to obtain Leigh's medications. Christine left the medications on top of the car outside in the driveway for Lee to pick up. Lee asked the officer how to go about obtaining new medicine for Leigh in case of any tampering.

Private Investigator, Mike O'Rourke, was hired by David's lawyer, Mark Sisk, to follow Christine when the girls were in her presence.

After the PFA hearing, Christine gave guardianship of Katy Moffa (the daughter she shared with William Moffa, Jr.) to Jennifer and Alex Pugliese (Christine's ex sister-in-law, Katy's aunt) and sole custody of Laura, Leigh and Karen to David so she could find out what was really wrong with her, as she stated.

In the middle of 2006, Christine decided that she wanted joint custody of the children. David took Laura to see a psychologist because Laura did not want to go with Christine. Laura also saw the psychologist for her night terrors. The psychologist that evaluated Laura said that it was "not unusual for a child to not want to go with the stricter parent." David was actually the stricter parent, not Christine.

During one of the court appearances for David and Christine, I babysat with the girls in their home in DE. Laura told me that she "had to do things to mommy to make her feel good." She said that it was a secret and if Laura ever told, "mommy would go to jail."

We started to question why Laura was wearing 2 pair of shirts and 2 pair of panties only during visits with her mother.

During another incident at Laura's house, while Laura was in the bathtub she told me that she learned about the "G spot" from mommy after I questioned her after I caught her moaning and talking about the "G spot" in the tub.

During an incident at the Vision Center of DE, Laura became upset with my husband, Juan Gonzalez, when Juan was checking on our daughter,

Tatiana's diaper to see if Tatiana needed a diaper change. Laura became very protective of Tatiana, yelling at Juan. Later, Laura also told Juan that she and mommy had a secret and if she ever told anyone "mommy would go to jail."

The children lived with David, but Christine was granted visitation. Due to Christine's unpredictable behavior, we started to record the court ordered visits exchange of the children. There were always 2 adults present to exchange the children. The children would run away and cry that they didn't want to go with Christine. Christine stated that she previously spoke with her lawyer, Timothy Hitchings and the psychologist, Dr.

~~Samuel Romirowsky, who both told her that, "children should not be forced to go anywhere they don't want to go." I have this incident recorded on tape. This recording was disclosed to my lawyer, Jeremy Gonzalez Ibrahim and Randall Chase of Associate Press.~~

Under the pretense that David and Lee were going to take the children on a 2 week vacation to Disney in Florida, they left to Central America with the children instead. After Christine notified the police when the children didn't show up for school, Detective Jeffrey Shriner came to my home in NJ to question me regarding their whereabouts. I gave him the information that I knew.

Prior to David & Lee leaving the country with the children, I confided in my best friends and several nursing colleagues regarding Christine's unusual behavior and suspected abuse of the girls.

Tom bought a home and moved to Edcouch, TX in August 2007. Juan, Tatiana and I moved to Texas in February 2008, an area Juan has always wanted to move to since I met him.

Several US Marshals came to my job at KNAPP Medical Center in Weslaco, TX in 2008 to question me again regarding the whereabouts of Lee, David, Laura, Leigh and Karen. I gave them the same information that I gave Detective Shriner.

While David was out of the country with the girls, Judge Mark Buckworth awarded sole custody of Laura, Leigh and Karen to Christine.

On March 13, 2009, David and Lee were arrested in Nicaragua. The children were turned over to Christine's custody. David plead guilty and was convicted of International Parental Kidnapping and Bank Fraud, which he served 4 years in Federal Prison and was ordered no contact with his children. Lee plead guilty and was convicted of Endangering The Welfare of a Child, which she served 18 months and was ordered no contact with the children. Attorney, Heriberto Medrano (TX) and John Malik (DE) were hired

to represent David. I gave the statements regarding suspected abuse of Laura witnessed by myself and my husband, Juan, to Mr. Medrano by email. I forgot to include the "G spot" incident, which the government used against me in court for not including it in my email. Attorney, Demetrio Duarte (TX) and John Malik (DE) were hired to represent Lee.

Tom and Amy hired attorney, Amy Butler in DE to request visitation with Laura, Leigh and Karen. We did not have a no contact order, but were afraid that Christine would have us arrested if we tried to visit with the girls. After spending at least \$7,000.00 in attorney fees the case was dismissed by the Judge.

After the girls were returned back to the care of their mother, I continued to send cards in the names of Laura, Leigh and Karen ONLY to try to reach out to them and keep in contact with my nieces and Godchildren. Christine and the children would send me cards as well.

Tom, Lee, David and I contacted DFS in DE with our suspicions of abuse without getting any substantial feedback. DFS and the government didn't think that our complaints were credible. The government believes that these complaints were made up as a reason for taking the children out of the country since we didn't complain to DFS or others prior to the kidnapping, but others were told about our suspicions prior to them leaving and this was testified to in court. Many people do not trust DFS and my family is one of them. David was told by his lawyer, Mark Sisk, that no matter what a mother does to her children in the state of DE, they will never take them away from her. David asked Mr. Sisk what would he do in this situation and he responded that he would take his children and leave the country.

My family and I became members of a national organization called Unite 4 Justice. CEO, Doug Millar, recommended that we should put our story on the Internet, asking for help for Christine, Laura, Leigh, Karen and David. I wrote letters to media resources channel 3,6,10, FOX, CNN, Oprah Winfrey, Dr. Phil and his wife's foundation, Barbara Walters, Diane Sawyer, John Walsh and many others to ask for help proving our suspicions of abuse of Laura, Leigh and Karen. I attempted to contact 3 Forensic Psychologists in the Tri State area for help. Lee and Tom were guests several times on Doug Millar's Crusade Radio Talk Show reaching out for help.

Lee and I took polygraph tests with Arbitration Polygraph examiner, Mr. Gilbert Capuchina to prove our suspicions of sexual abuse of Laura. I sent a copy of the polygraph to the media.

Lee wrote a "Grandmother's Impossible Choice" as a cathartic experience while she was incarcerated, describing her experiences with Christine, Laura, Leigh and Karen. My aunt, M'Linda Kula included it on her website jonbenetstruecasehistory.com asking for help.

David's parental rights were terminated around August 2011 by Judge Barbara Crowell due to his felony conviction even though Christine testified that David was a good dad. Dr. Marsha Orlov, the psychologist that Tom hired to evaluate Laura for sexual abuse testified in court from her sister's hospital room without her notes instead of asking for a postponement of her testimony. Dr. Orlov told us that everytime she spoke with Laura regarding abuse Laura would change the subject and that was indicative of sexual abuse. She did not testify to that fact in court.

On November 3, 2011, Laura called Tatiana for her 6th birthday, leaving a message on my cell phone when I missed the call. I was unable to return the call since the number came up blocked. That week, I attempted to call Laura back with the old phone number that I had for Christine without success.

I received a card from Christine stating that it was okay for me to contact the girls and that she gave them my phone number. She said the girls were allowed to call me as well.

Later, I received a letter sent certified from Christine of no contact with the girls or her for our entire family to include Tatiana and me. Juan signed for the certified letter. Since there was never a no contact order for Tom, Juan, Tatiana or me, I continued to send cards to the girls ONLY. I knew that Christine had psychological issues and was too afraid to send anything to her.

Around Thanksgiving 2011, Lee and Tom travelled to NJ to celebrate the holidays with our family on the east coast. Lee sent Christine a letter requesting that Christine contact her since Christine left behind her daughter, Katy's kindergarten CD along with an afghan that her favorite aunt made that she left at the house in Middletown, DE when she moved out in order to find out if Christine wanted Lee & Tom to drop them off to her or Lee would basically burn them because she didn't want to leave a CD of a child lying around. No response came from Christine, so Lee and Tom asked PI, Mike O'Rourke to accompany them as a witness to Christine's house to bring back these items. Tom and Mike O'Rourke went to the house and left Lee in the car at the entrance to the subdivision. This constituted a charge of Interstate Stalking for Lee. Why bring a witness with you if you are stalking someone? Christine was

not home, but there was a man there who was not her 3rd husband, Gerald Purcell but a man that called himself, "the babysitter" (Francis Schaal). When he told Tom and Mike O'Rourke to leave the premises, they left. After learning about the "newest man" in their lives, Tom asked my best friend, Christine Cocove, to ride by Christine's house in DE to see if there were any 4 sale signs (in fear that Christine would try to leave again with the children) and license plate numbers of vehicles in hopes to run a background check on Francis Schaal to make sure that he was not a pedophile since he was involved with the care of my nieces.

Cindy Etherton Bender, David's high school sweetheart, became friends with Christine while David and the children were out of the country. Cindy and I stayed in contact. After the children were returned back to Christine's care, Cindy would send me updates about Christine and my nieces, such as pictures, etc. through email. I did not ever ask her for this information, but did not reject it either. I forwarded the pictures and updates to David, Lee and Tom. Who wouldn't want to see pictures of their children and updates to know that they are okay? I replied to one of Cindy's email updates regarding Christine that we were learning to predict Christine's next moves, meaning that at least every 5 years Christine had to have a new man in her life and that she used the children like pawns. (you can contact the girls, now you can't etc.). In her old diary, that she left behind when she moved out, Christine said that she had to have something new in her life or she would get depressed.

Sometime in 2011 or 2012 Christine filed a lawsuit against our entire family claiming "mental anguish. " According to Christine's attorney, James Woods, Christine dropped the mental anguish case with prejudice "out of the kindness of her heart." Coincidentally, Lee and Tom had just filed for bankruptcy prior to the dismissal.

After David was released from prison in 2012, he moved in with me after the probation officer, Mrs. Pena evaluated our home and approved the presence of my gun in the home safe as long as David had no access to it, which he did not. Mr. Garcia from the half way house said we had to remove any guns, liquor, etc. before David could move in. David moved in after the necessary adjustments were made. David had a dispute with my husband and was granted permission by his probation officer to move in with Lee and Tom in October 2012. Tom told all of us that he moved all of his gun collection to a storage facility prior to David moving in with them. David would not have gone to live with them if he thought any guns were left in

the house or on the property.

Hurricane Sandy devastated the east coast and my grandmother, Jean Kula's home was underwater and in the process of being condemned. David requested to travel to NJ to assist her, but the request was denied by the probation officer.

David spoke with a mediator in DE concerning his child support payments. He was in arrears at least \$50,000.00 and was required to pay \$2,000.00 per month as if he was still practicing as an Optometrist rather than a waiter. Child support intervened and took one of his entire paychecks so that he was unable to make his half way house payment. The mediation did not end in an agreement. David requested this issue be heard before a Judge to resolve since an agreement couldn't be made during the mediation. David requested that he be allowed to stay with our uncle, Tom Kula, in NJ. He wanted to be able to talk to Christine to see if she would allow him to contact the girls at least by letter to find out how they were doing. The request was granted and a court date of February 11, 2013 was scheduled for him and Christine to appear in court. Lee and Tom decided that they were going to travel to NJ to visit grandma Kula, who was 92 at the time. We weren't sure if David would be arrested for nonpayment of child support (even though he had some receipts of payment as proof), the way Christine had her first husband, Bill Moffa, Jr. arrested for nonpayment of child support. So instead of flying David to NJ, Lee and Tom decided that it would be more practical to drive 2 vehicles just in case David was arrested he would have a vehicle to return home to Texas. Tom drove in the Honda Civic and Lee and David drove together in the Honda CRV.

On February 2, 2013, we spent a family day at the beach at South Padre Island in Texas.

On February 4, 2013 Lee, Tom and David left for NJ.

A few days later, when I went to check on Lee and Tom's home and feed the animals, I found a letter of instructions from Tom along with a Veteran's Administration book on the hutch. I glanced at it and put it in a drawer in the hutch. This is the letter that the government deems a "suicide letter" from my father, Tom. There was nothing in the letter that was in any way alarming to me, especially since he would always leave me letters of instruction (regarding the house, animals, combinations to the safe, etc.) like this one whenever he travelled.

On February 10, 2013, I received an email from Tom thanking me for watching the house, etc. and that Lee and Tom would watch our home

when Juan, Tatiana, Christopher and I went on vacation in the summer. He signed the email, "see you soon."

On February 11, 2013 I was at Doctor's Hospital of Renaissance at work in the Hemodialysis department as a RN. My husband, Juan, kept calling and texting me that I had to leave work and go home NOW. After I asked one of the other nurses to relieve me, I stepped away from my patients and called my husband. He did not want to tell me over the phone the events of that morning when I questioned him what was the matter. I kept screaming at him to tell me because I thought something terrible happened to our daughter, Tatiana. He told me to call my aunt, Gloria Kula, because he did not know how to tell me this devastating news. I immediately hung up and called my aunt who informed me that the media was reporting that David shot and killed Christine and then shot and killed himself at the courthouse. Juan wanted to drive me home from work after this shocking news, but I didn't have anyone that could relieve me yet. Finally, after approximately 2 hours of crying and being in shock in the presence of my coworkers and patients, Yazmine Arriaga, RN relieved me so I could go home. Somehow I drove myself home while calling my doctor, Dr. Antonio Wong to order me some Xanax for anxiety, due to the uncontrollable crying, hyperventilating and chest pain associated with my anxiety. I arrived home and attempted to call my father, my mother, family in NJ and police to learn what happened. I received many phone calls from the media wanting a statement, but I could not give them one since I did not know what happened yet myself. I didn't know who in my family was dead or alive. I was finally able to get ahold of PT, Mike O'Rourke, at 6 pm that night and he informed me what happened because I couldn't get ahold of anyone. He told me that David was arrested at the court even though he was not in the area of the shooting. He was at the courthouse so they arrested him for a probation violation for not having permission to stay at Dave & Peggy Mitchell's home in Elkton, MD the night before court (a bad storm was predicted and he would only be 15 minutes from court rather than 2 hours) and for not disclosing on the travel plans form that he was travelling with Lee and Tom to the east coast. Lee was taken to the police station for questioning after she learned of the tragedy from Peggy & Dave Mitchell, even though she was not at the court, but was at the home of Dave & Peggy Mitchell since Peggy suggested that Lee should stay at their home due to her health issues and David and Tom could pick her up after court to travel back home to Texas. Lee is the one that called the police herself in case they needed her to

come in to speak with them.

The media arrived at my home that night and I asked them to please respect my daughter, Tatiana because she was very close to her Pop Pop and my husband and I would be the ones to sit her down and tell her of this tragedy since she did not know of these events yet. We did not want her to find out this tragic event from the media.

The FBI also came to my home around 11 pm that night. Juan and I made statements to them after informing them that I was taking Xanax for my shock and anxiety.

When I asked the FBI where my nieces were after this tragedy, they told me that they were with special people that handle this kind of situation. So the day after the shooting on February 12, 2013, I wrote out a check and filled out the paperwork to petition for custody of my 3 nieces. I spoke with Niki Hannevig and my uncle, Tom Kula, to get their thoughts of how to proceed with obtaining custody of the girls so that they wouldn't go into Foster care. Because my petition for custody of Laura, Leigh and Karen was dismissed by the court since I was not their parent, I petitioned for permanent guardianship. My Uncle Tom Kula and aunt M'Linda Kula were also going to petition the court for guardianship of the girls as well, but they wanted to see what would happen with my petition first so it would not interfere with my chances. I did several Internet searches regarding custody and guardianship AFTER the shooting. This contradicts the governments theory that after Tom shot and killed Christine, I would be awarded custody of the girls.

My custody and permanent guardianship petitions were both denied, stating that due to the termination of David's parental rights that I was no longer a blood relative and I was not their parent. I consulted with attorney, Albert Greto and David Shamers, who were recommended by Mike O'Rourke regarding obtaining guardianship. I was told by Mr. Shamers that the state of DE would not release the children from the state of DE to move with me to Texas because the state of DE would lose money. I still chose to petition for guardianship after my other 2 petitions were denied.

The week of August 1, 2013, Mr. John Whardle from the FBI in McAllen, TX, called me to schedule a day for me to pick up a package that was released from DE.

The week of August 5, 2013, Mr. Whardle called me to confirm the date of August 8, 2013 and to have me bring my mother, Lee with our ID's to sign for the package since some of the things may be from her

Texas home.

On August 8, 2013, Lee and I went to the FBI office and were both unexpectedly placed under arrest, being charged with Cyber Stalking, Conspiracy in addition to Interstate Stalking for my mother. David was supposed to be released from prison on August 12, 2013, but instead he was re-arrested and charged with Cyber Stalking, Conspiracy and Interstate Stalking as well.

Lee and I were transferred to 6 and 7 prisons on our way to FDC Philadelphia, where we awaited trial in June 2015. On July 10, 2015, after a 25 day jury trial, David, Lee and I were surprisingly convicted by a jury of these charges.

On February 12, 2016, Lee was sentenced at her hospital bedside to life in prison after almost dying at FDC Philadelphia, being sentenced only 10 days after she had brain surgery to remove brain tumors.

David and I were both sentenced to life in prison on February 18, 2016. We ALL filed a direct appeal to our conviction and life sentences. Lee has since passed away in prison on May 6, 2016.

My father, who was not a violent man, suffered from a meningioma in his left frontal lobe of his brain. The left frontal lobe of the brain controls aggressive behavior, judgment, critical thinking, decision making and memory, etc. My father couldn't be convicted of this horrendous crime since he took his own life, but the government has to make someone pay for his actions, so here David and I sit waiting for JUSTICE to be done.

ADDED NOTE:

The Governement's insight is that my family never disclosed to anyone that my ex sister-in-law was abusing her children, until after my brother took the kids out of the country, but my ex sister-in-law herself disclosed to her psychologist, Dr. Marc Richman, that she was paranoid about an incident when she took my niece, Leigh who is Autistic, to her pediatrician, Dr. Blalock's office and one of the employees in the office threatened my ex sister-in-law with calling protective services due to the way she was handling Leigh. My ex sister-in-law retorted that the staff obviously didn't know that she was Dr. David Matusiewicz's wife. The staff then backed down and didn't inform DYFS. My family did disclose to several people regarding our concerns with my ex sister-in-law caring for the children. Even in my mother's medical progress note with Dr. Poorway Kenkre, her family physician, she stated some of those concerns.

My father was diagnosed with a meningioma in the left frontal lobe of the brain after a MVA in 1990 while he was under the care of Dr. Bernstein in Bridgeton, NJ. This has had detrimental, life altering affects to his brain chemistry, causing him to act out the way he did by taking his own life and the lives of others. These are not the actions of the man that I knew and loved.