

Addendum to EP Intake Application

State of Ohio vs. Frank P. Wood

Medina County, Ohio Case No. 05CR0365

As the *Hypocrites & Deceivers* utilized the dogma of

Point-the-finger-and-go!
-Wood

they lacked pure *objectivity*. In doing so, they *failed* to set aside their subconscious biases and preconceived notions. With *ignorance* as the foundation of their prejudice,

they made the evidence fit their theory
instead of making the theory fit the evidence.
-Hagerty & Bradley

Therefore, as Intellectuals,

you undoubtedly know better than to fall in love with
you own theories to the exclusion of facts or reasoning.
Do me the pleasure of behaving similarly as a detective.
-Asimov

Thank you.

Section A: Background Information

1. Last Name: Wood First Name: Frank
2. Date of Birth: December 1, 1967
3. Inmate Identification Number (if applicable): A504-107
4. What is your preferred language: English
5. What is your race or ethnicity: Italian-American
6. What is the highest grade you completed in school? Some college
7. Is this your first letter or application to the Exoneration Project? NO

Section B: Basic Crime Information

8. What conviction(s) are you currently incarcerated for?

Charge: F-1; Rape (<10); O.R.C. § 2907.02(A)(1)(b)(B)

Sentence: 10-Life

Charge: F-3, Gross Sexual Imposition (<13); O.R.C. § 2907.05(A)(4)

Sentence: 3 years

9. What is the date of your conviction? May 1, 2006
10. What is your projected release date? Unknown
11. Please list the case number of the crime you are writing us about:

State of Ohio vs. Frank P. Wood

Medina County, Ohio

Case No. 05CR0365

12. Please list any co-defendants charged in this case: None
13. What date and time did the crime occur?

Date: Alleged F-1; October 1st-3rd of 2005¹ (Per the Amended Bill of Particulars)²

Time: Unspecified in the charging instrument

¹ The Amended BOP states October 1st-3rd of 2005. I was tried for October 1st-3rd of 2004.

² A Blueprint for Wrongful Imprisonment: (Exhibit-02).

Date: Alleged F-3: August 1, 2000 through October 31, 2000

Time: Unspecified in the charging instrument

14. What was the location of the crime?

Neither the Indictment nor the Bill of Particulars state a specific crime scene. The Bill of Particulars states "within the County of Medina." Crime scene information came out during Trial to my benefit as a State-proffered and -proven alibi. Regarding the **dual-alibi**,

- i. The alleged F-3 victim testified **TWICE** that she could not recall being at a crime scene with me. Then the Trial Court declared,

"What I'm hearing her say is, "No, it didn't happen."

- a. After removing this girl from the stand, Assistant Prosecutor Anne Eisenhower ("Pros. Eisenhower") had an *ex parte* meeting with her in a back room. She then pleaded with the Trial Court to put her back on the stand with,

"I made a pact with her" [emphasis added].

- b. The **"pact"** was a violation of Title 18 § 1512 U.S.C.S. §§ (b)(1)(j)(k).

- ii. As to the alleged F-1, the girl testified that she was with her legal guardian "dad": Scott Sadowsky, in "Put-In-Bay," Ottawa County, Ohio, "and not at Frank Wood's house," **"on"** the indicted dates of alleged abuse.

- a. This testimony was confirmed by both Scott Sadowsky ("Scott") and Danielle Sadowsky ("Danielle")³.
- b. This is why Pros. Eisenhower declared the girl's testimony to be **"bullshit!"**
- c. **"bullshit!"** was REDACTED from the record because it matched the exact days of the month in the Amended Bill of Particulars.
- d. Pros. Eisenhower never asked S.L. who she was with on the indicted dates of abuse. This is key.

³ The alleged rape victim's legal guardian parents. The girl is Scott's 2nd cousin.

15. What was your home address at the time of the crime?

Alleged F-3: 69 Longacre, Chippewa Lake, Ohio (Medina County)

Alleged F-1: 4754 Poe Road, Montville Township, Ohio (Medina County)

Section C: Investigation

16. Please explain what the police and prosecutors say happened.

- i. Montville P.D. properly investigated the alleged F-1 on two (2) separate and distinct occasions. Their office “**terminated**” the case.
- ii. As to the alleged F-3, former Det. Mark Kollar of the Medina City P.D. investigated. He admitted **TWICE** that he knew he was operating outside of his jurisdiction. Det. Kollar also spoke to the Montville P.D. about the alleged F-1 and received their report. Regardless of their refusal to pursue charges, Det. Kollar then secured a bogus indictment in violation of O.R.C. § 2921.52 Using sham legal process.
- iii. Det. Kollar only testified to the alleged F-3. He made false allegations under oath about pictures he had. The pictures were never shown⁴. Pros. Eisenhower assisted in the illegal *bolstering*, and the Trial Court permitted them to do so {Item 32, i, Fn.56}.
- iv. Upon review of the reports, and the materially altered and incomplete Trial Record, Det. Kollar’s unwarranted investigation and illegal search of my home, where he committed theft, yielded absolutely *nothing*.
- v. Regarding Pros. Eisenhower, she deliberately told the Court-declared “cynical” Jury
 - a. to find me “guilty” on several occasions.
 - b. that my own Defense Lawyers believed me to be guilty.
 - c. that I hired Co-Counsel Attorney Ronald R. Stanley (“Atty. Stanley”) to “intimidate witnesses” and to “manipulate the system” because “he knows things.”

I’m sure he does. Things that gave them just cause to worry.

⁴ A Blueprint for Wrongful Imprisonment: Ch.25, p.147-172.

17. Please explain what you say happened.

Alleged F-1

Scott Sadowsky sexually assaulted S.L., the alleged F-1 rape victim, on numerous occasions.

- i. The allegations against me did not surface until my affair with, and impregnation of, his former wife Danielle⁵. The rape case was then signed in against me for invest, **two weeks later**, with Dr. Suzanne LeSure ("Dr. LeSure") of Cornerstone Psychological out of Medina, Ohio, in September of 2004. With the allegations for the following month of October, we have either established fraud and conspiracy, or we have proven the existence of clairvoyant capabilities.
 - a. Yes, Danielle did this with Scott while she was living with me, and sleeping in my bed, and she never told me. So the Record reveals.
 - b. DNA testing revealed our son may not have been mine, for she was still sleeping with Scott while she was living with me. That's why there was only a "50% Prior Probability"⁶ that I was the father. Scott convinced her the baby was his. I thought I could not have children and Danielle knew this. But her cursed vanity could not let the father of her child go to prison. And, since I was the most convenient and logical choice for the *scapegoat*, I was indicted.
 - c. Paternity was not established until I was released on a \$200,000.00 cash bond that was fraudulently revoked {Item 24, b}.
- ii. There are several incidents alleged and unindicted between S.L. and Scott⁷.

NOTE I: Per the Record, I only knew S.L. for a total of 28 intermittent and partial days. And, for the month of October of 2004, this same evidence verifies I was around her for a mere 9 (nine) intermittent and partial days⁸.

⁵ Now known as Danielle Smith on *Facebook*.

⁶ A Blueprint for Wrongful Imprisonment: (Exhibit-10).

⁷ Affidavit of Accusation: Other Incidents Between Scott and S.L., p.32-34.

⁸ A Blueprint for Wrongful Imprisonment: Ch.09, My Lack of Special Knowledge, Motive, and Easy Access Regarding S.L.

Alleged F-3

Ryan Spencer sexually abused his niece K.S. Ryan, or "Uncle" Ryan, is the brother of my former wife Robyn Spencer⁹.

- i. Per the Record, the F-3 allegation did not surface until a few weeks **after** I stopped paying my former wife's bills.
- ii. I personally witnessed sexual contact between Ryan and K.S.

NOTE II: Per the Record, I only knew K.S. for a couple of months¹⁰.

- i. Again, I became the scapegoat by a matter of convenience and logical choice. I lived with these people. I learned their family secrets. I simply knew too much.

Skeletons in the closet.

NOTE III: Dr. LeSure received a **County Contract**¹¹ in September of 2004 from the Medina County Commissioners to provide "free counseling" to sexually abused children in Medina County. That was when she changed her diagnoses of both alleged victims from "adjustment disorder" to "sexual abuse." Yes, *during* the investigation of this case.

Money is a motivator. This now falls under **RICO**.

18. Can you describe what you were doing at the time of the crime?

F-1: I was living with Danielle in my house on Poe Road in Medina County. Scott and S.L. were in "Put-In-Bay," Ottawa County, Ohio.

F-3: Although I witnessed one (1) incident between Ryan and K.S., K.S. was, on Record, living with Ryan just prior to the dates of the alleged crime.

19. Were you present when the crime occurred?

F-1: NO.

F-3: NO.

⁹ At the time of Trial, Robyn was remarried as Robyn Spencer-Speelman.

¹⁰ A Blueprint for Wrongful Imprisonment: Ch.31, My Lack of Special Knowledge, Motive, and Easy Access Regarding K.S.

¹¹ A Blueprint for Wrongful Imprisonment: Ch.30, Trial Facts: Part II, (Exhibit-43).

20. Why did the police connect you with the crime?

The oldest motives for revenge: **Sex, Family & Money**. You see, outside of the sex and money, I sued Robyn's parents in Ohio and Florida until the courts returned custody of K.S.: the alleged gsi victim, to her. Yes, I took the trophy child and they wanted her back.

NOTE: No other family members, or friends of family, testified regarding the allegations. They kept their nucleus of testimony tight. Perhaps too tight.

21. Please list the people that the police and prosecutors say committed the crime. (*Describe the role that the police and prosecutors say each person played in the crime. Describe your relationship with any of those people if you had one.*)

- i. The State maintained me as their **erroneous** Theory of Perp. No one else was accused that I know of, with one solid exception {Item 30, Alleged F-1, Part X: The Towel Incident} regarding the alleged F-1 victim. Sadly, after Scott placed himself with S.L. in Put-In-Bay on the indicted dates of October 1st-3rd, Pros. Eisenhower let him walk out of the court room.

22. Please describe anyone who you think was involved with the crime.

F-1: Scott Sadowsky. He still lives in Ohio and maintains a career in some sort of commercial or industrial equipment sales. Possibly in Summit County.

F-3: Ryan Spencer. Before Trial, Ryan impregnated and married his aunt, aunt by marriage, and then moved back to Florida. This information was given to me by Robyn **after** our divorce.

23. Please list any eyewitnesses to the crime:

- i. There were no alleged eyewitnesses to the indicted charges. Nor was their physical evidence or DNA adduced at Trial {Item 32, Note, Fn.54}. Again, the oddity is this: No extended family or friends of family testified regarding **either** charge! This is despite the fact that Dr. LeSure confirmed that the
 - a. alleged rape victim told her that she spoke about this with her "school counselor," "grandmother," and a "few friends"¹². Nothing like the minds of children clouding issues further.

¹² A Blueprint for Wrongful Imprisonment: Ch.29, p.206, ¶634.

- b. alleged gsi victim had "numerous male figures" in her life. None of these men, including her mother's new husband, were questioned or had background investigations done¹³.

Section D: Arrest¹⁴

24. Please describe your arrest.

- i. I was on the phone with Beth Rapenchuk, the former legal secretary of Judge James Kimbler, when a white utility vehicle pulled up at the end of my driveway. Former Medina City Detective Mark Kollar ("Kollar") got out and approached me.
- ii. Kollar asked, "Are you Frank Wood?" I said, "You know who I am, Mark."¹⁵ He told me that he had a warrant for my arrest. I asked to see it as I ended the call. I read it and began to laugh. He asked, "What's so funny?" I replied, "I know more about why you're here than you do." He lost all bravado.
- iii. I told him that I needed to get my dog inside, call my accountant and lock up the house. He agreed. Upon completion of my tasks he cuffed me and took me to the Medina County Sheriff's Department. On the way there I asked him, "Why exactly did you arrest me?" Having regained composure and arrogance, he answered vehemently, "Because we have evidence!" I then declared, "You don't have shit. I'll call my lawyer."
- iv. No, the *Jedi Mind Trick* didn't work.

NOTES ON ARREST:

- a. I was never Mirandized upon arrest.
- b. Upon the **fraudulent revoking of my \$200,000.00 cash bond**¹⁶ {Item 17, i, c}, I was not Mirandized for the second time¹⁷.

¹³ Were they ever accused of sex offenses?

¹⁴ A Blueprint for Wrongful Imprisonment: Ch.12, p.78-80.

¹⁵ In business for nearly eight (8) years, I knew a lot of people. I was actually asked to run for Mayor of Chippewa Lake. I declined. Then I was asked to run for Mayor in Medina. I declined. I was then asked to run the City Building Department. I declined. Not a fan of politics. Slippery one moment and sticky the next. Yes, my aversion to corruption was what they wanted most.

¹⁶ A Blueprint for Wrongful Imprisonment: Ch.19, p.121-123.

¹⁷ The Bond Hearing Transcripts were never produced for the purposes of appeal.

- c. As noted in the Trial Record, Det. Kollar knew he was operating outside his jurisdiction. With that said, upon my initial arrest, he was not assisted by local law enforcement.
 - d. Local law enforcement assisted during arrest when my bond was revoked¹⁸.
25. Please describe any interviews with the police. How long did they last? Who was involved?
- i. I was interviewed by only one (1) State-investigative agency: Montville Township Police Department, on February 16, 2005 (Tp.57, Ln.1-11). The interview was audio/video recorded, and it was primarily conducted by Officer Travis McCourt. Another officer was present, but quiet.
 - ii. I was asked if I wanted the presence of counsel. I then asked if I was under arrest. With a reply of "No," I elected to proceed without a lawyer.
 - iii. During the interview I was asked directly if I had sexual relations with the alleged rape victim S.L. I answered, "**No, I did not.**" I was asked if I would submit to a polygraph. When I said, "**Yes, with my lawyer present,**" he responded, "**We can't do that.**"
 - iv. I was asked if I would submit to DNA testing. My response was, "**Absolutely.**"
 - v. I was asked if they could search my home (without a warrant). I had a business to run, so when I asked if we could do it later, I was told they would get a warrant and show up with several cars. I then said, "Fine, I live just down the road." I gave them *carte blanche* access to everything from garage, to basement, to vehicles, to barn, to the attic, *etc.* In the end, they turned up *nothing*.
 - vi. Upon the testimony of Officer McCourt, he concluded that he, and his sergeant, "**terminated**" the case against me twice. He also testified that he shared his "negative findings" with the Job & Family Services.

In the end, the interview lasted between 30-40 minutes. Best guess.

NOTE: No one else from the State interviewed me, and this video was never shown during Trial.

¹⁸ They did not like me coming into the courthouse to pull the case file every Friday. I was looking for any changes regarding additions or disappearances.

26. Were you or your loved ones mistreated in any way at the police station?

No. I was never treated poorly by the police during my interview. Nor was I treated poorly at the Sheriff's Department.

No one in my family was ever interviewed or treated poorly.

27. Did you ever speak to an attorney at the police station? Why or why not?

While in custody, I spoke with Co-Counsel Atty. Stanley several times, and Lead-Counsel Attorney F. Harrison Green once or twice.

28. Describe any statement you gave the police.

Alleged F-1

I never made a statement to the police other than what was said during the interview with Montville Twp. Again, when directly asked by Officer Travis McCourt if I ever had sexual relations with S.L., I answered, "No".

Alleged F-3

As an oddity, although Det. Kollar pursued the gsi charge, he never interviewed me. In fact, no State-investigative agency interviewed me about the alleged gsi. Yes, *including* Children's Services. That's because their office "**closed**" the entire case against me due to "**no evidence.**" And to think, I'm in prison.

NOTE: I am still willing to submit to a candid interview with Children's Services.

Section E: Trial

29. Did you have a: **Jury Trial**

NOTE: During the Jury *voir dire*, a potential juror declared that she might not be able to do the Trial. At that point, Judge Christopher J Collier ("Judge Collier") directed his Stenographer¹⁹, former Medina City Detective Mark Kollar, former Medina County Assistant Prosecutor Anne E. Eisenhower, Lead-Counsel F. Harrison Green out of Cincinnati, Co-Counsel Atty. Stanley, the potential juror and myself into a back room. The potential juror confessed, "I was molested in my youth." Judge Collier asked her, "Would you please do this for me?" This potential juror gave into his manipulations and sat in as a **Court-elected Juror** in violation of the U.S. 6th

¹⁹ Donna A. Garrity of the Medina County Court Reporters.

Amendment. Such is better known as *jury tampering*.

As this meeting, *inter alia*, is *missing* from the Trial Record, Atty. Stanley makes for an honest witness²⁰.

30. What evidence was there at trial of your innocence? Include any pre-trial or post-trial motions.

Alleged F-3

Part I: Timing & Motive

The alleged F-3 concerned K.S.: the daughter of my former wife Robyn Spencer-Speelman ("Robyn").

Unbeknownst to me, K.S. came home from school after a "good touch, bad touch" class between July and "September of 2004" (Tp.421, Ln.24-Tp.422, Ln.2), and claimed someone had improperly touched her between "August and October of 2000" (Amended Bill of Particulars). With her D.O.B. being 2/09/96 (ibid), K.S. would have been approximately four-and-a-half (4 ½) years old at the time of the alleged incident, and eight-and-a-half (8 ½) years old at the time of disclosure. A remarkable memory for this child to narrow down a three (3) month period out of nine (9) years of her young life. Especially from four (4) years prior. What more, at the time of alleged disclosure, I had not seen her in nearly four (4) years.

In May of 2005, I ceased all financial support to Robyn²¹ (Tp.380, Ln.13-Tp.381, Ln.6). A few weeks later, Robyn took K.S. to Medina County Job & Family Services ("MCJFS") "and not the police" on June 16, 2005 (Tp.365, Ln.21-Tp.366, Ln.3).

As nearly four-and-a-half (4 ½) years lapsed between alleged incident and disclosure, nearly a year lapsed between disclosure and reporting: *when the money stopped*.

Part II: Trial Facts

After the alleged F-3 victim testified **TWICE** that she could not recall being at a crime scene with me (Tp.386, Ln.21; Tp.387, Ln.11), Judge Collier declared,

"What I'm hearing her say is, "No, it didn't happen" (Tp.390, Ln.4-5).

²⁰ A Blueprint for Wrongful Imprisonment: Ch.29, p.195-199, ¶603-¶613, (Exhibit: 31, Items 5-6).

²¹ Much more than the Record reveals.

After the alleged victim's testimony, Judge Collier removed her from the stand. A **private meeting** then took place between the Prosecutor and the girl. Pros. Eisenhower then told Judge Collier,

"I'm telling you, I made a **pact** with her [**emphasis added**]" (Tp.394, Ln.17-18).

So, established by the State Court Record, the Prosecutor committed Witness Tampering via a "**pact**" with the alleged F-3 victim *during* Trial and *ex parte*. A direct violation of Title 18 § 1512 U.S.C.S. §§ (b)(1)(i)(k), Judge Collier permitted this to happen and the recalling of the witness. What truly **shocks the conscience** is that he did so **after** admonishing the Prosecutor for testifying for this witness (Tp.387-394). Pros. Eisenhower then deliberately lied directly to the Jury about the alleged victim's testimony, while simultaneously *vouching* for her, during Closing Statements²².

During Robyn's testimony she said she "didn't want to go after [me]" (Tp.367, Ln.20), and that she "didn't want [me] to go to jail" (Tp.367, Ln.10-11). Robyn also testified that I never favored, out of three (3) girls, one (1) child over another (Tp.368, Ln.10-22; Tp.373, Ln.7-9), and that I was good to the children (Tp.373, Ln.10-11).

The most disturbing part, regarding Robyn's testimony, is that when she admittedly asked K.S. "Who touched you?" that K.S. responded with "Frank?" in the form of a question²³. These statements are *missing* from the Record.

Alleged F-1

Part I: Timing & Motive

The alleged F-1 rape was signed in for investigation with Dr. LeSure (and not the police), by Scott and Danielle on September 24, 2004 (Tp.407, Ln.7-16)²⁴. This was nearly a week-and-a-half **after** Danielle announced she was pregnant with my child, and about two (2) weeks **prior to** the indicted dates of October 1st-3rd of 2004. This either establishes fraud and conspiracy, or we have proven the existence of clairvoyant capabilities.

²² A Blueprint for Wrongful Imprisonment: Ch.29, p.222-224, ¶710-¶720.

²³ This reveals doubt and uncertainty with good reason. And that reason is Uncle Ryan.

²⁴ This investigation was "signed in" by Scott and Danielle **after** my affair with and impregnation of Danielle, Scott's former wife.

Part II: Closed & Terminated

All investigations regarding the alleged F-1 rape were for the **investigated**, "**closed**" and "**terminated**" date of October 20, 2004: a date that was deliberately removed {Item 32, Alleged F-1, ii} from the charging instrument by Pros. Eisenhower prior to Trial (Tp.17). Regarding such,

- i. Pros. Eisenhower admitted, "There were no supplemental indictments" (id). This confirms no additional indicted charges.
- ii. No State witnesses testified that they actually investigated the indicted dates of October 1st-3rd of 2004.
- iii. No one testified that I committed a crime on the indicted dates of October 1st-3rd of 2004.
- iv. The only testimony presented against me was for the removed date of October 20th of 2004. Based on this solicited testimony, I am incarcerated for the indicted dates of October 1st-3rd of 2005 in the Amended Bill of Particulars.
- v. No one from the State interviewed me about the alleged F-1, other than Montville P.D., who, in turn, "terminated" the alleged rape case.

Part III: Put-In-Bay, Ottawa County, Ohio

Per the indicted dates of October 1st-3rd of 2005, the alleged F-1 was testified to by the alleged victim, to have happened in "Put-In-Bay" in Ottawa County, Ohio, and "not at Frank Wood's house." This exact information, regarding her location on the indicted dates of abuse, was confirmed by two (2) key State witnesses: Scott and Danielle. To the contrary, I was indicted and tried on this charge in Medina County, and

no one placed me at the Put-In-Bay crime scene (Tp.1-560).

That's because I was home fornicating with Scott's wife.

Clarifying, Scott, Danielle and S.L. placed Scott **with** S.L. in Put-In-Bay "**on**" the indicted weekend of abuse regarding October 1st-3rd of 2004²⁵.

²⁵ A Blueprint for Wrongful Imprisonment: Ch.04, (Exhibit-03); Affidavit of Accusation: p.19-22.

Pros. Eisenhower then declared the alleged F-1 victim's testimony to be "bullshit!" (which was illegally **REDACTED**) because it matched the exact indicted October 1st-3rd weekend in the State's Amended Bill of Particulars (Tp.463, Ln.5-8), and placed the F-1 victim with her "dad" in "Put-In-Bay" and "not at Frank Wood's house." She then declared the girl's testimony as the gospel truth to the Court-declared "cynical" Jury (Tp.524, Ln.23-24) with

"There's been no evidence to the contrary. None" (Tp.524, Ln.23-24).

Indeed, no greater truth need be spoken {Item 36, Note}.

For a "cynical" Jury to arrive at a reliable verdict has the same potential chance for success as cold fusion. Some things are simply not possible.

-FPW

Part IV: Nurse Practitioner Donna Abbott

On January 6, 2005, S.L. was taken to Akron Children's Hospital ("ACH") (Tp.262, Ln.17-23) to be medically examined for a "vaginal rape" (Tp.537, Ln.9-Tp.538, Ln.2), that was alleged to have occurred on October 20, 2004²⁶ in Medina County, Ohio. Nurse Practitioner Donna Abbot ("NP Abbot") performed the exam (Tp.262).

Upon taking the stand, NP Abbott confirmed that she found an "intact hymen" with "no abnormalities" or "signs of trauma" (Tp.262-269; Tp.272-278). Then, in clarifying her findings, when Lead Counsel F. Harrison Green directly asked NP Abbott,

Q So, on the physical side, you cannot conclude that sexual abuse had taken place?

she responded with,

A That's correct (Tp.274, Ln.16-18).

Part V: Social Worker Tricia Carchedi from Medina County Children's Services

Without my knowledge, in a sidebar conversation a letter {Item 31, Part I} surfaced from Medina County Job & Family Services ("MCJ&FS") to the Medina County Prosecutor's Office. The letter stated the October 20, 2004²⁷ F-1 rape case against me was "closed" (Tp.399, Ln.11) because

²⁶ And not October 1st-3rd of 2004 or 2005.

²⁷ Again, October 1st-3rd was not investigated.

“there was not any evidence to support the allegations of sexual abuse”
(Tp.346, Ln.5-6).

Yes, my case was **“closed”** specifically due to **“No evidence”** (Tp.342, Ln.6-10). Further, as their office never interviewed me (Tp.346, Ln.25-Tp.347, Ln.1), it is simply obvious they saw no need. However, I am still willing to be interviewed with the presence of counsel, and remain eager to testify²⁸.

After a very confusing and manipulative argument by *former* Assistant Prosecutor Anne Eisenhower (“Pros. Eisenhower”), the Trial Court: Judge Collier, illegally suppressed this letter (Tp.341-344)²⁹.

NOTE: I say “former” because, after Trial, she was placed on probation for ethics violations. After I filed proof of innocence in a 26 (B)³⁰, she went into private practice. She now works for the Metroparks in Fairview, OH. Her work number is: **440-431-5677**. On *Facebook* I encouraged viewers to call and ask her why my Trial Record remains materially altered and incomplete.

Part VI: Claim of Actual Innocence

- a. Based on the above, I assembled a Claim of Actual Innocence³¹ that is comprised solely of State’s best and direct evidence from the face of my materially altered and incomplete Trial Record. This claim has gone **uncontested** in every court from the Trial Court to the U.S. Supreme Court, and has never received a Finding of Fact and Conclusion of Law.
- b. Remarkably, S.L. could not tell who actually touched her, but she was crystal on **where** she was: Put-In-Bay; **who** she was with: “dad” (Scott); and **when** it happened: **“on”** her tenth birthday, which was one of the indicted days of abuse.
- c. For a better understanding,

²⁸ Something I was denied despite my repeated demands to Atty. Green.

²⁹ I did not know of this letter’s existence until post-trial.

³⁰ Upon filing my *pro se* 26(B) Application, the State failed to file a Brief of Appellee and the Appellate Court issued a denial in their favor. Yes, the Appellate Court illegally assumed the dual-role of Prosecutor and Reviewing Court.

³¹ A Blueprint for Wrongful Imprisonment: Ch.04, (Exhibit-03).

Due to my affair with and impregnation of Danielle Sadowsky, it is highly unlikely that I was in Put-In-Bay with Scott Sadowsky celebrating S.L.'s tenth birthday.

Ergo,

When ever you eliminate the impossible,
no matter how implausible,
what ever remains must be the truth.

-Arthur Conan Doyle, *The Sign of the Four*

Part VII: The Ohio Attorney General's LEADING EXPERT³²: M. Douglas Reed, Ph.D.

M. Douglas Reed, Ph.D. ("Dr. Reed") testified *voir dire* that I do not possess the psychological capacities to commit such ignorant and heinous acts³³.

Upon the completion of the noble Dr. Reed's testimony, Pros. Eisenhower said, "You're Honor, we can't let the Jury hear this." Judge Collier then responded with, "I agree"³⁴. He then deemed that Dr. Reed's reliable, scientific and unbiased findings and conclusions "aren't relevant" (Tp.483, Ln.5-9), and removed Dr. Reed from the stand. But Judge Collier had no problem telling *his* Court-declared "cynical" Jury (Tp.135, Ln.7-11),

"What is evidence? *** any fact that *I require* – this Court *requires* – you to accept as true" [*emphasis added*] (Tp.350, Ln.19-23).

Vouching in the most blatant form.

In subsidium at its worst.

³² A Blueprint for Wrongful Imprisonment: (Exhibit-46: The Kick-Ass Credentials of M. Douglas Reed, Ph.D.).

³³ A Blueprint for Wrongful Imprisonment: (Exhibit-34: The core of the *voir dire* testimony of the Ohio Attorney General's Leading Expert: M. Douglas Reed, Ph.D., Concerning the Mind and Beliefs of Frank P. Wood).

³⁴ A Blueprint for Wrongful Imprisonment: Although this colloquy is *missing* from the Trial Record, I have an affidavit from Atty. Stanley, who was present as Co-counsel, that confirms this truth. A Blueprint for Wrongful Imprisonment: (Exhibit-31, Item 7-10).

Part VIII: Additional Notes

- i. Neither alleged victim testified that I committed a crime on the dates alleged in the charging instrument.
- ii. Neither alleged victim could identify me as the perpetrator (S.L.: Tp.244, Ln.2-17; K.S. Tp.386, Ln.18-21; Tp.387, Ln.9-11).
- iii. Neither alleged victim testified that they were afraid of me³⁵.
- iv. The Trial Court declared Danielle, the State's **Star Witness**, to be

"not truthful in her testimony" (Tp.132, Ln.22-25),

but continued to let her testify. This resulted in

- a. Court-acknowledged and State-utilized perjury
 - b. Structural Error
 - c. Plain & Reversible Error
 - d. Fraud upon the Court
 - e. A Constitutional Tragedy
 - f. My Wrongful Conviction
 - g. *In subsidium*
- v. As mentioned above, I was unconstitutionally tried by a Court-declared "cynical" Jury (Tp.135, Ln.7-11). Due Process and Equal Protection were thrown out like yesterday's trash. This is quite true because,

Whenever you throw out the Due Process of a law,
the Equal Protection of that law naturally follows suit.

-FPW

Part IX: Jeans vs. Underwear

Danielle testified that she allegedly saw me coming out of S.L.'s bedroom in my "underwear" on the morning of October 20th of 2004 (Tp.157, Ln.1-8). To the contrary, S.L. testified she always saw me wearing "jeans" in the morning and that Scott (dad) walked around in his "underwear" (Tp.249, Ln.6-21). And, to no surprise,

³⁵ The alleged F-1 victim testified *specifically* that she was not afraid of me (Tp.246, Ln.10-21).

Scott testified that, during his marriage to Danielle, it was "typically" his habit to walk around the house in "my underwear, my boxers" (Tp.218, Ln.17-21)³⁶.

Yes, I took care of S.L. that morning and do not deny it. The combined testimony of Scott and Danielle confirm several reasons why I took care of her on a regular basis.

- i. Danielle actually "resented" the girl.
- ii. The girl was the "contributing factor" to their divorce³⁷.
- iii. Danielle laid the parenting responsibilities of S.L. upon Scott; the same thing she did with me.
- iv. With a pattern of behavior established, Danielle does not possess the maternal instincts to nurture a child not her own³⁸.

Part X: The Towel Incident {Item 21, i}

The alleged rape victim confessed to me, in front of Danielle, that Scott dropped his towel in her bedroom during the weekend of October 8th-11th of 2004³⁹. As only four (4) people knew about this: S.L., Scott, Danielle and myself, for Pros. Eisenhower to ask Scott,

"Did you ever walk around in just a towel?"⁴⁰ (Tp.218, Ln.22)

was a highly specific question. Especially since this allegation went unindicted. S.L. told someone about this during the investigation, but it is evident that she withheld information from Dr. LeSure {Item 32, 4, i}.

Or did she?

Part XI: Computer Pornography

During invest, allegations were made regarding me allegedly showing S.L. pictures on a computer. Such went unindicted while facts pointed to the computer of Scott.

³⁶ A Blueprint for Wrongful Imprisonment: Ch.34, p.315-316, ¶963-¶965.

³⁷ Neither Scott nor Danielle blamed me for the divorce. Rather, they blamed the girl.

³⁸ A Blueprint for Wrongful Imprisonment: (Exhibit-09: My Pre-Trial History With Danielle Sadowsky-Smith), (Exhibit-11: Who or what destroyed the Sadowsky marriage?).

³⁹ A Blueprint for Wrongful Imprisonment: (Exhibit-09: p.D-3, ¶2).

⁴⁰ A Blueprint for Wrongful Imprisonment: Ch.34, p.314-315, ¶959-¶963.

This is truly an **Implanted/Transplanted Memory**⁴¹. You see, S.L. testified that she saw "Yahoo" on that very computer. Scott and Danielle had *Yahoo* accounts⁴². I had *Roadrunner*.

What child would forget a Warner Brother'sTM cartoon character and replace it with *Yahoo*? A frightened and manipulated child.

Part XII: Sexual Activities Between S.L. and A.S.

Prior to moving in to my home, in January of 2004, Danielle found S.L. and her step-brother A.S. behind Danielle's bed. Per Danielle, the children were naked and S.L. was fondling A.S. In a hysterical phone call to me, Danielle shouted, "She was molesting my son!"⁴³

A second incident took place in July of 2004 and Danielle called Children's Services in response (Tp.159, Ln.12-Tp.160, Ln.10). As Danielle was living with me at that time and the children were not, Danielle never told me about this second incident or the phone call⁴⁴.

As this information was withheld from the "cynical" Jury, it verifies S.L. was sexually active prior to meeting me. What more, other information exists that confirms S.L. was

- a. In therapy with Dr. LeSure for sexual abuse prior to the allegations in this case.
- b. Removed from "Grandma Alice's" home in another county for abuse.
- c. Was treated by a different psychologist prior to the onset of this case⁴⁵.

Part XIII: Parenting Role Reversals

Dr. LeSure failed to notice that there were two (2) distinct parenting role reversals

⁴¹ A Blueprint for Wrongful Imprisonment: There were multiple Implanted/Transplanted Memories that went unindicted, for reasons to my benefit. Each is explained and verified in my book.

⁴² A Blueprint for Wrongful Imprisonment: Ch.10, p.53-54, ¶192, (Exhibit-19: Letter to Ohio Innocence Project; August 31, 2015, p.3, ¶2-¶3).

⁴³ A Blueprint for Wrongful Imprisonment: Ch.29, p.201, ¶619.

⁴⁴ A Blueprint for Wrongful Imprisonment: Ch.29, p.201, ¶620.

⁴⁵ A Blueprint for Wrongful Imprisonment: Ch.30, p.280-281, ¶853-¶857.