IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent, v. MICHAEL PELKO, Petitioner.	)))))))))	No. 18 CR 0238101

VERIFIED PETITION FOR POST-CONVICTION RELIEF

Petitioner, Michael Pelko, by his counsel, respectfully requests relief pursuant to the Illinois Post Conviction Hearing Act, 725 ILCS 5/122-1 *et seq.* In support, Petitioner states:

I. INTRODUCTION

Petitioner Michael Pelko ("Pelko") seeks relief based on substantial constitutional violations and actual innocence. As to the constitutional claims, this Petition focuses on: (1) the State's use of knowingly false testimony from the lead detective, which supplied critical links in its case; (2) trial counsel's failure to move to dismiss the defective indictment; and (3) trial counsel's failure to present exculpatory forensic evidence—the only objective evidence corroborating Pelko's testimony.

As to actual innocence, advances in digital forensics now make it possible to prove that Pelko was nowhere near the location where the victim's body was found. The relevant data is stored on Pelko's cell phone, but at the time of trial, the available technology could not decode and

analyze it. Only recent advances allow the data to be interpreted. Because Pelko's phone remains impounded,[1] his expert has been unable to access and analyze this critical evidence.

Accordingly, Pelko respectfully requests that this Court grant access to the evidentiary materials from trial, allow time and leave to amend this Petition, conduct an evidentiary hearing, and ultimately reverse his conviction.

II. BACKGROUND

On July 20, 2017, Izat Morrar ("Morrar"), Pelko's childhood best friend, was found dead in an alley on Chicago's South Side. He had been shot twice in the head, and his shoes, wallet, keys, watch, and phone were missing.

Police quickly identified Pelko because his vehicle—a Hyundai Santa Fe—was captured on surveillance video near the location where Morrar's body was found. Based on that, investigators brought Pelko in for questioning. Pelko denied any involvement.

As he later testified, Pelko left work that day around 1:30 p.m., picked up Morrar a few blocks away, and drove to Union Station to pick up another individual Morrar had arranged to meet. The three then traveled to Pelko's home in Willow Springs. There, Morrar and the other individual left in Pelko's vehicle, while Pelko stayed behind doing yardwork. Pelko did not learn of Morrar's death until several days later.

Although Pelko's vehicle appeared on surveillance footage near the crime scene, no evidence established Pelko himself was present. He does not appear in the video. No witness identified him. No physical or forensic evidence placed him at the scene. Nonetheless, the State built its case on the claim that Pelko was driving the vehicle.

[1] Pelko's phone was impounded by the Clerk of Court as part of the trial evidence. Since then, Pelko has made repeated efforts to obtain access to the device. On September 18, 2025, undersigned counsel filed a motion seeking such access. The State objected, arguing that no post-conviction petition was pending, and the Court denied the motion without prejudice, pending the filing of a petition.

That claim came from the lead detective. The detective told the grand jury that the investigation had "reveal[ed]" that Pelko drove to the scene, disposed of Morrar's body, and fled. The detective further claimed that Pelko, while armed, robbed Morrar of his shoes and other personal belongings. These statements were presented as facts, but they were unsupported by even a scintilla of evidence. The State had no evidence that Pelko was the driver and no evidence that he committed an armed robbery.

Despite this lack of evidence, the State secured an indictment and carried the same theory into trial. Its case depended on filling evidentiary gaps not with proof, but with definitive-sounding testimony that was not supported by the evidence.

The State also falsely explained away a critical inconsistency in its case. At approximately the same time Pelko's vehicle appeared near the crime scene, phone records showed that Pelko answered a call on his cell phone. It is undisputed that the call connected in Willow Springs—many miles from the South Side. To reconcile this conflict, the State claimed that the call may have gone to voicemail, was not actually answered, or was forwarded while Pelko was disposing of Morrar's body. These explanations were unsupported by the underlying data but allowed the State to preserve its theory of the case.

Pelko testified in his own defense and directly addressed this timeline. He told the jury that he remained at his home in Willow Springs after Morrar and the other individual left, which is why he was able to answer the call there. His account aligned with the underlying data and contradicted the State's theory. But the jury never saw the forensic data that would have confirmed his testimony. Call detail records and Google location data—contemporaneous, system-generated evidence—were not presented by defense counsel.

In their absence, the jury was left to choose between Pelko's testimony and the State's narrative, unaware that independent forensic records supported Pelko's version of events. The result was a conviction built on false testimony, unsupported inferences, and the absence of critical exculpatory evidence.

Pelko has consistently maintained his innocence. Today, advances in digital forensics make it possible to prove that Pelko was never at the crime scene. Data that could not be analyzed at the time of trial can now definitively place Pelko at his home in Willow Springs with his phone when he answered the 3:48 p.m. call—not at the scene where Morrar's body was found. Yet because his phone remains impounded, Pelko's expert has been unable to extract the data and complete this analysis.

III. PROCEDURAL HISTORY

1. On February 14, 2018, Pelko was charged by indictment with first-degree murder and armed robbery. Prior to trial, the State entered a nolle prosequi on the armed robbery charge.

2. On August 23, 2019, following a jury trial, Pelko was found guilty of first-degree murder. On November 1, 2019, the Honorable Thomas J. Byrne sentenced him to 55 years' imprisonment.

3. On March 1, 2022, the Appellate Court of Illinois, First District, Second Division, affirmed Pelko's conviction.

4. On November 30, 2022, the Supreme Court of Illinois denied Pelko's petition for leave to appeal ("PLA").

5. Pursuant to U.S. Supreme Court Rule 13(1), Pelko's deadline to file a petition for a writ of certiorari expired on February 28, 2023, which was 90 days after the Illinois Supreme Court entered its order denying the PLA.

6. Under 725 ILCS 5/122-1(c), Pelko's deadline to seek post-conviction relief on his constitutional claims expired on August 28, 2023, which was six months from the deadline for filing a certiorari petition in the U.S. Supreme Court.

7. This is Pelko's first petition for post-conviction relief.

8. The delay in filing was not due to Pelko's culpable negligence. As explained in his affidavit, Pelko retained post-conviction counsel shortly before his PLA was denied and relied on counsel to protect his rights. *See* Michael Pelko Aff. ¶ 6.[2] Counsel did not file a timely petition for reasons unknown to Pelko. *Id.* ¶¶ 7-8.

IV. SUBSTANTIAL DENIAL OF CONSTITUTIONAL RIGHTS

A. Prosecutorial Misconduct (Grand Jury)

9. In seeking an indictment, the State presented the grand jury with a narrative that treated unsupported assertions as established facts. That presentation did not reflect the actual evidentiary record. Statements were characterized as investigative findings despite the absence of any supporting evidence.

10. The State's presentation relied on two central falsehoods introduced through the lead detective, Detective Roger Murphy of the Chicago Police Department. These were not matters of interpretation or inference; they were presented as definitive conclusions of the investigation.

11. *First*, Detective Murphy falsely testified that the investigation identified Pelko as the person who dumped Morrar's body. Before the grand jury, Detective Murphy testified unequivocally that the investigation "reveal[ed]" that Pelko "drove the Hyundai Santa Fe" to the 1800 block of South Calumet in Chicago, "dumped the body of Izat Morrar," and then "drove

[2] Pelko's affidavit is attached as **Exhibit A**.

away from the scene in the Hyundai Santa Fe." *See* Det. Murphy G.J. Tr. 4:24–5:9, Feb. 13, 2018.[3] This testimony conveyed the clear impression that the State possessed evidence definitively identifying Pelko as the driver of the Santa Fe captured on surveillance footage. *Id.*

12. That representation was false, and Detective Murphy knew it was false. At trial, he testified that no such identification could be made. The surveillance footage did not capture the driver's face; he "never [got] a clear picture of the driver"; and he did not know who was driving the Santa Fe. (W-192–3).[4]

Grand Jury (Ex. B at 4:24–5:9)	**Trial** (W-192–3)
Q: "Did your investigation reveal that on July 20, 2017, Michael Pelko drove the Hyundai Santa Fe to the area near the 1800 block of South Calumet in Chicago, Cook County, Illinois and dumped the body of Izat Morrar in the alley?" A: "Yes." Q: "Did your investigation reveal that after dumping the body of Izat Morrar[,] Michael Pelko drove away from the scene in the Hyundai Santa Fe?" A: "Yes."	Q: "At 3:30 you – Did you see the driver?" A: "No. You never get a clear picture of the driver." Q: "You don't know who was driving, do you?" A: "No."

Thus, what was presented to the grand jury as a concrete investigative finding was, in reality, false. The State did not merely overstate the strength of its evidence—it affirmatively asserted as fact something its own evidence could not establish.

[3] The full transcript of Detective Murphy's grand jury testimony is attached as **Exhibit B**.

[4] "W" citations refer to the trial record.

13. *Second*, Detective Murphy falsely testified that Pelko committed an armed robbery. When asked: "Did your investigation reveal that Michael Pelko, while armed with a firearm, took Izat Morrar's cell phone, shoes, and watch from his person?" Detective Murphy answered unequivocally and without qualification: "Yes." *See* Ex. B at 4:20–23.

14. That testimony was also false. At the time it was given, neither the prosecution nor Detective Murphy had even a scintilla of evidence to support it. No property was ever recovered from Pelko. No witness placed those items in his possession. No forensic evidence linked him to them. There was simply no evidentiary basis—direct or circumstantial—for the claim. Yet by asserting that Pelko took the victim's belongings while armed, the State portrayed him as the person who directly confronted Morrar and stripped him of his property.

15. With Detective Murphy's fabricated testimony, the State supplied critical links its case otherwise lacked. There is no innocent explanation for why Pelko would be in possession of Morrar's shoes, phone, and watch—items taken from the victim at or near the time of his death—unless he was the perpetrator. By identifying him as the driver and claiming he took the victim's belongings while armed, the State falsely established Pelko's presence at the scene, his direct involvement in the crime, and his motive for murder. In reality, those conclusions rested not on evidence, but on facts the State invented.

B. Ineffective Assistance of Trial Counsel

16. Trial counsel failed to challenge the indictment, even though it was obtained through materially false testimony. As set forth above, the State secured the indictment by presenting unsupported assertions as established facts, including that the investigation had identified Pelko as the driver and that he robbed Morrar. These claims formed the core of the State's charging theory yet lacked any evidentiary basis. Despite this, counsel did not move to

dismiss the indictment or otherwise challenge the integrity of the grand jury proceedings. As a result, the case proceeded to trial on an indictment grounded in known falsehoods.

17. Trial counsel also failed to present expert testimony necessary to explain a critical inconsistency in the State's case. As explained above, at approximately the same time Pelko's vehicle appeared near the crime scene, phone records showed that Pelko answered a call in Willow Springs—many miles from the South Side. To reconcile this conflict, the State claimed that the call may have gone to voicemail, was not actually answered, or was forwarded to Pelko as he was disposing of Morrar's body.

18. As detailed in the report of telecommunications expert Ben Levitan—the country's foremost authority who helped develop industry standards—call detail record ("CDR") evidence has a defined structure and function that requires expert explanation.[5] CDRs are standardized billing records; here, they show that Pelko answered a 34-second incoming call at 3:48 p.m., with no interruption or diversion to voicemail. Ex. C § V. The records further establish that the call connected in or near Willow Springs and was not forwarded to Pelko in Chicago, where the victim's body was found. Counsel failed to call a qualified expert to present and explain this data, depriving the jury of objective evidence bearing directly on Pelko's location and activities at the critical time.

19. Finally, trial counsel also failed to introduce digital location data that corroborated Pelko's testimony. A forensic extraction of Pelko's Google location history—automatically generated by his phone—provided an independent, contemporaneous record of the device's movements on July 20, 2017.[6] This data was available before trial but was not presented to the

[5] Mr. Levitan's expert report is attached as **Exhibit C**.

[6] *See* Protek Report, attached as **Exhibit D**.

jury because, as Pelko explains in his affidavit, trial counsel "did not understand what the data showed or how it differed from the testimony the State's experts would provide." Ex. A ¶ 19.

20. The Google location data shows activity in downtown Chicago, including travel to Union Station, followed by movement southwest toward Willow Springs. Ex. D at 5. During the critical time period, however, the data points form a tight cluster within a single area, with only short movements between them. *Id.* This pattern reflects localized movement within a confined space. Pelko's property in Willow Springs spanned multiple areas separated by meaningful distance, including a chicken coop located away from the main residence. The clustered but slightly dispersed data points are consistent with movement across such a property—not travel to Chicago, as Pelko testified. *Id.*

21. Counsel failed to introduce or explain this evidence to the jury. Competent counsel would have presented the Google location data, as it provided objective, contemporaneously recorded evidence corroborating Pelko's account of the afternoon.

V. ACTUAL INNOCENCE

22. Newly available forensic technology will provide critical evidence of Pelko's innocence. Advances in digital forensic analysis now allow for the decoding of data that was not accessible at the time of trial.

23. As explained in the affidavit of digital forensic expert Brian Bowman of Garrett Discovery, the Cellebrite software available at the time of trial supported only a limited range of data decoding.[7] Since then, newer versions have significantly expanded decoding capabilities, particularly with respect to operating system–level analytics and event logs. Ex. E ¶¶ 16-19. These updated tools can now recover additional categories of data, including screen on/off activity,

[7] Mr. Bowman's affidavit is attached as **Exhibit E**.

device lock and unlock events, application usage, connectivity changes (such as Wi-Fi and cellular transitions), and certain location-related entries. *Id.* ¶¶ 20-25.

24. This development is analogous to advances in DNA testing. The biological material does not change, but advances in testing methods allow previously undetectable information to be identified and interpreted. In the same way, the data stored on Pelko's device has always existed in its original form. What has changed is the ability to decode and analyze it. Earlier tools could not access or interpret certain categories of information, whereas current forensic methods can now identify and read those same underlying records.

25. Because these artifacts were not previously decoded, they were not available at trial. Using current forensic methods, analysis of Pelko's phone is expected to show that he was at home with his device, including that he unlocked it. *Id.* ¶ 22. The data is expected to further reflect that he was actively interacting with the device—"answering and rejecting calls by physically swiping the screen"—and shows his "application activity, locations, footsteps, as well as mechanics of the phone microphone and speaker being engaged" during the relevant time period. Ex. A ¶ 23.

26. This evidence is expected to conclusively establish that Pelko was physically present with and actively using his phone miles from where the victim's body was being disposed, making it impossible for him to have been at both places simultaneously.

VI. CONCLUSION

WHEREFORE, Petitioner Michael Pelko respectfully requests that this Court:

1. Order that this Petition be docketed for further consideration;

2. Grant leave and sufficient time to amend this Petition to include additional claims, affidavits, and supporting evidence;

3. Grant access to trial evidentiary materials and authorize the issuance of subpoenas for witnesses, documents, and other discovery necessary to prove the allegations set forth herein;

4. Conduct an evidentiary hearing;

5. Reverse Petitioner's conviction; and

6. Grant such other and further relief as this Court deems just and proper.

Dated: April 17, 2026

Respectfully submitted,

/s/ Filzah Pavalon

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent,	)	
v.	)	No. 18 CR 0238101
MICHAEL PELKO, Petitioner.	)	

VERIFIED PETITION FOR POST-CONVICTION RELIEF

Exhibit A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent, v. MICHAEL PELKO, Petitioner.	)))))))))	No. 18 CR 0238101

AFFIDAVIT OF PETITIONER MICHAEL PELKO

1. My name is Michael J. Pelko. I am in custody at Dixon Correctional Center (IDOC# Y-39681). On 7-20-2017, my childhood best friend was murdered. In August of 2019, I was wrongfully convicted of murdering him and sentenced to 55 years in prison.

2. I am writing this affidavit in support of my application for post-conviction relief. My conviction resulted from serious constitutional violations. Also, there is now available new evidence that was not available at the time of my trial. This evidence will prove my innocence.

3. I understand that some claims in my post-conviction petition are untimely. However, this delay is not due to any lack of diligence on my part. I took all reasonable and proactive steps I possibly could to pursue post-conviction relief. I trusted retained counsel to protect my rights and meet all applicable deadlines.

4. Following my conviction and the appellate court's affirmance, I filed my petition for leave to appeal (PLA) in the Illinois Supreme Court. I then contacted a number of post-conviction attorneys in case the PLA was denied.

5. One of my trial attorneys, Vadim Glozman, who was also my appellate counsel, recommended attorney Allen Ackerman for post-conviction relief. The agreement I signed with Mr. Ackerman is dated 6-24-2022.

6. On 11-29-2022, I received notice that my PLA was going to be denied the following day, on 11-30-2022. That same day, I funded all or a large part of Mr. Ackerman's agreed upon capped fee. Mr. Ackerman sent me a letter dated the same day confirming he got my payment and "will begin the reading after Christmas."

7. After that, I contacted Mr. Ackerman many times to get an update and check when he planned to file the petition. I became more and more frantic as the weeks passed by and even contacted Mr. Glozman to ask if he could get an answer from Mr. Ackerman.

8. When it became clear to me Mr. Ackerman was not going to pursue any post-conviction relief on my behalf, I asked him to recommend another attorney who could help me. I was referred to Thomas Brandstrader whom I quickly signed an agreement with.

9. On February 14, 2024, Mr. Brandstrader confirmed that he got payment from my family and my case file from Mr. Ackerman. My family transferred the file (a banker's box) from Mr. Ackerman's office to Mr. Brandstrader. Mr. Ackerman represented that all my case materials were in the file that he had put together himself.

10. Over a year later, in April 2025, Mr. Ackerman sent a letter to Mr. Brandstrader about my post-conviction relief. I do not know why Mr. Ackerman continued participating in my case at that point. Mr. Ackerman also disclosed to Mr. Brandstrader that he did not actually transfer all my case materials. To my knowledge, Mr. Ackerman then sent Mr. Brandstrader grand jury transcripts and other important materials related to my case.

11. In June 2025, Mr. Brandstrader conveyed to me that he thought I had a solid constitutional issue, but he was "not seeing any good reason why" the petition was not filed by the deadline.

12. It was my understanding only one petition for post-conviction relief can be filed. Therefore, before Mr. Brandstrader filed on the constitutional claim, I tried to explain the potential for cell phone forensics and location data. However, it became apparent Mr. Brandstrader also had very limited knowledge of modern forensic methods relevant to my case.

13. A good friend of mine located an independent attorney to assist with the forensics issues. On 8-9-2025, I signed an agreement and paid to work Filzah Pavalon. At the time Mrs. Pavalon joined in August of 2025, she was assisting in a limited capacity to not interfere with Mr. Brandstrader's representation.

14. On 1-9-2026, Mr. Brandstrader removed himself from my case and Mrs. Pavalon took over the lead role as legal counsel for post-conviction relief.

15. I was never made aware of the urgency for filing a post-conviction petition post-deadline until consulting with my current counsel. Since Mrs. Pavalon took over, we have spoken nearly every week to get my petition completed and filed as soon as possible.

16. Turning to the merits of my petition, my constitutional rights were violated in several ways.

17. First, the lead detective assigned to investigate this case, Detective Roger Murphy, provided false testimony to the grand jury. Detective Murphy falsely testified that his investigation revealed by name, that I was the person who dumped the body of Mr. Morrar and drove away from the scene. At trial, Detective Murphy was asked if he could see the driver of the car he was referencing, to which he answered "no." And that he did not know who was driving the car.

18. Detective Murphy also falsely testified that I had robbed the victim, Mr. Morrar, of his wallet, watch, keys, phone and/or shoes, despite knowing that this assertion was not supported in any way by evidence.

19. Second, my trial counsel demonstrated a profound lack of forensic knowledge, specifically in understanding the importance of an analysis of GPS data and call detail records (CDRs). I begged my trial counsel to consult experts and have them testify about these areas. My counsel retained an expert only for the GPS analysis (Protek), but still did not understand what the data showed or how it differed from the testimony the State's experts would provide. No CDR expert was ever retained or called to testify.

20. The Protek data (accumulated from Google location data) showed my exact drive routes and my movement at home in Willow Springs as I moved about that afternoon doing yardwork. The data showed that after leaving work, I travelled to pick up Mr. Morrar and then directly to Union Station to pick up a friend Mr. Morrar had arranged to meet. We then drove directly to Willow Springs, where dozens of locations were recorded from after 2:30pm until 3:45pm as I moved about my property. This directly disproved the State's theory that I went home to drop off my phone before returning to Chicago to dump Mr. Morrar's body. The data showed that after directly driving home with Mr. Morrar and his companion, I was never in or near the area where Mr. Morrar's body was found.

21. My counsel did not understand the importance of showing my travel to Union Station or my movement around my property, as evidenced by the report they requested from Protek. That report was focused entirely on showing that my phone did not return to Chicago in the afternoon.

22. In addition to the constitutional violations above, there is evidence, which was not available at the time of trial, that supports my claim of actual innocence.

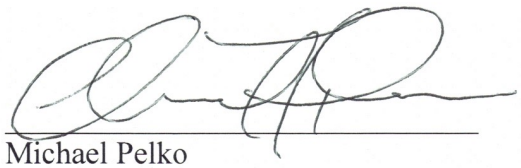
23. This evidence is highly technical digital cell phone forensic data. The methods of analyzing this data and presenting the findings will show, without question, my phone was answering and rejecting calls by physically swiping the screen, show all application activity, locations, footsteps, as well as mechanics of the phone microphone and speaker being engaged while I answered a call at the same time my friend's body was being dumped.

24. This evidence was not available at the time of trial because the technology did not arise until years after my trial. This is further explained in Garrett Discovery's affidavit.

FURTHER AFFIANT SAYETH NAUGHT.

CERTIFICATION

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth in this affidavit are true and correct, except as to matters stated to be on information and belief. As to such matters, I certify that I verily believe the statements to be true.



Michael Pelko

3-31-26

Date

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent,	)	
v.	)	No. 18 CR 0238101
MICHAEL PELKO, Petitioner.	)	

VERIFIED PETITION FOR POST-CONVICTION RELIEF

Exhibit B

IN RE: PEOPLE VS. MICHAEL PELKO

GJ NO. FEB 1

18 CR 2381

ARR. DATE: 2/16/18

BEFORE THE GRAND JURY OF COOK COUNTY

FEBRUARY 2018

REPORT OF GRAND JURY PROCEEDINGS on February 13, 2018, at the Cook County Criminal Courts Building, 2600 South California Avenue, Chicago, Illinois 60608.

PRESENT:

HONORABLE KIMBERLY M. FOXX,
State's Attorney of Cook County, Illinois, by,:
MR. JAMIE SANTINI
Appeared on behalf of the People
of the State of Illinois

WITNESS: DETECTIVE MURPHY

REPORTED BY:
Candace G. Jaggers, CSR
Official Court Reporter
69 West Washington, Ste 900
Chicago, Illinois 60602
Illinois CSR License No. 084-004494

THE FOREPERSON: Would you raise your right hand?

(Witness sworn.)

MR. SANTINI: My name is Jamie Santini. I'm an assistant state's attorney assigned to the Homicide/Sex Unit.

The Grand Jury has the right to subpoena and question any person against whom the State's Attorney is seeking a Bill of Indictment, or any other person, and to obtain and examine any documents or transcripts relevant to the matter being prosecuted by the State's Attorney.

DETECTIVE MURPHY,

called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. SANTINI:

Q. We're here this morning seeking a True Bill of Indictment against Michael Pelko for the offenses of first degree murder and armed robbery of Izat°Morrar which Michael Pelko committed on July 20, 2017, in Chicago, Cook County, Illinois. The Grand Jury number in this matter is February 1. Ask leave to call Detective Murphy.

Detective, can you please state your name, star, unit of assignment?

A. Detective Roger Murphy, Star No. 20681. I'm

assigned to the Area Central Chicago Police Department Detective Division.

Q. Detective, have you been sworn in this matter, correct?

A. Yes.

Q. Detective, were you assigned to investigate the first-degree murder and armed robbery of Izat Morrar which Michael Pelko committed on July 20, 2017, in Chicago, Cook County, Illinois?

A. Yes.

Q. As part of your investigation, Detective, did you review police reports, speak to police officers, witnesses, and review lab reports, use surveillance video recordings, and review physical evidence in this investigation?

A. Yes.

Q. Did your investigation reveal that on July 20, 2017, Izat Morrar was on the 300 block of South Clark in Chicago, Cook County, Illinois when Michael Pelko drove up in his Hyundai Sante Fe motor vehicle and stopped near Izat Morrar?

A. Yes.

Q. Did your investigation reveal that Izat Morrar opened the rear passenger door of the Hyundai Sante Fe, placed a backpack in the rear seat?

A. Yes.

Q. Did your investigation reveal that Izat Morrar then got into the front passenger seat of the Hyundai Sante Fe where shoes, a watch, and possessing a cell phone?

A. Yes.

Q. Did your investigation reveal that surveillance video camera captured Izat Morrar getting into the front passenger seat of the Hyundai Sante Fe?

A. Yes.

Q. Did your investigation reveal that after Izat Morrar got into the Hyundai Sante Fe Michael Pelko drove away from the 300 block of South Clark with Izat Morrar as his front seat passenger?

A. Yes.

Q. Did your investigation reveal that sometime after driving away with Izat Morrar as a front seat passenger Michael Pelko shot Izat Morrar multiple times with a firearm?

A. Yes.

Q. Did your investigation reveal that Michael Pelko while armed with a firearm took Izat Morrar's cell phone, shoes, and watch from the person of Izat Morrar?

A. Yes.

Q. Did your investigation reveal that on July 20,

2017, Michael Pelko drove the Hyundai Santa Fe to the area near the 1300 block of South Calumet in Chicago, Cook County, Illinois and dumped the body of Izat Morrar in the alley?

A. Yes.

Q. Did your investigation reveal that after dumping the body of Izat Morrar Michael Pelo drove away from the scene in the Hyundai Santa Fe?

A. Yes.

Q. Did your investigation reveal that on July 20, 2017, the body of Izat Morrar was discovered in the alley, and Izat Morrar's shoes, watch, cell phone, and backpack were missing?

A. Yes.

Q. Did your investigation reveal that a post-mortem examination of the body of Izat Morrar was done at the Cook County Medical Examiner's Office it was determined Izat Morrar died as a result of multiple gunshot wounds, and the manner of death was homicide?

A. Yes.

Q. Did your investigation reveal that on July 26, 2017, Michael Pelko was driving his Hyundai Santa Fe when he was stopped by members of the Chicago Police Department?

A. Yes.

Q. Did your investigation reveal that during the search of Michael Pelko's Hyundai Santa Fe Chicago Police evidence technicians took swabs of a brown stain found in the front passenger's seat back cushion?

A. Yes.

Q. Did your investigation reveal that the swab was submitted to the Illinois State Police Forensic Science Center for testing and analysis?

A. Yes.

Q. Did your investigation reveal that the testing analysis revealed that blood was identified on the swabs from brown stain and a DNA profile identified from that blood?

A. Yes.

Q. Did your investigation reveal that the DNA profile identified from the blood from the seat cushion was compared to known DNA profile of Izat Morrar?

A. Yes.

Q. Did your investigation reveal that the DNA profile identified from the blood from the seat cushion matched the known DNA profile of Izat Morrar?

A. Yes.

MR. SANTINI: Any questions?

(Witness excused.)

(Whereupon, the Grand Jury was left alone to deliberate, after which the following proceedings were had.)

A GRAND JUROR: True Bill.

(Whereupon, the above-entitled cause was continued for arraignment before the Presiding Judge of the Criminal Division.)

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, CANDACE G. JAGGERS, an Official Court Reporter in the State of Illinois, do hereby certify that I reported in shorthand the hearing of the aforementioned cause before the Grand Jury of Cook County, Illinois; that I thereafter caused the foregoing to be transcribed into typewriting, which I hereby certify to be a true and accurate transcript of the proceedings had.

C Jaggers

Candace G. Jaggers, CSR
Official Court Reporter
License No. 084-004494
Dated: 2-14-14

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent,	)	
v.	)	No. 18 CR 0238101
MICHAEL PELKO, Petitioner.	)	

VERIFIED PETITION FOR POST-CONVICTION RELIEF

Exhibit C

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent,	)	
v.	)	No. 18 CR 0238101
MICHAEL PELKO, Petitioner.	)	

VERIFIED REPORT OF
TELECOMMUNICATIONS EXPERT BEN LEVITAN

I, Ben Levitan, am above the age of eighteen (18), am of sound mind, have never been convicted of a felony, and am competent to testify about the matters in this report.

I. Summary

I have been tasked with reviewing the cell phone evidence in the matter of Illinois v. Michael Pelko and providing my opinions as to the technical validity or invalidity of this evidence. After substantial evaluation of the materials listed below, I concluded that the government presented false testimony to the jury in this matter. Had I been called to testify in this case, I would have presented cell phone evidence that both supported Defendant's alibi and disproven the testimony of the government's expert witnesses.

As background, Defendant Pelko's alibi hinged on his claim that he answered a 34-second incoming call from his clerk at or around the same time the victim's body was dumped. Defendant Pelko claimed he answered this call from his home in Willow Springs, Illinois, while the victim was dumped 20-30 miles away in the Washington Park community of Chicago. Hence, Defendant claimed that he could not have been in two places at once—both on the phone with his clerk in Willow Springs and dumping the victim's body in Washington Park.

The cell phone records supported Defendant Pelko's contentions. Although the records showed that the 34-second call was answered in or near Willow Springs, the government's expert witnesses claimed:

- That Defendant Pelko left his phone at home and returned with the victim's body to Washington Park. The government further contended that the 34-second call was somehow forwarded to or remotely answered by Defendant Pelko while he was in Washington Park. Therefore, according to the government, the records showed Willow Springs as the location of the call because the phone was in Willow Springs, not because Defendant answered the call from Willow Springs.

- A different expert witness presented by the government claimed that the record of this call was not evidence of Defendant Pelko answering the call and speaking with his clerk, but the 34-seconds merely reflected either "call setup time that's going on behind the scene within the network and the ring time" or the duration of the caller's voicemail.

Both of these explanations from the government are provably false.

As a telecommunications expert, I am routinely hired to assist attorneys and triers of fact to understand cell phone records. These records may appear straightforward, but they are highly technical. To properly analyze them, you must have knowledge of and experience with the applicable codes, technical standards, industry developments, etc.

Had I been called as an expert witness in this matter, I would have presented Defendant Pelko's Call Detail Record (CDR), a very highly reliable "billing record" used as financial instruments within the cell phone industry. The CDR for Defendant's cell phone is conclusive as to:

- On July 20, 2017, at 3:48 PM, Defendant Pelko received an incoming call from his clerk that connected for a talk time of 34 seconds with no network interruption.
- The call did not go to voicemail.
- It was not somehow forwarded to or remotely answered by Defendant Pelko.
- The call was answered in or near Willow Springs, not from Washington Park or anywhere else.

Finally, the CDR also reveals that, Defendant Pelko placed and received calls in the vicinity of downtown Chicago on July 21, 2017, consistent with his contention that he went to work that day.

The details of my opinions are the subject of this report.

This report is organized in the following manner. Section II contains my background and qualifications. A copy of my CV is included as Attachment A. In Section III, I listed the materials I was provided and relied upon for this report. Section IV is a background or tutorial of cell phone technology and records maintained in the normal course of business that enable an expert to determine the location, movement, and activity of a cell phone. Next, Section V contains the details of my opinions in this case. This section references Attachment B, a copy of a T-Mobile document labeled "Interpreting Call Detail Records". A brief conclusion follows in Section VI.

Should there be any questions or concerns about the matters discussed in this report, I am available to discuss as needed.

II. Background and Qualifications

1. I am an expert in the following fields: Cellular, Wireless, Broadband Internet and Legacy Telephony, Wireless, Cellular and 3G/4G/LTE Mobile Phone Systems, Standards and Protocols, and associated GPS, location-based systems and services, Wiretap, and Wireless 911. My CV is provided as Attachment A to this report.

2. I have been working in the telecommunications industry since 1984. I have been a developer of cellular and wireless systems for more than 25 years. I currently work as a consultant in wireless, mobile, and broadband telephony. I formerly held the positions of Senior Manager of Global Technology Standards for Sprint Communications and Manager of Standards and Technology for Verizon. I was a United States delegate to the United Nations Committee on Telecommunications for 12 years.

3. I am one of the engineers that worked on developing a wiretap system that could operate legally in the United States and meet the needs of law enforcement. Under the Communications Assistance for Law Enforcement Act (CALEA) of 1994, the cell phone industry was mandated to develop a new standard feature that could wiretap customers' cell phones on demand. I was part of the development team, and further, was awarded a patent for an improvement to the standardized system. Over the ten years it took to develop the new feature, I regularly assisted the FBI in understanding the technology and helping them understand what was and was not feasible.

4. I have been designated as a "Senior Engineer" in 2025 by the Institute of Electrical and Electronics Engineers, the professional organization for the electrical engineering industry. This is awarded to the top 10 percent of engineers in the industry.

5. As part of my industry experience, I developed services (and hold patents) in cell phone technology that determine the location of a cell phone. Furthermore, I worked for the telephone industry developing the data collection systems used in every telephone system operated in the United States. As such, I am knowledgeable as to how data is created for each use of a cell phone. I am knowledgeable about how this data is maintained in the normal course of business and how to interpret such data. I have testified as to the scientific interpretation of this data in numerous matters as an expert in cell phone records. I have testified numerous times in matters as to the location and movement of a cell phone at specific times, as interpreted from these telephone records.

6. I received Sprint/Nextel's Top Innovator Award and have 10 published patents, 32 patent applications submitted, four trade secrets developed and held by Sprint, and one patent published and personally held. All my patents are in the field of cellular telephone systems and technology.

7. I am a certified NENA professional (since 2017) and have expertise and hold patents in the area of 911 technology. I am currently an active and voting member of IEEE Standards Association Project 1616.1 and the new IEEE AI initiate.

8. I am the author of several books and articles regarding Wireless, Cellular, GPS, and Satellite technology. I am a regular contributor to major network and cable news outlets as an expert in the field of cellular telephones, and I am a frequent resource to print media.

9. I have served as an expert witness in federal and state courts, and I have testified in civil, criminal, and administrative matters involving telephonic and other digital evidence.

10. I have the skill to evaluate cell phone records in civil and criminal matters to objectively determine the location, movement, and activity of a cell phone user to assist jurors in trial. From my background and experience, I am aware of records that are maintained by cell phone carriers in the normal course of business, and participated in the development of these records. Moreover, I act as an expert witness, and I regularly receive records produced by cell phone carriers in response to subpoenas.

11. Having been a key developer of the U.S. and worldwide cellular system for more than 25 years, having experience in the design of mobile systems and GPS systems, and having previous experience in the evaluation of cell phone evidence in criminal cases, I agreed to review this matter.

12. I have been asked to prepare an expert report of opinions in the above-captioned matter, agree to testify to it, and supplement this report if I have more opinions. The opinions stated in a supplemental report will not change these opinions, but will only add additional detail to my opinions.

III. Material Received and Relied Upon

I was provided the following documents, which I have reviewed in support of this report:

- Transcript of Illinois v. Pelko trial (pages Y-11 through Y-182 – testimony of Chicago RCFL Digital Forensics Investigator Fabiola Mejia and FBI Special Agent Joseph Rashke)
- FBI CAST Analysis report and exhibits (heavily redacted)
- T-Mobile Call Detail Record for Defendant's cell phone for Thursday, July 20, 2017

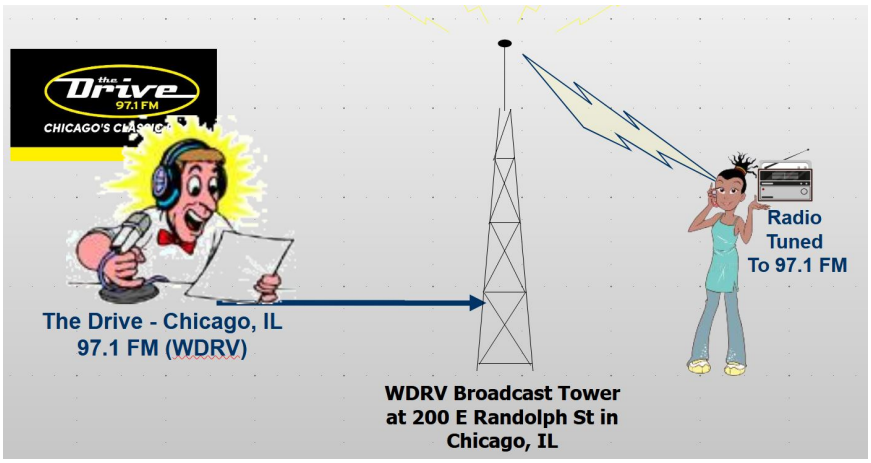
The exhibits used by the FBI were provided to me heavily redacted and as a poorly scanned document. Portions of this document are included in this report as they were provided. Small text in the exhibit is unreadable, so it is not referenced. It is my understanding that Defendant's counsel does not have access to the complete unredacted CAST report at this time.

IV. Background for Understanding of Cell Phone Evidence

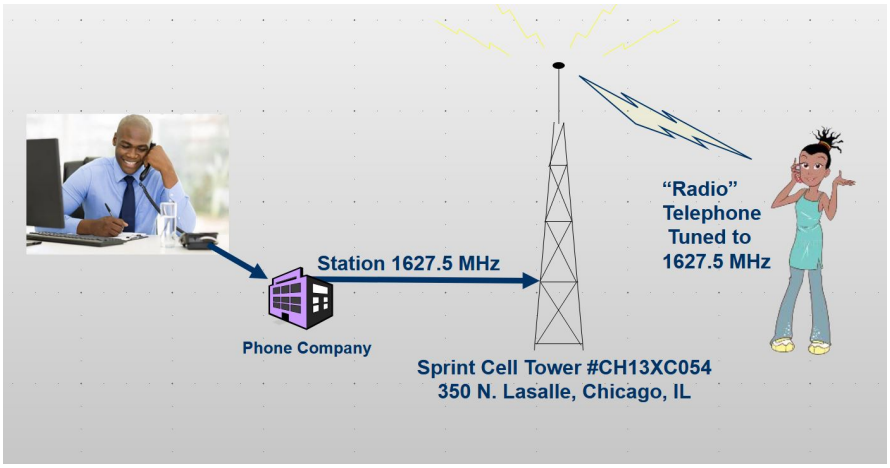
This brief tutorial provides an understanding of cell phone technology and records maintained in the normal course of business that enable an expert to determine the location, movement, and activity of a cell phone. These records and the methodology described herein are used in this report to discuss Defendant Pelko's location and activity on Thursday, July 20, 2017, and is the same methodology that any engineer in the cell phone industry, who is familiar with Call Detail Records, would use to provide opinions as to a phone's location, movement, and activity, and by inference, the user's location and movements.

It is critical to understand the basics to fully understand the evidence presented. Many people have misconceptions as to the basic workings of cell phone technology that may lead them to misinterpret evidence. It is clear from the discovery that there are misconceptions as to the design and operation of cell phone networks and their records. This tutorial is helpful for understanding the evidence.

Most people are familiar with how AM/FM radio works.



In radio, an announcer talks into a microphone; his voice is routed to a "broadcast tower" and then broadcast throughout the area. When the radio is tuned to the correct frequency, the announcer can be heard talking. Cell phones, originally known as Radio Telephones, use identical technology.



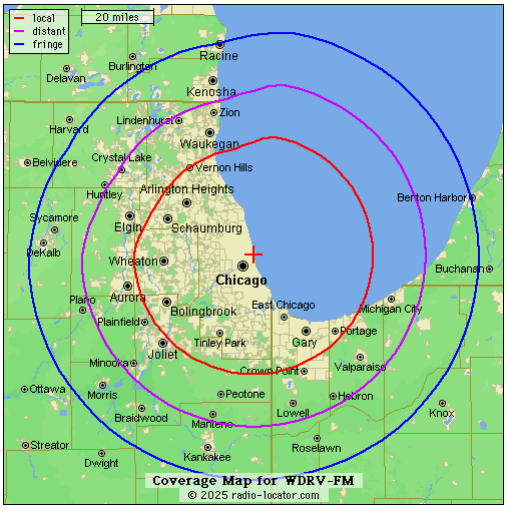
When someone places a call, their voice is routed out to a "broadcast tower." The cell phone is simply an AM/FM radio. Their voice is broadcast throughout the area. If the call recipient tunes their "radio telephone" to the correct frequency, they can hear their caller. It is not much more complicated than that. In the early days, people's cell phone conversations could be heard on the car radio if tuned to the right AM channel.

For cell phone technology to be practical or modernized, a few special things are done. First, the cell phone company keeps track of the cell tower to which their customer is closest, in order to route the call to the correct tower. To connect the call, the cell phone company has to know which "radio broadcast tower", or cell tower, the customer is near so they can route the call appropriately.

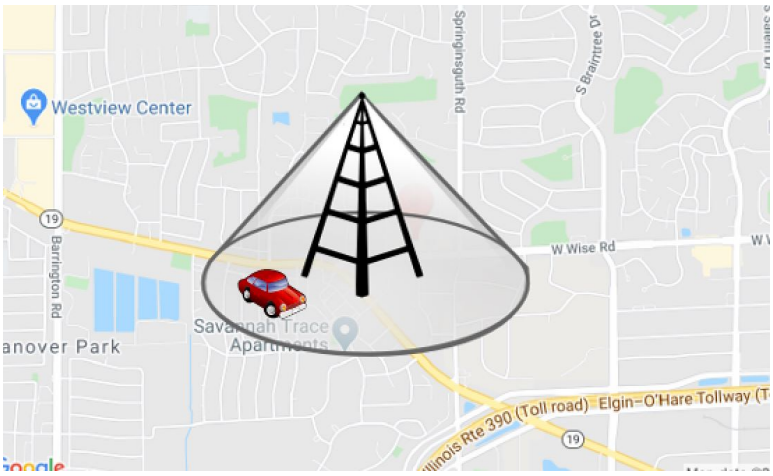
Second, the phone has to be tuned to the right frequency to be able hear the "broadcast" of a caller's voice. With FM radio, there are about 100 channels in each area of the country. That allows each city to have about 100 radio stations. This means simply tuning the radio to the desired station. The same applies with cell phones. The phone has to tune to the correct frequency to allow the customer to hear their caller's voice. The modern cell phone system does that automatically when

a phone call is received. The phone company automatically tunes the "AM/FM" radio—the cell phone—to the correct frequency, causing the phone to ring. The customer is then connected by radio broadcast with their caller in the same manner that they can listen to the morning news station.

An AM/FM radio station has a limited broadcast area. As a listener drives out of town listening to their favorite local radio station, WDVR, the radio station starts to fade and eventually they cannot hear it anymore because they have left the broadcast area. The figure below shows the coverage area of WDVR. The broadcast area is roughly circular, characteristic of radio transmission.

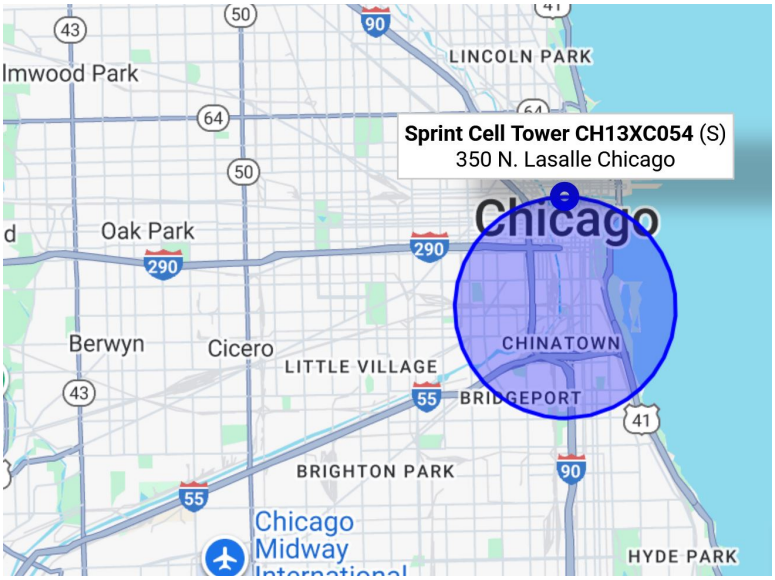


Cell towers have the identical problem. When a customer is talking to someone on a cell phone in a moving car, as the customer leaves the coverage area of the tower to which they are connected, they will lose their call. The call simply "drops." Radio stations can cover an area of 20 miles in every direction, but for technical reasons, a cell tower extends out only about three miles, as shown in the figure below; unlike AM/FM radio, the customer can quickly leave the coverage area of a cell tower and lose their call.

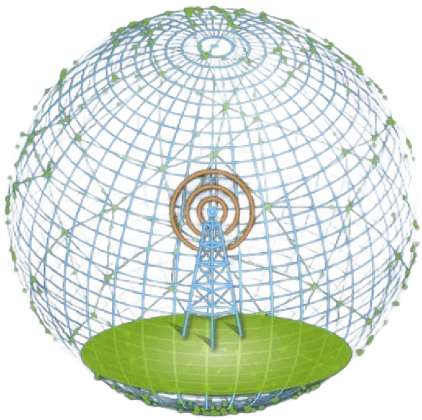


The figure below shows the coverage area of the Sprint cell tower at 350 N. Lasalle Street in Chicago, Illinois. As with AM/FM radio broadcast, this cell tower can only provide cell phone

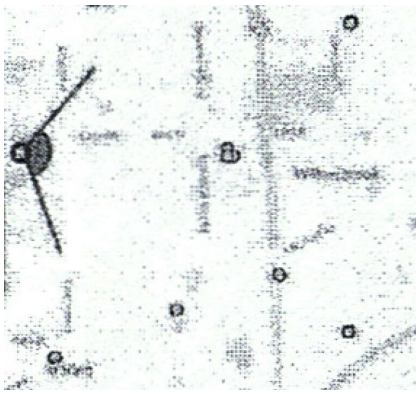
coverage for an area of approximately two miles around itself. (So, if we know which cell tower a phone is using, we have a general idea of its location.)



As with radio broadcast, cell towers broadcast in a circular area. This is the nature of radio (and why phones can be used in an airplane until they are out of the coverage area). When discussing the coverage area a phone is located in, for the most part, the coverage area is represented the same as a radio: a circular area of the city. This is where the radio coverage intersects the earth as shown in this depiction.



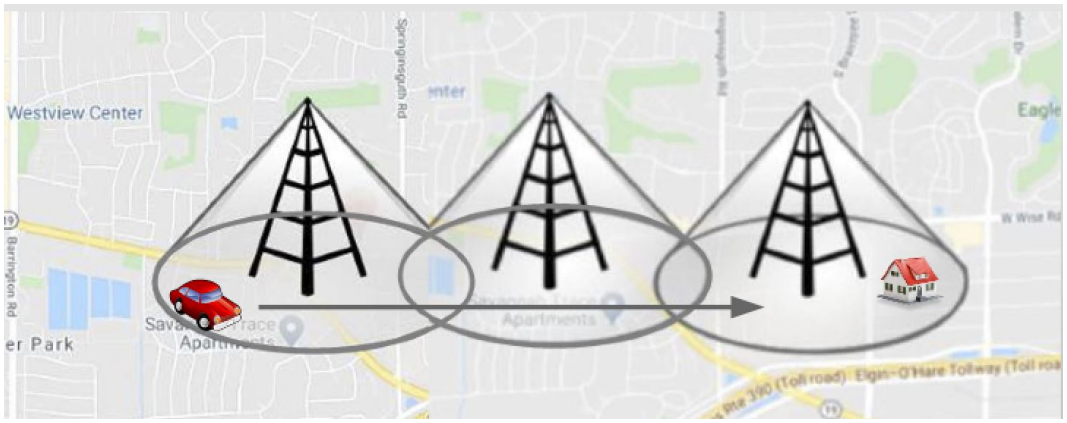
It is therefore possible, with knowledge of the cell phone system, to determine the coverage area of a cell tower to which a phone is connected. One common misconception is that a cell tower coverage area is wedged shaped:



This is a common misinterpretation that occurs when non-experts review cell phone records. The only valid representation is a circular or roughly circular area, as this is the nature of radio transmission.

A cell tower therefore has a limited broadcast area, and again, when a customer drives out of the coverage of a cell tower's broadcast range, the call would drop, but the cell phone system design provides for a way to seamlessly continue the call.

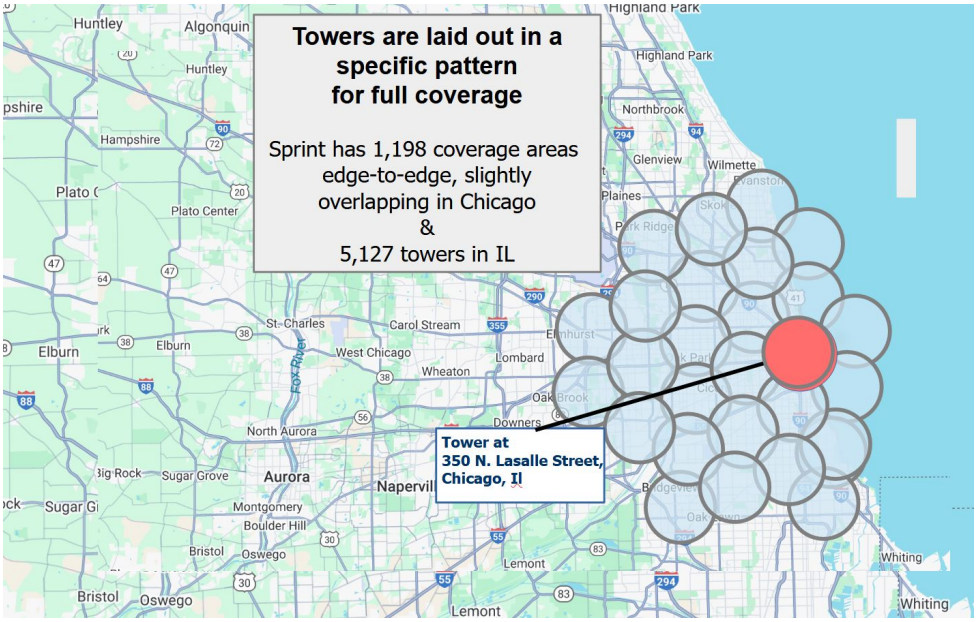
To prevent the customer from losing their call or data session when leaving the coverage of a cell tower, cell phone companies use multiple cell towers laid out edge-to-edge, in a pattern that assures customers are always within the coverage area of one of their cell towers.



As shown in the figure above, as a customer drives, they will leave the coverage area of the first tower, but before they "lose" their call, the cell phone company is able to detect that they are coming to the edge of the current tower's coverage area, and the connection can be "handed-off" to the next tower so the call is not dropped. This process can continue indefinitely across the country.

To provide coverage for an entire city, the cellphone company needs to have a lot of cell tower coverage areas laid out edge-to-edge to assure the entire city is covered. As cell towers are very expensive, the design of the network is in a manner that assures that cell phone companies can provide the maximum coverage using the fewest cell towers possible. This standard design,

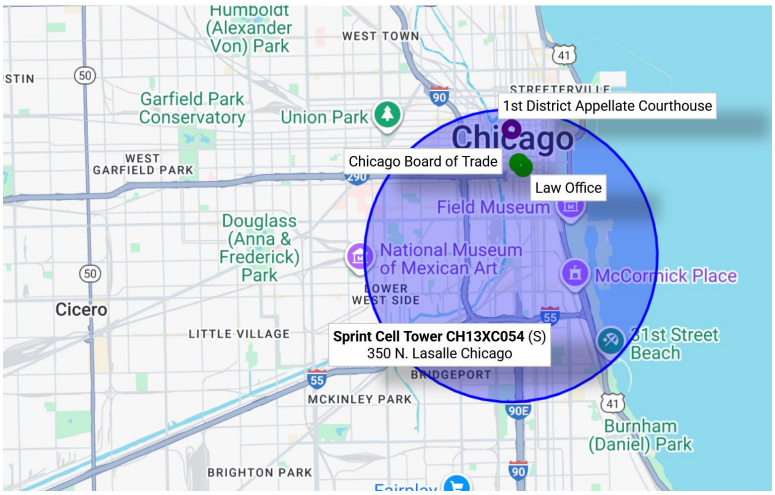
discovered in the early days of cell phone systems, is known as the "seven cell pattern" where each cell tower is surrounded by six other coverage areas, also with six neighbors, as shown below.



Each cell tower covers one, and only one, area. It is not possible that if a customer is in the coverage area of the tower at 350 North Lasalle Street, that their phone is actually within the coverage of a different cell tower. If a cell tower is busy, there is no other cell tower coverage that they could "switch to". What happens? The caller gets the message, "Sorry all circuits are busy now..."

Cell phone records record the cell tower to which the customer was connected when they placed or received calls or used a data application. With this information, it is possible to determine one's general location. As each of these cell tower coverage areas cover approximately 19.6 square miles, cell phone records cannot pinpoint a phone's location, and by inference, its users. Looking again at the coverage area of the Sprint cell tower at 350 North Lasalle in Chicago, we see it covers an area of downtown Chicago that covers the financial district among other areas.

If a phone record indicates that a phone was connected to this cell tower at the time the caller placed or received a phone call, it is fact that their phone is in this vicinity. However, if they are claiming they were at the Chicago Board of Trade at the time, this phone record would support that claim but not prove it. They may have been at the District Appellate Courthouse, a law office, or McCormick Place. Cell phone records do not, and are not intended to, pinpoint the location. This record, however, would exclude them from being in an area outside of this coverage area.



To summarize, a cell phone system is simply a radio broadcasting system that routes incoming calls to a cell tower closest to the customer and then broadcasts caller voices from that cell tower to the customer's phone, which is simply a radio that is tuned to the right station so they can hear their caller.

With this understood, we now discuss the records that are created for each and every activity of a cell phone when it is used. These records enable customers to determine what calls and services they used (e.g., outgoing calls, incoming calls, outgoing text messages, internet usage, and about 18 other services). The records also record the cell tower to which they were connected for each call they make or receive, and data application they use. This provides a basis for determining the location and movement of a phone, and by inference, its user.

Call Detail Records

Key to understanding the business of cell phone systems, it is important to understand that each time a cell phone service is used, such as making or receiving a phone call, sending or receiving a text message, or opening and using a data application, the cell phone company creates and stores a record of that activity for billing purposes. Although the purpose of these records is for billing, they contain enough technical information about each call/activity that they can be used reliably in investigations of a person's location, movement and activity at the time of each cell phone use.

As noted above, phones always connect to the closest cell tower when in use. Because the billing record created for each of activity contains a list of the cell towers used during those activities, we can determine general locations. Of most importance in reviewing cell phone records is that if someone is in one place all day (e.g., home), all the records for phone activity will show that person used one and only one cell tower for all their activity. That will be the cell tower closest to their house. However, if they move around during the day, each record will show a different cell tower, as they are always connecting to the closest cell tower.

And finally, if someone is driving or riding in a moving vehicle or even walking while on a phone call, they may pass through the coverage area of two or more cell towers during that call. During those times, each time they leave the coverage area of one cell tower and are handed off to the

next, the Call Detail Record for that call will record the name of the new tower. When we review the Call Detail Record for that call, the record will contain a list of two or more cell towers. This means, definitively, that the phone moved from one area to another during that activity. Using the list of cell towers for a call, it is possible to opine that the phone, and by inference the user, was moving during the course of that call. This is used to form opinions as to whether or not a user was driving while on a phone call or data application.

These phone records are known as "Call Detail Records." These records are created every time a customer starts a cell phone activity. Every cell phone company in the world keeps these records in the same format so it is easy for phone companies to charge their customers and also pay each other when customers are roaming in another company's network. These records are used as "proof of service," so there is a basis to bill you. These are used reliably in any type of investigation, including criminal cases. As these are standardized in the industry, any engineer in the cell phone industry would read or "interpret" these records in the same manner.

Time	Activity	From	To	Duration	Location During Call (Start/End)
10:06:09 AM to 10:07:17 AM CST (2584)	Talk Talk Time 0:47	(312) 555-1234	(312) 555-0000	1 min, 8 secs	350 N. Lasalle Street, Chicago, Il 350 N. Lasalle Street, Chicago, Il

This record is for the phone with the hypothetical number (312) 555-0000. The record indicates that at 10:06 AM and 9 seconds, Central Standard Time, the phone with the number (312) 555-0000 received a call from the number (312) 555-1234. When this user received this call, the last column in this Call Detail Record shows that his phone was closest to the AT&T cell tower located at 350 N. Lasalle Street in Chicago, Illinois.

The record further indicates that this call lasted for one minute and 8 seconds, and when it ended at 10:07:17 AM CST, this user's phone was still closest to the cell tower located at 350 N. Lasalle Street in Chicago, based on the fact that only one cell tower is shown in the Call Detail Record. Finally, in the second column, the type of cell phone activity is "Talk".

The correct reading of this record is:

> "At 10:06 AM and 9 seconds CST on July 1, 2025, the number (312) 555-0000 received a call from the number (312) 555-1234. The party at (312) 555-0000 answered the call, and they talked for one minute and 8 seconds. The phone with the number (312) 555-0000, and by inference the user himself, was in the vicinity of a Sprint cell tower located at 350 N. Lasalle Street in Chicago, at this time. This record further provides no indication that user was driving while on this call, as he remained closest to the N. Lasalle Street tower throughout this call."

From this information, and other evidence, it can be stated that this call was received by the user in the "general area" of N. Lasalle Street, although the record does not pinpoint the exact location within this area. Call Detail Records do not, nor are they intended to, provide a precise location of a user's phone. They are intended to record the cell tower used by a cell phone only. This is for

billing purposes, such as charging for “roaming” or payment to the cell tower provider. Although some cell providers may not charge you for “roaming” or long distance calling, the information is provided as per the standards set out for cell phone billing and charging records so that countries that may charge for roaming, long distance calling, or using another providers network are able to do so.

Note that this is a record of telephone number (312) 555-0000, so it is not possible to know the location of (312) 555-1234 from this record. This person’s Call Detail Records will have a matching record indicating that (312) 555-1234 placed an outgoing call, and this record will indicate their location at the time they placed this call.

With a basic understanding of cell phone technology, and an understanding that call detail records are created for each phone activity, it is apparent that the records created each time a phone is used are evidence that can be scientifically used for analysis. These records contain the time and date of activity, and general location at that time. These records can tell us not only the location and activity of a phone, but also the movement of the cell phone, providing evidence of a driver using their phone while driving.

With this background and information as to the workings of the cell phone network, the records maintained by cell phone companies, and the information those records provide, the evidence, opinions in this matter, and errors in the government’s testimony may be easily understood.

V. Details of Cell Phone Opinions in this Matter

As discussed in the preceding section of this report, each time a phone is used to make a call, receive a call, send or receive a text message, or operate a data application, or any of these services are attempted and failed, a Call Detail Record (CDR) is created for the purpose of billing and charging. These records are considered financial records used as proof of service worldwide. The technical design[1] of CDRs requires that a record must be created immediately after the provision of a service. It further dictates that a user may not be charged without their consent. If a call is not answered, this is not a "chargeable event" and the customer cannot be charged. If a customer pushes the "answer" button to accept a call, the customer is consenting to be charged.

CDRs are exclusively for billing, but they also contain sufficient technical information that they can reliably be used to determine the coverage area in which a phone is located as well as the phone's movement and activity, when analyzed by a person familiar with cell phone technology.

In this case, the Defendant's CDR shows a 3:48 PM incoming call on Thursday, July 20, 2017, that lasted 34 seconds. A portion of Defendant's CDR for that day from 2:46 PM to 6:38 PM follows.

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	19:46:01	8	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	02A;11
07/20/2017	19:46:34	8	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	02A
07/20/2017	19:46:46		mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Abnormal Completion	11
07/20/2017	19:48:12	5	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11
07/20/2017	19:50:31		mtc	Incoming	16307010609	17086685256	17086685256	17086685256	310260426112852	357752073100850	Abnormal Completion	11
07/20/2017	20:12:37	2	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	02A;11
07/20/2017	20:13:10	2	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	02A
07/20/2017	20:13:16	5	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	029;11
07/20/2017	20:13:45	5	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	29
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11
07/20/2017	21:53:45	57	moc	Outgoing	17086685256	12016378897	12016378897	12016378897	310260426112852	357752073100850	Completed Successfully	
07/20/2017	22:22:02	59	moc	Outgoing	17086685256	17087690939	17087690939	17087690939	310260426112852	357752073100850	Completed Successfully	
07/20/2017	22:33:38	145	mtc	Incoming	17084966857	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11
07/20/2017	23:37:44		mtc	Incoming	17087690939	17086685256	17086685256	17086685256	310260426112852	357752073100850	Abnormal Completion	11
07/20/2017	23:38:25		moc	Outgoing	17086685256	17084966857	17084966857	17084966857	310260426112852	357752073100850	Abnormal Completion	
07/20/2017	23:38:33	51	moc	Outgoing	17086685256	17087690939	17087690939	17087690939	310260426112852	357752073100850	Completed Successfully	

The CDR for the 3:48 PM entry is extracted in the image below.

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11

[1] 3GPP TS 22.101 V10.10.0 Technical Specification

When producing CDRs per subpoena, T-Mobile also provides a guide to understanding these records. This guide is attached as Attachment B ("Interpreting Call Detail Records") to this report. The guide provides information about each of the CDR fields and how they should be interpreted. Below, information from this guide is used to interpret Mr. Pelko's 3:48 PM call record.

The first three columns in Mr. Pelko's CDR reflect date, time, and duration. According to T-Mobile:

COLUMN NAME	DESCRIPTION	LOCATION RPT ONLY?	NOTES
Date	Date format mm/dd/yyyy	NO	
(UTC) Time	24 hour time format - hh:mm:ss in UTC	NO	In UTC time
Duration	Duration hh:mm:ss	NO	

Mr. Pelko's CDR shows a date of 07/20/2017. The next column of the CDR is the time of the service, presented in the standard time zone for phone records worldwide (UTC). Mr. Pelko's CDR shows 20:48:30. The date and UTC time, taken together, indicate that this call occurred at 8:48 PM and 30 seconds, on July 20th, 2017, UTC (the London time). In July, the time in Chicago is five hours earlier than in London, so this service occurred at 3:48 PM and 30 seconds, Central Daylight Time.

The third column shows the "duration" of the service. This is the amount of time the connection was open between two parties (or between a phone and the internet, in the case of data usage). Because CDRs are for the purpose of billing customers, the duration cannot include events for which you cannot be billed, such as ringing time.

In Mr. Pelko's CDR, the duration is listed as 34 seconds. This means the connection was open between the phone lines of Mr. Pelko ((708) 668-5256) and his clerk, Christian Faber ((201) 637-8897), for 34 seconds.

However, FBI Special Agent Rashke claimed that the 34-second duration is not evidence of Defendant Pelko answering the call and speaking with Mr. Faber, but merely "call setup time that's going on behind the scene within the network and the ring time." This is false.

As explained above, CDRs are very highly reliable billing records used as financial instruments within the cell phone industry. By definition, CDRs record billable events. This is akin to showing an item on a credit card bill. It is a charge for a service, just as an entry on a credit card bill is a charge for a single purchase or service. The record indicating a call between the phone numbers of Mr. Pelko and Mr. Faber is proof of service, and a charge for 34 seconds for voice services. If either customer did not pay for this charge, this Call Detail Record would be upheld as a financial record in court in support of the cell phone company's claim. Additionally, if the cell phone records for Mr. Faber's number were reviewed, a matching record would show a charge for placing a 34-second outgoing call. The "set up time" is a separate piece of data that is called "seizure time", indicating the amount of time it took for one party to connect to another party, have their phone ring, and be answered.

The charging of "set up" time is not permitted as part of a U.S. customer's bill, and was the subject of numerous lawsuits in the 1980s. (Cell phone companies were accused in federal lawsuits of overcharging customers by billing them for the period of time when their mobile phones were only ringing.) This set-up time or ring time is not a billable portion of a call, and as such, the CDR is conclusive as to a 34-second connection between Mr. Faber's phone and Mr. Pelko's phone.

Next on Mr. Pelko's CDR is information about the type of activity that occurred ("Call Type") and the "Direction" of that activity:

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11

Looking at the T-Mobile guide, the Call Type will generally be one of three types of activity: a voice call, a text message, or data usage. For voice calls and text messages, the activity can be incoming or outgoing.

COLUMN NAME	DESCRIPTION	LOCATION RPT ONLY?	NOTES
Date	Date format mm/dd/yyyy	NO	
(UTC) Time	24 hour time format - hh:mm:ss in UTC	NO	In UTC time
Duration	Duration hh:mm:ss	NO	
Call Type	Type of call: callForwarding = Forwarded Call; mSOriginating = Outgoing Voice Call; mSTerminating = Incoming Voice; mSOriginatingSMSinMSC = Outgoing SMS; mSTerminatingSMSinMSC = Incoming SMS; moc=Mobile Originating Call; mtc= Mobile Terminating Call	NO	
Direction	Outgoing or Incoming to the target telephone number	NO	

In the case of Mr. Pelko's 34-second call, the Call Type is "mtc" or "mobile terminated call", a fancy way of saying the call arrived at the user's phone (incoming) as opposed to being started at the user's phone (outgoing). In Mr. Pelko's case, this simply means that he received an incoming voice call at 3:48 PM that lasted 34 seconds.

Next is four types of phone numbers: the Calling Number, Dialed Number, Called Number, and Destination Number. According to T-Mobile, these columns mean:

COLUMN NAME	DESCRIPTION	LOCATION RPT ONLY?	NOTES
Date	Date format mm/dd/yyyy	NO	
(UTC) Time	24 hour time format - hh:mm:ss in UTC	NO	In UTC time
Duration	Duration hh:mm:ss	NO	
Call Type	Type of call: callForwarding = Forwarded Call; mSOriginating = Outgoing Voice Call; mSTerminating = Incoming Voice; mSOriginatingSMSinMSC = Outgoing SMS; mSTerminatingSMSinMSC = Incoming SMS; moc=Mobile Originating Call; mtc= Mobile Terminating Call	NO	
Direction	Outgoing or Incoming to the target telephone number	NO	
Calling Number	Phone number that initiated the call	NO	
Dialed Number	Dialed digits	NO	
Called Number	Phone number that received the call	NO	
Destination Number	The final destination number to which the network has connected the call (might be different from the one dialed by subscriber if network translation was applied)	NO	

From Mr. Pelko's CDR for the 3:48 PM call:

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11

For the 3:48 PM call, the "Call Type" and "Direction" already established that Mr. Pelko received a call from Mr. Faber (incoming), rather than Mr. Pelko calling Mr. Faber (outgoing). The entries for Calling Number, Dialed Number, Called Number, and Destination Number confirm that Mr. Faber ((201) 637-8897) placed a call to Mr. Pelko ((708) 668-5256).

As relevant to this report, next on Mr. Pelko's CDR is "Completion Code":

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11

According to T-Mobile, the Completion Code indicates if the system worked properly:

COLUMN NAME	DESCRIPTION	LOCATION RPT ONLY?	NOTES
Date	Date format mm/dd/yyyy	NO	
(UTC) Time	24 hour time format - hh:mm:ss in UTC	NO	In UTC time
Duration	Duration hh:mm:ss	NO	
Call Type	Type of call: callForwarding = Forwarded Call; mSOriginating = Outgoing Voice Call; mSTerminating = Incoming Voice; mSOriginatingSMSinMSC = Outgoing SMS; mSTerminatingSMSinMSC = Incoming SMS; moc=Mobile Originating Call; mtc= Mobile Terminating Call	NO	
Direction	Outgoing or Incoming to the target telephone number	NO	
Calling Number	Phone number that initiated the call	NO	
Dialed Number	Dialed digits	NO	
Called Number	Phone number that received the call	NO	
Destination Number	The final destination number to which the network has connected the call (might be different from the one dialed by subscriber if network translation was applied)	NO	
IMSI	International Mobile Subscriber Identity of the target number, if present	NO	
IMEI	International Mobile Equipment Identity of the target number, if present	NO	
Completion Code	Completed successfully or Abnormal Completion (network interruption). Abnormal completion calls display on this report but may or may not show on a customer's bill.	NO	

An "abnormal completion" or failed call occurs, for example, when a call is placed and the phone never rings, or there is a strange tone that is not a busy signal or ringing. In Mr. Pelko's case, the CDR for the 34-second call indicates "Completed Successfully." This means that the system worked as it should with no network interruptions.

The Completion Code does not, however, indicate if the call was answered, went to voicemail, or was forwarded to another phone. The issue of what happened with the call is left for the "Service Code" column. The T-Mobile guide shows the possible outcomes:

COLUMN NAME	DESCRIPTION	LOCATION RPT ONLY?	NOTES
Date	Date format mm/dd/yyyy	NO	
(UTC) Time	24 hour time format - hh:mm:ss in UTC	NO	In UTC time
Duration	Duration hh:mm:ss	NO	
Call Type	Type of call: callForwarding = Forwarded Call; mSOriginating = Outgoing Voice Call; mSTerminating = Incoming Voice; mSOriginatingSMSinMSC = Outgoing SMS; mSTerminatingSMSinMSC = Incoming SMS; moc=Mobile Originating Call; mtc= Mobile Terminating Call	NO	
Direction	Outgoing or Incoming to the target telephone number	NO	
Calling Number	Phone number that initiated the call	NO	
Dialed Number	Dialed digits	NO	
Called Number	Phone number that received the call	NO	
Destination Number	The final destination number to which the network has connected the call (might be different from the one dialed by subscriber if network translation was applied)	NO	
IMSI	International Mobile Subscriber Identity of the target number, if present	NO	
IMEI	International Mobile Equipment Identity of the target number, if present	NO	
Completion Code	Completed successfully or Abnormal Completion (network interruption). Abnormal completion calls display on this report but may or may not show on a customer's bill.	NO	
Answered?	Answered or Unanswered. Unanswered calls display on this report but may or may not show on a customer's bill.	NO	
Service Code	11 Calling line identification presentation 12 Calling line identification restriction 13 Connected Line ID Presentation 20 All Call Forwarding Services 21 Call Forwarding Unconditional (CFU) 28 All Cond Call Forwarding Services 29 Call Forwarding on Mobile Subscriber Busy (CFB) 2A Call Forwarding on No Reply (CFNRy) 2B Call Forwarding on Not Reachable (CFNRc) 31 Explicit Call Transfer (ECT) 42 Call Hold 41 Call waiting 51 Multi-Party (MPTY)	NO	
Disconnecting Party	Calling Party; Called Party or Network	NO	

In the record for the 34-second call, the Service Code is shown as "11":

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11

CDRs can show one or more of these codes for each record. Mr. Pelko's CRD indicates only "11", which means when the call came in, the user received a caller ID.[2] Importantly, if the call had been forwarded to another device or remotely answered (per the government's theory), the Service Code would include "20" for call forwarding services. Moreover, the duration column would indicate 0 seconds as the call would not have been answered on the expected device. That is clearly not the case here.

[2] Recall that at one time, if you wanted to see the caller ID of an incoming call, there was an additional fee that you had to pay. The Call Detail Records—being a billing document—needed to record this. The code "11" attached to this record indicates that you did receive caller ID and, at one time, this would create an additional charge.

From this information, it is indisputable that Mr. Faber called Mr. Pelko at 3:48 PM, their lines connected for a total of 34 seconds of talk time with no service abnormality, and the call was answered from Willow Springs, not from another device or some remote answering service at the crime scene in Washington Park.

The government's expert witness also claimed that "there is no indication it went to voicemail or it was answered." This is also false because:

- If Mr. Pelko had not answered the call, the service code would include "2A" for "call forwarding on no reply." When a call is not answered after 20 seconds, the phone system checks its computer to determine what action to take. What is the "secondary action" to take if the call is not answered? In most cases, including for Mr. Pelko, the call is forwarded to voicemail.

- If this 3:48 PM call had been forwarded to voicemail, the next CDR entry would indicate that the call was forwarded to voicemail, by showing an outgoing call to the number (805) 637-7249[3] with the duration being the amount of time the caller spent recording their voicemail. This is not the case here. The next call on Mr. Pelko's CDR is an outgoing call to Mr. Faber approximately one hour later at 4:53 PM, as shown below.

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	19:46:01	8	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	02A;11
07/20/2017	19:46:34	8	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	02A
07/20/2017	19:46:46		mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Abnormal Completion	11
07/20/2017	19:48:12	5	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11
07/20/2017	19:50:31		mtc	Incoming	16307010609	17086685256	17086685256	17086685256	310260426112852	357752073100850	Abnormal Completion	11
07/20/2017	20:12:37	2	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	02A;11
07/20/2017	20:13:10	2	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	02A
07/20/2017	20:13:16	5	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	029;11
07/20/2017	20:13:45	5	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	29
07/20/2017	20:48:39	34	mtc	Incoming	12016378897	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11
07/20/2017	21:53:45	57	moc	Outgoing	17086685256	12016378897	12016378897	12016378897	310260426112852	357752073100850	Completed Successfully	
07/20/2017	22:22:02	59	moc	Outgoing	17086685256	17087690939	17087690939	17087690939	310260426112852	357752073100850	Completed Successfully	
07/20/2017	22:33:38	145	mtc	Incoming	17084966857	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	11
07/20/2017	23:37:44		mtc	Incoming	17087690939	17086685256	17086685256	17086685256	310260426112852	357752073100850	Abnormal Completion	11
07/20/2017	23:38:25		moc	Outgoing	17086685256	17084966857	17084966857	17084966857	310260426112852	357752073100850	Abnormal Completion	
07/20/2017	23:38:33	51	moc	Outgoing	17086685256	17087690939	17087690939	17087690939	310260426112852	357752073100850	Completed Successfully	

[3] This is the number for T-Mobile voicemail.

Take, for example, the rows from Mr. Pelko's CDR extracted below.

Date	Time	Duration	Call Type	Direction	Calling Number	Dialed Number	Called Number	Destination Number	IMSI	IMEI	Completion Code	Service Code
07/20/2017	19:46:01	8	mtc	Incoming	17083699605	17086685256	17086685256	17086685256	310260426112852	357752073100850	Completed Successfully	02A;11
07/20/2017	19:46:34	8	moc	Outgoing	17083699605	18056377249	18056377249	14092569999	310260426112852	357752073100850	Completed Successfully	02A

In the first row, the Service Codes are "11" and "02A", meaning the incoming call was forwarded to voicemail. The second row is an outgoing call from the same caller to the number (805) 637-7249, which is again the T-Mobile voicemail number. By comparison, there is no "voicemail entry" just after the 3:48 PM call from Mr. Faber to Mr. Pelko.

Accordingly, the CDR conclusively establishes that Mr. Pelko did receive a 3:48 PM call on Thursday, July 20, 2017, the call lasted for 34 seconds with no service abnormality, and the call was answered from Willow Springs, not forwarded to or remotely answered by Mr. Pelko at the crime scene.

Finally, the CDR also conclusively establishes that on July 21, 2017, Mr. Pelko was in the vicinity of towers located along I-294, I-55, and at 55 W Van Buren or 402 S Dearborn in Chicago, as shown below.

Local Time	Duration	Call Type	Direction	Calling Number	IMEI	Completion Code	Service Code	1st Tower Address	1st Tower City	1st Tower State	1st Tower Zip
7/21/17 6:56 AM	314	mtc	Incoming	12016378897	357752073100850	Completed Successfully	011;42	10101 5th Avenue	La Grange	IL	60525
7/21/17 7:01 AM	80	moc	Outgoing	17086685256	357752073100850	Completed Successfully		5005 S. Nagle Ave.	Chicago	IL	60638
7/21/17 7:03 AM	408	moc	Outgoing	17086685256	357752073100850	Completed Successfully	42	4235 S. Knox Ave	Chicago	IL	60632
7/21/17 7:09 AM	14	moc	Outgoing	17086685256	357752073100850	Completed Successfully		2341 S. Michigan	Chicago	IL	60616
7/21/17 7:11 AM	90	moc	Outgoing	17086685256	357752073100850	Completed Successfully		1900 S. Clark	Chicago	IL	60616
7/21/17 9:19 AM	110	moc	Outgoing	17086685256	357752073100850	Completed Successfully		55 W Van Buren or 402 S Dearborn	Chicago	IL	60605
7/21/17 10:12 AM	177	moc	Outgoing	17086685256	357752073100850	Completed Successfully		55 W Van Buren or 402 S Dearborn	Chicago	IL	60605
7/21/17 12:35 PM	87	mtc	Incoming	13128007800	357752073100850	Completed Successfully	11	55 W Van Buren or 402 S Dearborn	Chicago	IL	60605
7/21/17 2:39 PM	54	mtc	Incoming	17083699605	357752073100850	Completed Successfully	11	55 W Van Buren or 402 S Dearborn	Chicago	IL	60605
7/21/17 3:21 PM	151	moc	Outgoing	17086685256	357752073100850	Completed Successfully		3164 and 3166 S. Archer ave.	Chicago	IL	60608
7/21/17 3:31 PM	56	moc	Outgoing	17086685256	357752073100850	Completed Successfully		3124 W 36th St	Chicago	IL	60632
7/21/17 4:25 PM	56	mtc	Incoming	17083699605	357752073100850	Completed Successfully	11	7321 W. 59th St.	Summit	IL	60501

This is consistent with Mr. Pelko's contention that he did in fact go to work in downtown Chicago the day following the victim's murder.

The full CDR is available upon request.

VI. Conclusions

It is my opinion that the expert testimony regarding the activity of Defendant Pelko's cell phone presented at his trial is invalid and was false. The FBI errors alone do not mean there was no other evidence of guilt or innocence, as that is not within my area of expertise. It is my opinion that the flawed testimony in his trial led jurors to make incorrect conclusions as to Mr. Pelko's activities on Thursday, July 20, 2017.

The expert opinions listed in this report are based on my knowledge, skill, experience, training, and education, along with the facts in this case. My conclusions are consistent with the evidence. My opinions are based on scientific principles and my specialized knowledge of the cellular telephone industry, and my opinions are stated with a high degree of scientific and professional certainty. The opinions stated in this report are within my personal knowledge and are true and correct. I reserve the right to supplement the above opinions based upon future review of additional discovery and information.

Certification

I certify under penalty of perjury that the statements in this report are true and correct to the best of my ability.

Signature

3/30/2026
Date

Ben Levitan
Telephony Expert
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Raleigh, NC 27624
919/420-0924 | benlev@aol.com | www.BenLevitan.com

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent,	)	
v.	)	No. 18 CR 0238101
MICHAEL PELKO, Petitioner.	)	

VERIFIED PETITION FOR POST-CONVICTION RELIEF

Exhibit D

PR•TEK INTERNATIONAL INC.

844-394-1430
3781 - MAIN

Report of Digital Forensic Examination

Protek Case Number: PLKO-EB-18-931-14
Assigned Examiner: Tim Doris
March 13, 2018

Ph. 630-388-9159
KEITH CHVAL 630-303-2733

LANDLINE
630.986.8705

Preliminary Report of Analysis of Google Location Data

KCHVAL@PROTEKINTL.COM.

Table of Contents

Summary

Protek International, Inc. ("Protek") was retained by Ettinger & Besbekos, P.C. on behalf of its client, Michael Pelko, to conduct an examination of Google location data stored in the newworldbrokeragellc@gmail.com account.

Co-Founded in 2005 by a 27 year FBI special agent and a veteran cyber crimes prosecutor, Protek is a computer forensics, investigations, and eDiscovery consultancy headquartered in Willowbrook, Illinois. Over the course of its 13 year existence, Protek has handled nearly 1,000 investigative matters, the majority cyber-related.

Protek's assigned cyber expert on this matter is Timothy Doris, Protek's Director of Digital Investigations and eDiscovery Services, so employed since August, 2013. Among several certifications relevant to the field of computer forensics, Doris is a Certified Forensic Analyst (GCFA) as conferred by GIAC, an EnCase Certifed Examiner (EnCE) as conferred by Guidance Software, Inc. and also an AccessData Certified Examiner (ACE). Doris earned a Master of Science degree in Computer Science from DePaul University, and a Bachelor of Science degree in Computer Engineering from the University of Illinois at Urbana. He has been engaged in the field of computer forensics since 2003. Previous to his employment with Protek, he was employed for seven years by the Federal Bureau of Investigation as a Forensic Examiner in the Chicago Regional Computer Forensics Laboratory ("RCFL") in which capacity he performed or supervised hundreds of computer forensic examinations and played an instrumental role in the RCFL's attaining ASCLD/LAB accreditation. While with the FBI he received training and certification as part of the Computer Analysis Response Team (CART)'s certification process. He also received periodic training and proficiency testing until his departure on all topics relating to computer forensics.

Protek collected the Google location data from the newworldbrokeragellc@gmail.com account using the native Google takeout functionality to export the data in JavaScript Object Notation (JSON) format. Based on information in the Chicago Police Department "Case Supplementary Report JA356172", the date and time of interest corresponded to July 20th, 2017 between approximately 1:39 PM and 3:44 PM. In order to sufficiently determine the likely location of the device recording the location data the time examined was broadened to be between the times the 1:30PM and 6:00 PM.

In summary, analysis of the geolocation data shows that during the entire period examined there was no data indicating the device was at or anywhere near the location at which the body was located.

Collection of Data

On February 26, 2018, all available Google location data from the account newworldbrokeragellc@gmail.com was collected using the Google Takeout feature. This data was then added to an AccessData Logical Image (AD1) using FTK Imager v4.1.1.1. As part of this process an MD5 hash of the data that was collected is generated to validate the integrity of the collected image.

Forensic Analysis Process

In order to visualize the collected data, the collected JSON data was processed using Location History Visualizer Pro v1.4.3. The Google Location JSON data includes the following information:

timestampMs:	The time in Unix Epoch time. Timestamps are in milliseconds. Epoch time is the number of seconds that have elapsed since January 1, 1970 (UTC).
latitudeE7:	The latitude position for the record
longitudeE7:	The longitude position for the record
accuracy:	The accuracy of a record in meters
activity record(s):	Information about what the device or holder may have been doing while at a location (i.e. on foot, walking, running, in a vehicle, on a bicycle, tilting, etc....) along with an indication of confidence.

The number of data points during a given length of time may vary depending on user activity, availability of GPS, background application activity, and battery status.

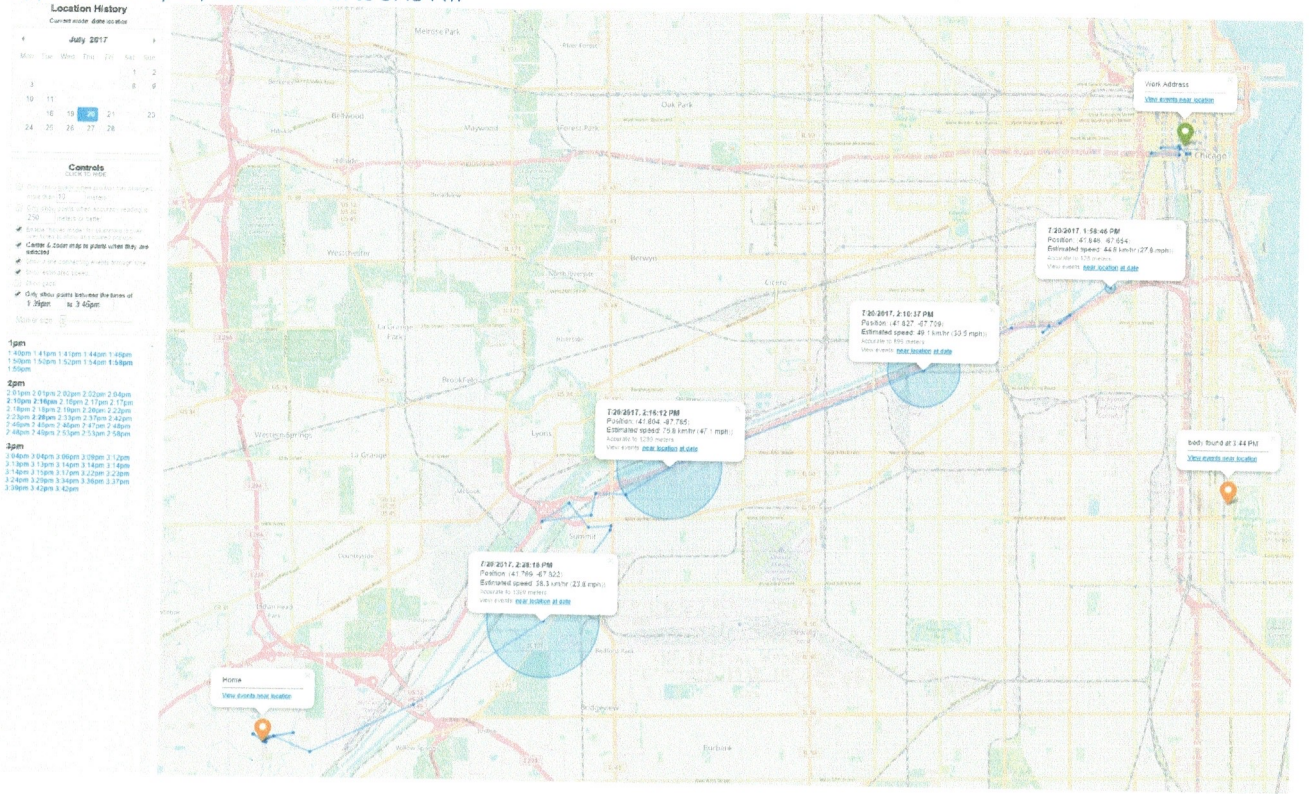
In addition to the data points contained in the Google location data, location pins were added for both home and work addresses for Michael Pelko as well as a PIN for the location at which the body was found. Michael Pelko's work address is 141 West Jackson St., Chicago, IL. Michael. Pelko's home address is 8131 Rosemere Ct., Willow Springs, IL. Screenshots were generated for plots of the location data during the timeframes of 1:39 PM to 3:45 PM, 1:30 PM to 6:00 PM and 3:00 PM to 6:00 PM local (Central) time.

Summary of Examination of the Google Location Data

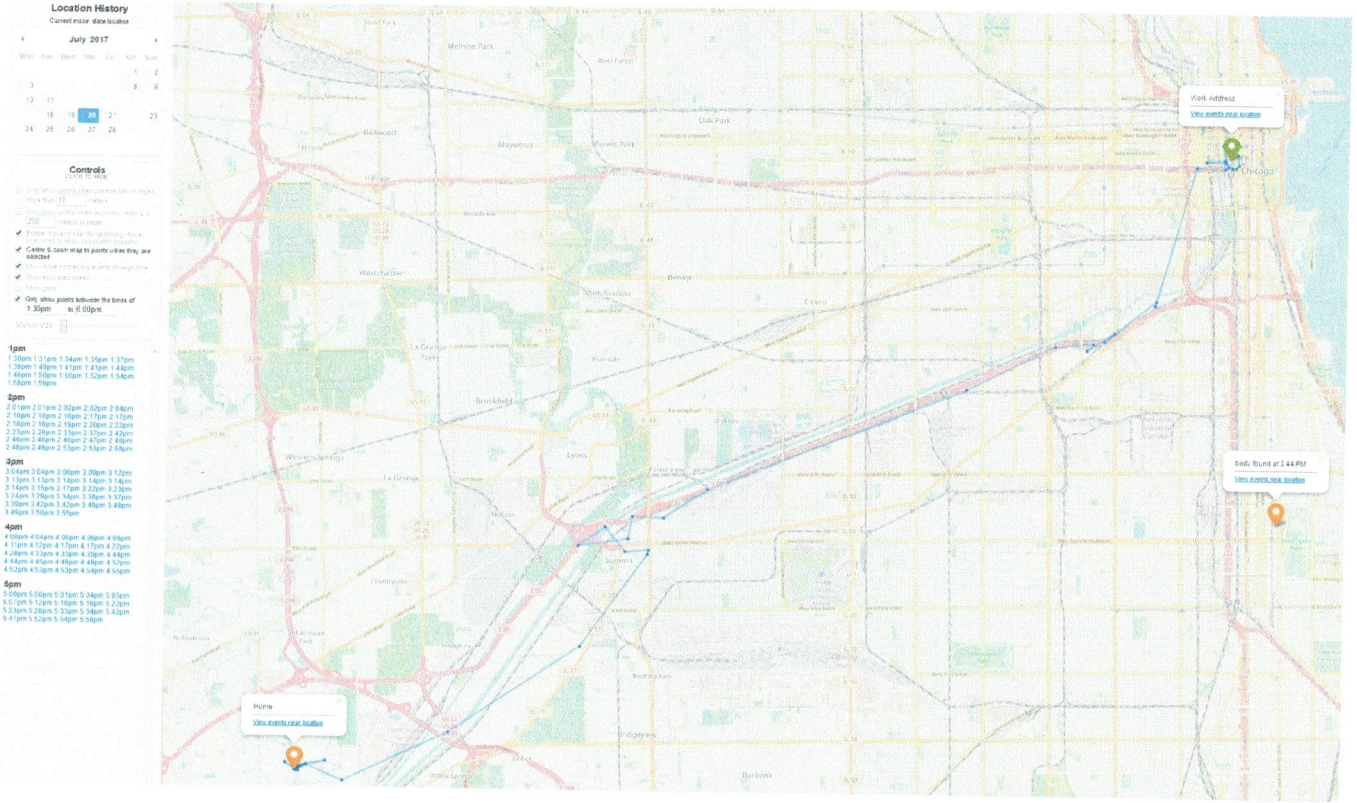
During the exact time frame of 1:39 PM to 3:45PM, there were 64 locations recorded by the device that sent the data to Google. All of these were either indicative of a commute directly between the work and home address, or within the immediate vicinity of the home address. A plot of the location data from this timeframe is included as Appendix A.

During the broader time frame of 1:30 PM to 6:00 PM, the recorded locations indicate most likely that starting at approximately 1:30 PM the device travelled from the work address to the home address arriving at about 2:46 PM. Within the accuracy of any recorded location, the device remained at or in the immediate vicinity of the home address throughout the remainder of the time examined. A plot of the location data from this timeframe is included as Appendix B. A plot of location data between 3:00 PM and 6:00PM is included as Appendix C.

Appendix A: July 20, 2017 1:39 PM to 3:45 PM



Appendix B: July 20, 2017 1:30 PM to 6:00 PM



Appendix C: July 20, 2017 3:00 PM to 6:00PM

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent, v. MICHAEL PELKO, Petitioner.	)))))))))	No. 18 CR 0238101

VERIFIED PETITION FOR POST-CONVICTION RELIEF

Exhibit E

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS Respondent, v. MICHAEL PELKO, Petitioner.	)))))))))	No. 18 CR 0238101

AFFIDAVIT OF BRIAN S. BOWMAN

I, Brian S. Bowman, being duly sworn, state as follows:

1. I am over eighteen years of age, of sound mind, and fully competent to make this affidavit. The statements contained herein are based upon my personal knowledge, education, training, experience, and review of the materials provided to me.
2. I am employed as a Digital Forensic Expert with Garrett Discovery, Inc., where I conduct forensic examinations of mobile devices, computers, and other electronic systems for litigation attorneys and their clients as well as the military, law enforcement and major corporations.
3. I have received extensive training in mobile device forensics and hold certifications including Cellebrite Advanced Smartphone Analysis (CASA). I routinely utilize industry-standard forensic tools, including Cellebrite UFED and Cellebrite Physical Analyzer, in the acquisition and analysis of Android devices. My curriculum vitae is attached as **ATTACHMENT A**.
4. I have testified as an expert in numerous states including Illinois as described in my History of Testimony, which is attached as **ATTACHMENT B**.

5. I was asked to review forensic extraction reports relating to a Samsung Galaxy S7, model SM-G930T (IMEI: 357752073100856), and to evaluate the extraction types performed, the versions of forensic software used, and the differences in technical capability between those earlier versions and subsequent software releases that were not available at the time of the trial in this case.

Summary of Extractions Reflected in the Record

6. Based upon the reports reviewed, six forensic extractions were performed on the Samsung Galaxy S7 device between September 2017 and October 2018.
7. The extraction types reflected in the reports consist of logical extractions, file system (Android backup–based) extractions, and one dump image extraction.
8. The Cellebrite UFED software versions used during those extractions were from the 6.x and early 7.x generation, including version 7.10. The associated decoding was performed using contemporaneous versions of Cellebrite Physical Analyzer.
9. The reports do not reflect that a physical extraction of the device was performed.

Technical Scope of the Extraction Methods Used

10. In mobile device forensics, the extraction method determines the scope of data acquired from a device.
11. A logical extraction acquires data that is accessible through the device's operating system and standard application interfaces. This typically includes active call logs, active text messages, contacts, media files, and certain application data stored in user-accessible directories.

12. A file system extraction using the Android backup protocol gathers additional directory-level data but remains limited to areas accessible through operating system–permitted backup mechanisms. This method does not acquire the device's complete physical memory space.
13. Logical and file system (Android backup–based) extractions generally do not include full acquisition of deleted records, protected partitions, secure containers, or certain system-level databases.
14. A physical extraction, when supported for a particular device model and operating system version, acquires a copy of the device's full memory range. This may include deleted records, system-level artifacts, protected partitions, and secure container data not typically obtained through logical or backup-based methods.
15. Support for physical extraction of certain Samsung Galaxy S7 variants, including the SM-G930T model, was introduced in Cellebrite UFED version 6.5 in January 2018.

Version-Dependent Decoding Capabilities

16. In addition to extraction type, the version of forensic analysis software used to decode extracted data materially affects what information is identified and presented in the reports.
17. Forensic software does not create new data. Rather, it parses and decodes data already present on the device. As software evolves, additional artifact types may be recognized and decoded from the same underlying data.
18. Earlier versions of Cellebrite Physical Analyzer in the 6.x and early 7.x series supported a narrower set of artifact parsers for Samsung Android devices than later releases.
19. Beginning in later 7.x releases, including versions around 7.57 and expanding further in 7.73 and subsequent 10.x releases, Cellebrite introduced expanded decoding logic for

additional Samsung system artifacts and application databases. The later 7.x releases of Cellebrite Physical Analyzer were not available around the time of the trial in this case. Specifically, version 7.57 was not released until August 2022.

Samsung Rubin System Artifacts

20. One area of expanded decoding capability, in the August 2022 release of Cellebrite Physical Analyzer version 7.57, involves Samsung system telemetry commonly referred to as "Samsung Rubin."
21. Rubin is an operating system–level analytics and event-logging component integrated into Samsung's customized Android framework. It records structured system events generated during device operation.
22. Rubin artifacts may include logs of device boot and shutdown events, screen on and off events, device lock and unlock events, application launch and usage intervals, connectivity changes such as Wi-Fi and cellular transitions, and certain location-related entries generated by Samsung system services.
23. These artifacts are distinct from user-generated communications such as text messages. They reflect system-recorded device activity logs and operational events.
24. Earlier versions of forensic software did not parse nor decode data within Rubin databases in structured report form. Later versions introduced decoding routines capable of identifying Rubin data structures and presenting those system events in human-readable format.
25. Where earlier software versions did not decode and display such artifacts, those artifact categories would not have appeared in the generated reports.

Additional Expanded Artifact Parsing in Later Versions

26. Later versions of forensic analysis software also expanded support for parsing and decoding certain application databases, reconstructing deleted SQLite records, decoding proprietary Samsung file structures, and performing enhanced media carving.
27. As a result, an extraction image analyzed with later software may yield additional artifact categories not decoded or presented by earlier versions of the same forensic platform.
28. This difference reflects expanded parsing and decoding capabilities rather than alteration of the underlying device data.

Technical Conclusions

29. The extractions reflected in the reports were performed using logical and file system (Android backup–based) methodologies under earlier generations of Cellebrite software.
30. A physical extraction of the device's full memory space was not performed according to the reports reviewed.
31. The forensic software versions in use during 2017 and 2018 supported a more limited set of artifact parsers for Samsung Android devices than later releases.
32. Artifact categories introduced in later decoding versions—including structured parsing and decoding of Samsung Rubin system telemetry and expanded application database support—would not have been decoded or presented in reports generated using earlier software versions.
33. The differences between earlier and subsequent forensic software versions are technical in nature and relate to (a) extraction scope and (b) artifact parsing and decoding capabilities available at the time of analysis.
34. If permitted by the Court, I will perform a physical extraction of the Samsung S7 Galaxy device and use the most up to date version of Cellebrite Inseyets Physical Analyzer,

currently version 10.9, to decode the extracted data. Again, the record for this case reflects that a physical extraction of the device was not performed, and the versions of Cellebrite Physical Analyzer available at the time of trial had limited capabilities. Among the additional artifact categories available using later versions of Cellebrite Physical Analyzer are screen on and off events, device lock and unlock events, application launch and usage intervals, connectivity changes such as Wi-Fi and cellular transitions, and certain location-related entries.

Further affiant sayeth not.

CERTIFICATION

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth in this affidavit are true and correct, except as to matters stated to be on information and belief. As to such matters, I certify that I verily believe the statements to be true.

BRIAN S. BOWMAN

March 24, 2026
Date

PROFESSIONAL EXPERIENCE:

Garrett Discovery Inc **05/18–Present**
Digital Forensic Expert

Garrett Discovery Inc, a nation-wide digital forensics firm that advises companies and legal firms involved in highly complex litigation projects and criminal defense. GDI former and current clients include governments, legal firms and software companies.

- Forensic Analysis of digital data stored on hard drives, mobile devices and cloud storage
- Evidence acquisitions and data collection in numerous states of Windows, MacOS, iOS and Android devices
- Analysis of Call Detail and GPS Records
- Create demonstrative exhibits including timelines
- Clarify audio files to reduce noise
- Enhance video files increasing clarity
- Conduct Open-Source Intelligence investigations
- Analyze evidence involving sex crimes to include on site examinations
- Testify in trials and hearings
- Mentor other GDI Examiners and Analysts
- Test and suggest enhancements as a Cellebrite Design Partner
- Expert use of forensic software and hardware tools such as Cellebrite Physical Analyzer, Cellebrite UFED4PC, Cellebrite Premium, Cellebrite Inseyets, Belkasoft, FTK, Magnet Axiom, Magnet Cloud, Autopsy, Hashcat, DB Browser for SQLite, Vound Intella, Logikcull, Rapidspar, SecurCube Phonelog, Aid4Mail, SQLite Pro, Input-Ace, Izotope RX7, Audacity, X1, Hunchly, ShadowDragon and Logicube Falcon Neo
- Performed forensic analysis for private corporations, governments, federal and state courts for almost a decade
- Performed digital forensic work in more than 500 federal and state matters in more than 40 states and territories

eDiscovery/Forensic Analyst **02/17–05/18**

- Forensic Collection & Analysis of hard drives, mobile devices, software and networks
- Process and Analysis of imaged evidence
- Expert use of forensic software and hardware tools such as Cellebrite, FTK, Magnet Axiom, Vound Intella, Logikcull, Rapidspar and Logicube
- Conducted forensic examinations
- Conducted video examinations
- Clarify audio files to reduce noise
- Enhance video files increasing clarity

Technology Consultants of America **2011–2017**
Consultant

Technology Consultants of America served the IT needs of governments and legal firms.

- Installation and repair of audio, video and computer equipment
- Troubleshoot servers and networking equipment
- Administer firewalls
- Advise clients on emerging technology

EDUCATION:

- *Bachelor of Arts, Economics* - University of Illinois (2001)

CERTIFICATIONS:

- PC Tel *Certified Drive Tester* (March 2025)
- 702 Cellular Academy *Certified Cellular Technology Expert [CCTE]* (January 2024)
- SecurCube *CDR-CSA Examiner LV. 1* (April 2020)
- Cellebrite *Advanced Smartphone Analysis [CASA] Examiner* (January 2020)

PROFESSIONAL DEVELOPMENT:

- *Mobile Unpacked // Harping on health data* (Magnet Virtual Summit 2026)
- *Down the Rabbit Hole: Navigating IP Theft Investigations* (Cellebrite)
- *Beyond the Basics: Mastering Advanced Digital Forensics Techniques* (Belkasoft)
- *Windows Forensics* (Belkasoft)
- *macOS Lockdown Mode: a forensic deep dive* (Magnet Virtual Summit 2025)
- *Key artifacts in child abduction/enticement cases* (Magnet Virtual Summit 2025)
- *Keeping secrets within hidden/locked mobile apps* (Magnet Virtual Summit 2025)
- *Six pillars of digital forensics* (Magnet Virtual Summit 2025)
- *An introduction to media file structure for digital investigations* (Magnet Virtual Summit 2025)
- *Tackling hyperlinked files in M365, Google and Slack and the impact on digital investigations* (Magnet Virtual Summit 2025)
- *Bing, Yandex and encoded URLs* (Magnet Virtual Summit 2025)
- *Rotten to the core: investigating iOS stalkerware* (Magnet Virtual Summit 2025)
- *Where's the bot - a look at Android anti-forensics* (Magnet Virtual Summit 2025)
- *Dark web investigations* (Magnet Virtual Summit 2025)
- *Mobile Unpacked S3:E2 // apples, onions, and ogres: dealing with layered iOS data structures* (Magnet Forensics)
- *Analysis of CSAM Cases* (Andrew Garrett)
- *Time Well Spent: Precision Timing, Monotonic Clocks and the Powerlog Database for iOS* (Magnet Forensics)
- *Hexordia Mobile Forensic Analysis [HMFA]* (Hexordia)
  - *HEX-110 Mobile Forensics Fundamentals Part 1*
  - *HEX-111 Mobile Forensic Fundamentals Part 2*
  - *HEX-120 Mobile Timestamp Fundamentals*

    - *HEX-150 Mobile Device Preservation*
    - *HEX-210 Android Analysis*
    - *HEX-214 Google Takeout Forensics*
    - *HEX-220 iOS Analysis*
    - *HEX-250 Mobile Analysis Methodology and 3rd Party App Parsing*
    - *HEX-270 Comparative Analysis*
    - *HEX-310 SQLite Analysis*
    - *HEX-320 PList Analysis*
- *Data Uncovered: Revealing Truths in eDiscovery with Magnet Forensics Solutions* (Magnet Forensics)
- *eDiscovery and Audit Capabilities in Microsoft Purview* (Microsoft)
- *What's New: Cellebrite Inseyets & Premium* (Cellebrite)
- *Mobile Unpacked Ep. 16 // Exploring the Possibilities of iOS Shortcuts in Mobile Investigations* (Magnet Forensics)
- *The Digital Forensic Investigation of Smartwatches* (Compelson [MOBILedit])
- *Mobile Unpacked: Ep. 15 // Considering the Keys – Exploring the Keychain and Keystore for What Value They Hold* (Magnet Forensics)
- *Simplifying Microsoft 365 Collections in AXIOM Cyber* (Magnet Forensics)
- *Mastering ICAC investigations: Confessions and Evidence* (Cellebrite)
- *HEX - 110 Mobile Forensics Fundamentals Part #1* (Cyber5W)
- *HEX - 111 Mobile Forensics Fundamentals Part #2* (Cyber5W)
- *Computer Data Representation* (Cyber5W)
- *HEX - 120 Mobile Timestamp Fundamentals* (Cyber5W)
- *Mobile Unpacked: Figuring out File Explorers – Part 2* (Magnet Forensics)
- *Mobile Unpacked: Figuring out File Explorers – Part 1* (Magnet Forensics)
- *X1 Social Discovery v7.1 Product Tour* (X1)
- *Activity Tracking in Smartphones: Answering the Who, Where, When, and How!* (Magnet User Summit 2023)
- *Where Did This Come From? Revealing the Sending Phone Number of an Unidentified AirDrop File* (Magnet User Summit 2023)
- *Breaking Down the Biomes* (Magnet User Summit 2023)
- *Establishing Connections: Illuminating Remote Access Artifacts in Windows* (Magnet User Summit 2023)
- *Stairway To 7: Diving Into Magnet AXIOM 7.0* (Magnet User Summit 2023)
- *Forensic Analysis of Data Exfil Activity in the Post-COVID Workplace* (Magnet User Summit 2023)
- *Preserving the Digital Crime Scene: Introducing Magnet RESPONSE* (Magnet User Summit 2023)
- *Global Digital Forensic Challenges and How the Cloud Can Help* (Magnet User Summit 2023)
- *Social Media Evidence Collection Strategies to Help Win Your Case* (X1)
- *Belkasoft X Mobile Training Course* (Belkasoft)
- *Human Trafficking 101: A Primer for Prosecutors and Investigators* (National White Collar Crime Center)
- *The Vital Role of Preservation Letters in Investigations* (National White Collar Crime Center)
- *The Cat and Mouse Game with Mobile Forensics* (National White Collar Crime Center)
- *What ICAC Investigators Need to Know about Hiding on the Internet: Proxies and VPNs* (National White Collar Crime Center)
- *Forensic Considerations for Cloud Storage Data* (Magnet Forensics)
- *Chromebook Acquisition Assistant* (Magnet Forensics)

- *X1 Social Discovery v5.12 Product Tour* (X1)
- *PC3000 HDD Data Recovery* (AceLab)
- *PC3000 RAID Data Recovery* (AceLab)
- *Discover the New Expanded Features of X1 Social Discovery with X1* (X1)
- *Thwarting Mac T2 Encryption and SIP with Remote Acquisition* (Magnet Forensics)
- *Not Your Father's Forensics* (Magnet Virtual Summit 2020)
- *MacOS Forensics – Taming the T2 Chip & More* (Magnet Virtual Summit 2020)
- *Ivestigating Corporate Misconduct with AXIOM CYBER* (Magnet Virtual Summit 2020)
- *Dude, Where Are My (Encryption) Keys! A Reverse Engineer's Take on Secure Messaging for Mobile* (Magnet Virtual Summit 2020)
- *Cryptocurrency Investigation and Following the Transaction Trail* (Magnet Virtual Summit 2020)
- *Taking a Byte Out of Chromebook Analysis* (Magnet Virtual Summit 2020)
- *Taking the First Steps into Windows Memory Forensics* (Magnet Virtual Summit 2020)
- *Top 5 New Mobile Investigation Features For Enterprises* (Cellebrite)
- *Leveraging Physical Analyzer to Prepare Defense Discovery Reports in Child Exploitation Cases* (Cellebrite)
- *CDR-CSA Examiner LV. 1* (SecureCube)
- *They See Us Rollin', They Hatin': Forensics of iOS Carplay and Android Auto* (SANS DFIR)
- *The 7.28 update: Checkm8, Watchlists, and more!* (Cellebrite)
- *The Democratization of Video Evidence: Equipping Investigators with Modern Tools and Know-How* (iNPUT-ACE)
- *How to Locate Wireless Devices & Networks for Law Enforcement* (Latent Wireless)
- *Checkm8 and Checkra1n – Full Filesystem extractions for iOS devices* (Cellebrite)
- *Responding to Ransomware Attacks with Gillware and Magnet Forensics*
- *Digital Data: Accessing the Latest iOS & Android Devices for Investigations* (Cellebrite)
- *Boost your Productivity with X1 Search* (X1)
- *Implications of 5G and Networking* (128 Technology)
- *Getting a More Complete Picture Using Cloud Evidence* (Magnet Forensics)
- *Accessing the Inaccessible: Overcoming the Challenge of Encryption* (Cellebrite)
- *A Powerful Approach for Video Evidence: How to Combine Point Clouds and Video for State-of-the-Art Scene Mapping* (iNPUT-ACE & Leica)
- *Mastering the Mobile Device Challenge in eDiscovery* (Cellebrite)
- *How to Prepare for the Inevitable Security Incident with Digital Forensics Essentials* (AT&T Cybersecurity)
- *In-Place ECA Clearly Understand Your E-Discovery Burden Before Collecting Data* (EDRM and Exterro)
- *Key eDiscovery Case Law Review for First Half of 2019* (CloudNine)
- *12 Ways to Defeat Multi-Factor Authentication* (KnowBe4)
- *When the Clock is Ticking: Mastering the First 48 Hours of an eDiscovery Project* (Nuix)
- *Mastering Audio eDiscovery with Nuix* (Nuix)
- *Geo-fencing and Monitoring Public Events for Social Media Investigations* (DSI and X1)
- *macOS: Forensic Artifacts and Techniques That are Essential for Mac Investigations* (Magnet Forensics)
- *Mobile Device Management 101* (Jamf)
- *5 Ways eDiscovery Is Draining Your Firm's Coffers* (Logikcull)
- *Video Forensic Analysis Training* (iNPUT-ACE)
- *Forensic Audio Analysis* (Resolution Video)
- *Forensic Audio Enhancement* (Resolution Video)

- *Real Time Investigative Data Results* (Whooster)
- *Cellular Technology, Mapping, & Analysis* (Hawk Analytics)
- *A Primer on Current Android Device Forensics* (Cellebrite)
- *Take the Driver's Seat with Advanced Cell Phone Analysis* (Cellebrite)
- *Magnet Forensic Mobile Application Forensics – The Anatomy of Artifacts* (Magnet User Summit)
- *Magnet Axiom 201: File System Analysis* (Magnet Forensics)
- *Magnet Axiom: Dig Deeper* (Magnet Forensics)
- *Magnet Axiom: Getting the Full Picture with Magnet Axiom Timeline Views* (Magnet Forensics)
- *Magnet Forensics: How to Address Backlog Reduction* (Magnet Forensics)
- *Streamlining the Acquisition & Processing of Multiple Devices* (Magnet Forensics)
- *Advanced Analysis & Verification of Evidence* (Magnet Forensics)
- *Key Challenges of Smartphone Acquisition & Analysis* (Magnet Forensics)
- *Artifacts and File Systems Integration with Magnet Axiom* (Magnet Forensics)
- *To the Cloud! Get the Evidence You Need to Move Cases Forward* (National White Collar Crime Center)
- *Quick and Dirty Dark Web Investigations with Hunchly* (Hunchly)
- *Building an Investigation Using Social Media* (Cellebrite)
- *Get one step closer to resolving the case using Cloud Data* (Cellebrite)
- *Advanced Techniques for Better Social Media Capture* (Hunchly)
- *Social Media Investigations Within the Dark Web* (DSI and X1)
- *Next Generation eDiscovery Collection: From Custodian to Review* (Relativity and X1)
- *Apple's Tween Years: iOS' Maturation from 10 through 11 and into 12* (Magnet Forensics)
- *AXIOM 3.0: Find More Evidence That Matters* (Magnet Forensics)
- *Magnet AXIOM Mobile Forensics* (Techno Security & Digital Forensics Conference)
- *Expanding Your Toolbox: Understanding Advanced ADB Extractions* (Techno Security & Digital Forensics Conference)
- *Magnet AXIOM Essentials* (Techno Security & Digital Forensics Conference)
- *Magnet AXIOM Advanced* (Techno Security & Digital Forensics Conference)
- *Detection of Metadata Spoofing in MS Office Documents* (Techno Security & Digital Forensics Conference)
- *Building and Utilizing Custom Artifacts with Magnet AXIOM* (Techno Security & Digital Forensics Conference)
- *Can Machine Learning Really Help an Investigation?* (Techno Security & Digital Forensics Conference)
- *Ensuring the Admissibility of Cloud Evidence* (Techno Security & Digital Forensics Conference)
- *Your End-to-End Workflow to Navigate Through Digital Data* (Techno Security & Digital Forensics Conference)
- *Forensic Analysis of Audio, Acoustic and Video Evidence* (Techno Security & Digital Forensics Conference)
- *Social Media Analysis and Counter-Terrorism* (Techno Security & Digital Forensics Conference)
- *The Trouble with Cloud Forensics* (Techno Security & Digital Forensics Conference)
- *Piecing the Story Together: Correlating Operating System, Memory, and Other Artifacts in Your Forensic Examinations* (Techno Security & Digital Forensics Conference)
- *Forensics in the Cloud: How to Conduct an Office 365 Investigation* (Techno Security & Digital Forensics Conference)

- *It's All Connected! How to Deal with 20 Billion Connected Devices* (Techno Security & Digital Forensics Conference)
- *Big Forensics – Investigating Very Large Organizations* (Techno Security & Digital Forensics Conference)
- *Understanding the Complexity of Mobile App Forensics and App Storage – From Cloud, to Vaulted Apps, to Common Consumer Apps* (Techno Security & Digital Forensics Conference)
- *Deep Learning Techniques for Detecting Child Pornography in Videos* (Techno Security & Digital Forensics Conference)
- *How to Forensically Investigate a Database* (Techno Security & Digital Forensics Conference)
- *Introduction to Chip-Off Forensics Magnet Forensics Supporting the Unsupported: Carving, Parsing and Creating Custom Artifacts* (Magnet User Summit)
- *Magnet Forensics Innovative Solutions for the Changing Nature of Digital Forensic Investigations* (Magnet User Summit)
- *Magnet Forensics Leveraging AXIOM for Insider Threat Investigations* (Magnet User Summit)
- *Magnet Forensics: Forensics in the Corporate Cloud: How to Conduct Office 365 and Google Suite Investigations* (Magnet User Summit)

SPEAKING ENGAGEMENTS:

- Instructor – Beyond the CLE [March 2026]
- *Mobile Forensics* - St. Joseph County Bar Association Local Practice Seminar [11.13.2025]
- *Cellebrite Reader & AXIOM Portable* Cases - NAPD 2025 Rise, Resist, Represent Conference (3.20.2025)
- Guest Lecturer at Southern Illinois University at Carbondale – Tech Dawgs RSO (2021)

PROFESSIONAL AFFILIATIONS:

- *F.B.I. InfraGard* (2022) [10145683]

Brian Bowman History of Testimony

Plaintiff	Defendant	Case Identifier	Jurisdiction	State	Written Testimony	Oral Testimony
ATS Automation, LLC	Roger Nordy	2022CH07922	Circuit Court of Cook County	IL	X	
Connors/Young (Kohler)	CRST, et. al	3:21-cv-1359	Southern District	IL	X	X
Defrancisci Machine Co LLC	Andrzejczak	05-2016-CA-016399	Circuit Court of Brevard County	FL	X	
Estate of Justin Brockhaus	ATT DirecTV and Tony Moaton	A24012020376	Harrison County, Mississippi	MS	X	
Juarez	Amazon et al	2023-LA-000559	Circuit Court of DuPage County	IL	X	
Reetz	Becker and Marten Transport Ltd	23-CV-2255	Central District	IL	X	X
State of Illinois	Doug Nichols	2022CF1531	Circuit Court of Macon County	IL		X
State of Illinois	Harris Khan	20-CR-0399001	Circuit Court of Cook County	IL		X
State of Illinois	Hastings	2023CF179	Circuit Court of Jersey County	IL	X	
State of Illinois	Howard Penrose	21CF155	Circuit Court of DuPage County	IL	X	
State of Illinois	Kelly Nichols	2022CF1533	Circuit Court of Macon County	IL	X	X
State of Illinois	Michael C Willis	2023-CF-001344	Circuit Court of Kane County	IL	X	
State of Illinois	Salas (Minor)	2022-JD-123	Juvenile Court of Champaign County	IL	X	
State of Illinois	Timothy Elliot	21-CF-1523	Circuit Court of Champaign County	IL	X	
State of Indiana	Joseph S Abu-Hussein	26C01-2204-F3-000314	Circuit Court of Gibson County	IN		X
State of Montana	David Bigosinski	DC 2024-86	18th Judicial District Court Gallatin County	MT	X	
State of Montana	Griebel	2023CV00088	Circuit Court of Gallatin County	MT	X	X
State of Ohio	Ronte Grant	Parole Revocation	Ohio Parole Board	OH		X
State of Vermont	Chip Schneider	21-CR-02083	Vermont Superior Court	VT		X
State of Washington	Christopher Jason Hendry	22-1-02396-3	Superior Court for Pierce County	WA	X	X
United States of America	Anthony Montgomery-Wilson	23-CR-546	Northern District of Illinois	IL	X	
United States of America	Declan Wilson	CR 2:21-CR-00222-FLA	Central District of California	CA		X
United States of America	Evander Jordan	21-CR-40038	Central District of Illinois	IL	X	
United States of America	Louis Staudenmaier	1:24-CR-96	Eastern District of Virginia	VA	X	
United States of America	Shane Finn	1:20-cr-00582	Northern District of Illinois	IL	X	

The foregoing includes a detailed enumeration of cases on which I have served as a digital forensic expert within the last four years.
This list is accurate as of the date shown in the botton right footer of this page.

It should be noted that certain aspects of my work are either sealed or restricted by specific court orders. Garrett Discovery is frequently engaged in matters involving government entities, corporations, and law firms, including dealings with the Department of Justice.

Some files may not be immediately available. I do not always have information about whether my reports are filed publicly in various cases. To obtain a file-stamped copy of an expert report, there may be delays, and the party requesting it will be billed for the time required to procure and present the copy. Certain files are maintained in long-term storage and may require up to four weeks to retrieve, while some materials are destroyed at a client's request. It is important to clarify that there is no prevailing obligation for forensic experts to retain files on behalf of clients.