

Exhibit 23d
Firearm and Ballistic Evidence Chart
Stankewitz Habeas Case #21CRWR685993
March __, 2023

The activities which occurred on the same date are listed in order based on either the time stated on the report, the number on the report, the content of the reports and/or relationship to other reports. Some reports do not have time stamps. The terms “firearm” “gun” and “weapon” are used interchangeably.

Here is a description of the Acronyms and Abbreviations used in the chart (The officers who are listed as retired may be deceased):

CLETS – California Law Enforcement Telecommunications System

FACL – Forensic Analytical Crime Lab

FCDA – Fresno County District Attorney

FCSD – Fresno County Sheriff's Department (also referred to as FSO)

FPD – Fresno Police Department

PRA – California Public Records Act

Sacto PD – Sacramento Police Department

Sacto PD – IAD – Sacramento Police Department Internal Affairs Division

Court Exh – Court Exhibit

Exh __ – Habeas Exhibit

Exh 23__ - Exhibits numbered 23__ are new Exhibits for this filing

Report # - FCSD Report # from document

Ardaiz – James A. Ardaiz, FCDA, retired

Bonesteel – Jack R. Bonesteel, FPD, retired

Boudreau – Allen J. Boudreau, Criminalist FCSD, retired

Brown – L. W. Brown, FPD, retired

Christensen – Det. Arthur Christensen, FCSD, retired

Garcia – FCDA Investigator Mike Garcia

Garnsey – Sgt. Garnsey, FPD, retired

Lean – Det. Thomas Lean, III, FCSD, retired

Mockalis – Capt. E. T. Mockalis, FPD, retired

| <u>Item Number</u> | <u>Date</u> | <u>Agency</u> | <u>Activity</u> | <u>Entered into CLETS Yes or No</u> | <u>Gun Description</u> | <u>Source</u> |
|--------------------|------------------------|------------------------|--|-------------------------------------|---|--|
| 1 | 5-26-1973 | N/A | Firearm purchased | Yes | Serial #146425 | Exh 1a, CLETS Firearm report |
| 2 | 6-7-1973 | N/A | Firearm stolen | Yes | Serial #146425 | Exh 1a, CLETS Firearm report |
| 3 | June, 1973 | Sacto-PD | Firearm stolen in park | Yes | Serial #146425 | Exh 23c, PRA re: #7317877 ¹ |
| 4 | June, 1973 | Sacto PD – IAD | Unknown | Yes | None | Exh 23b, Declaration of Tacye Contreras |
| 5 | 7-25-1973 | Unknown – officer #351 | Holster clip date #1 | No | None | Exh 23a, Holster clip Photo, FACL report, dtd 3- - 2023 at 2. |
| 6 | 2-9-1978 0050 hrs | FPD | Photos of a holster in car taken by Bonesteel | No | None | Habeas Exh 4h, FSCS photo, Court Exh 8-H; Court Exh, FCSC photo 8-F; Second trial Bonesteel testimony (T2 Vol. I RT pg. 123) |
| 7 | 2-9-1978 0050 hrs | FPD | Bonesteel photographs of car | No | Gun side not visible in photo | Court Exh 8-F & 8-H |
| 8 | 2-9-1978 | FPD | Bonesteel Prop Evid | No | Serial Number removed | Exh 1o, Property Evidence Original |
| 9 | 2-9-1978 | FPD | Bonesteel Prop Evid | No | Serial Number removed | Exh 1p |
| 10 | 2-9-1978/ 2-10-1978 | FPD | Bonesteel Prop Evid – Hand Notes: OK to release to Det. Lean | No | Serial Number removed & No. determined to be 146425 | Exh 1q |

¹ Item numbers 3 & 4 are the same event.
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Page 2 of 4

| | | | | | | |
|-----------|--------------------------|------|--|-----|--|--|
| 11 | 2-9-1978 550 hrs | FPD | Bonesteel & Garnsey F/U Rpt | No | Serial number removed | Exh 1r, Bonesteel & Garnsey F/U report |
| 12 | Unknown | FCSD | Crime Report by Lean/Christensen | No | 25 cal automatic | Exh 1h |
| 13 | 2-10-1978 | FCSD | Weapon Disposition Rpt. Lean requested release of weapon. Transfer of gun from FPD to FCSD? | No | Titan .25 cal auto, Serial #146425, in possession Douglas Stankewitz | Exh1s, Brown & Mockalis gave permission for gun to be transferred to FCSD |
| 14 | 2-10-1978 | FCSD | Lean engraved holster clip with date #2 | No | None | Exh 1e, Lean Interview 2-7-2020 at 4; confirmed by Exhibit 23a, FACL report dtd 3- - 2023 at 2 |
| 15 | 2-10-1978 | FCSD | Lean generates CLETS report on firearm | N/A | Serial #146425 | Exh 1a |
| 16 | 2-10-1978 1454 hours? | FCSD | Lean Req for Evid Exam/Boudreau did Exam | No | Re: FPD Case #75- 41415 (Gary Lewis case – Chief’s brother) to compare with Titan .25 cal auto | Exh 23g, Report #273: Cartridge case from 74-41415 (also a .25 caliber) probably not a match to Titan pistol (brother’s case), dated 11-6-75 |
| 17 | 2-10-1978 1454 hrs | FCSD | Lean Req for Evid Exam/Boudreau did Exam | No | Serial Number removed (top of report) & Serial Number 146425 (bottom of report) | Exh 1f, Lean Req for Evid Exam #292 |
| 18 | 2-11-1978 | FCSD | Boudreau Exam Results | No | Serial Number removed (top of report) & Serial Number 146425 (bottom of report) | Exh 1t, Boudreau Exam Results |

| | | | | | | |
|----|-------------------------|------|---|----|---|---|
| 19 | 2-13-1978 1340 hours | FCSD | Lean/Christensen Req for Evid Exam and "Neg" result at bottom of report | No | None – pertains to Graybeal shell casing comparison with Meras casing | Exh 1g, Lean/Christensen Req Evid Exam; Exh 2g ² , Boudreau Declaration |
| 20 | 4-12-1978 1145 hrs | FCSD | Ardaiz Req for Evid Exam/Boudreau Exam Results | No | One .25 cal auto taken from suspect; serial number 146425 at bottom of report | Exh 1u, Report #749: Ardaiz Req for Evid Exam |
| 21 | 7-20-2017 | FCDA | Garcia, Sr. Investigator | No | None, Upon insistence, this item was reluctantly provided during the evidence inspection on March 21, 2019. The Property Record card, which unexplained, described the contents as .22 casings. However, upon examination, they were actually .25 caliber casings. This puts into question the validity of a .25 caliber being the murder weapon. | Confirmed by FACL report, Exhibit 23a, dtd 3--2023; Exh A to Informal Response, FCDA Report #1978H001; Exh 7h; Exh 1b, Dec. of Roger Clark, dtd 12-4-19 at 5; Reply Exh 19c, Dec. of Roger Clark, dtd 10-8-21, and Exh 5ii, SUPPLEMENTAL FILING TO CLARIFY A SPECIFIC POINT IN MOTION TO ACCESS COURT EXHIBITS Declaration of Roger Clark, dtd 10-15-22 |

² Boudreau explains in his Declaration that he believes that the Examination Results section of the report was 'signed' by Det. Lean, even though he was not assigned nor trained to perform this type of testing.