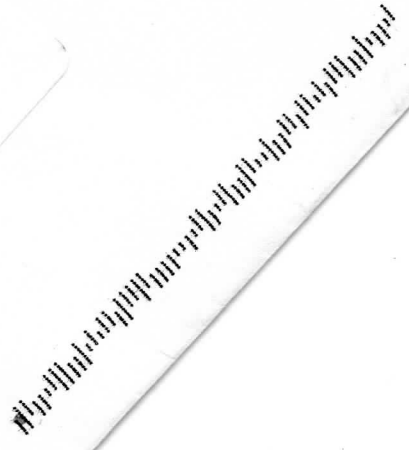


NAME: Matusiewicz, D
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United States Penitentiary
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STOP LOVING YOUR CHILDREN

This is essentially what I have been ordered to do by the courts. The daughters I have loved since before they were born are no longer "legally" mine to care and provide for. How does a loving father and eye doctor who was raised to care for others reconcile this commandment?

Think about this for a moment. Due to some stress-induced, poor decisions on my part, my ex-wife Christine has complete legal control over my access to my children. How could it possibly make sense to harm the only one who could grant my life's wish- to spend time with my children, to hear their laughter, and to provide for their upbringing?

I am still stunned by how easily the prosecution in our case could spin my attempts to gain access to my children into a stalking charge. I am, of course, cognizant of the fact that lawyers spend years of their lives learning to present their theories to a jury in the best possible light so as to obtain a win. But, what if their entire theory is wrong? One of my favorite authors once wrote, "I hate law school because it really teaches you to use 'facts' to convince people of your version of the truth - which may not really be the truth. In medicine, at least, a live man is alive and a corpse is dead. In law school they'd have a mock trial and let the jury decide."

In that ours was the first case of cyber-stalking ever prosecuted in the State of Delaware and one of the first of its kind in the nation, how could our defense team have been prepared? I listened, still in shock at my father's actions, as the government prosecutors' theory was recited to the jury, their heads nodding assent. Many of my father's actions, of which the rest of my family had no foreknowledge, were attributed to us all in the prosecution's well-rehearsed presentation. Many of my statements made in private e-mails to friends and family members (including Bible verses!) were taken out of context to prove the prosecution's version of the truth. I can't tell you how many times our defense counsel told us that the prosecutors were frustrated that they could not find a single threat against Christine. That's because we never made any!

Do you need proof that there is more to this story? Just Google search "Thomas Matusiewicz" and "frontal lobe brain tumor". See how much is published regarding the fact that my father, who suffered from

a brain tumor confirmed at his autopsy, had to have been thinking unclearly when he committed his acts of violence in the courthouse that February. **There is no such thing as a benign brain tumor!** No matter how we characterize a tumor in medicine, the mere presence of a tumor in your skull has psychological consequences. Who, thinking clearly and rationally, puts a gun to his head and pulls the trigger?

Other than a two-sentence stipulation mid-trial (after weeks of sitting through testimony the majority of which pointed to the innocence of my mother, sister, and myself) our jury never got to hear evidence or expert testimony about how these tumors can affect the thought processes of their victims. One needs only research "frontal lobe brain tumors" and their behavioral consequences to learn the devastating changes suffered by someone with this type of brain abnormality. Why wasn't this a central issue at trial?

And, let's discuss discovery evidence for a moment. Another part of our story never mentioned at trial or in the media was that, during the evidence gathering portion of our trial, I learned that my ex-wife was continuing the behaviors that drove me to leave Delaware with my children in the first place. Namely, my autistic child suffered a near-fatal overdose of whatever medications Christine was giving her to induce her to sleep each night. I would never have known about this and other findings in my children's medical records had we never gone to trial.

What events in life would drive you to leave a multi-million dollar optometry practice and to flee the country? I loved everything about being an eye doctor, and, by most accounts, I was good at it. I had planned to retire in the State of Delaware and to live out the rest of my life taking care of my family and my patients.

My sister and I are completely innocent of these charges. Every action I took prior to February of 2013 was aimed at reuniting with my children and finding out how they were and how I could participate in their lives again. I had hoped to speak with Christine at the courthouse about reestablishing communications with our daughters. Clearly, she had no fear of meeting with me or she could have participated in the court hearing by teleconference. We had been friends since 1993 and lived as man and wife since 2001. I had hoped that a face-to-face discussion would lead to healing between us.

At trial, we were advised by our defense counsel not to take the witness stand in our own defense. "We're going to tell your side of the story by the witnesses we'll bring to the stand", is what we were told. We were not to speak with the media. "Anything you say can AND WILL be used against you". We were advised not to make any statements at sentencing. Now we have been sentence for murder having never been tried or convicted of murder charges.

Do you want to know what's happening in the lives of your children? Do you want details about how they're being raised, the environment in which they live, and the people to which they are being exposed? Do you want to know if they're being abused? That's cyber-stalking in the government's estimation and you could spend the rest of your life in prison for it.

Approximately four weeks before trial, my lawyers met with me and brought a plea agreement from the prosecutors. They said that if I would sign an agreement regarding my knowledge of my father's plans I would receive a ten to fifteen year sentence and would be released from custody in 8½ to 12 years. They said it would save the government a lot of money if they did not have to pay for a trial. They told me that, since a murder had been committed and the perpetrator was no longer alive to prosecute, the government would stop at nothing to see the rest of my family pay for my Dad's crime. Of course I declined! How could I sign anything that said that I had foreknowledge of my father's actions and did nothing to stop him?

And what of my sister? She was in Texas seeing patients as a nurse when all of this happened in Delaware. How is it even remotely possible that she is culpable of our father's acts?

No one has heard the truth in our case. The jury and the public heard the government's theory but never the truth. I pray daily that we will find someone with law training who will help us to present our side to the courts. I still believe that there is a chance for us to participate in the lives of our children again. There is so much that they do not know about why their lives were uprooted so many years ago. Anything that you and your organization can do to help us is greatly appreciated!

Thank you again for your efforts on behalf of my family,



Dr. David Matusiewicz #81910-004
United States Penitentiary Terre Haute
P.O. Box 33
Terre Haute, IN 47808

DATE: Thursday the 9th of July, 2015

TIME: 4:00 P.M.

CASE CAPTION:

CASE NO. ✓ 13-83 GAH

UNITED STATES OF AMERICA

v.

DAVID THOMAS MATUSIEWICZ
LENORE MATUSIEWICZ
AMY GONZOLEZ

JURY NOTE

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

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

...just to add insult to injury, our jury, who stated that they were confused during their deliberations, returned a guilty verdict on July 10 (Friday)...