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Twelfth Judicial Circuit

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Please reply to:

July 10, 2013

Mr. Steven C. Esdale
1112 Weston Road, #151
Weston, FL 33326

Dear Mr. Esdale,

Let me begin by offering my condolences on the loss of your father. Thank you for contacting our office to review the investigation into your father's death and for providing the report of Mr. James Casey. I am the lead Homicide Prosecutor for the Sarasota Office and State Attorney Ed Brodsky assigned this case to me for assessment.

As you are aware, the State Attorney's Office never formally received this case from the Sarasota Sheriff's Office because that agency did not find probable cause that a criminal act had been committed. However, as a courtesy to you, and in response to your requests for a review of the case, I contacted the Sheriff's Office to ascertain if any new evidence or additional investigative material germane to this case would lead law enforcement to a finding of probable cause. The Sarasota Sheriff's Office continues to maintain its original position that all evidence points to the fact that your father died of natural causes and that there is insufficient evidence to lead them to a preliminary finding that Maria Amurrio Cohen committed a criminal act or acts relating to his demise. The materials the Sheriff's Office provided to me are the same investigative reports our office originally reviewed in 2003/2004.

As part of my reassessment, I consulted with Dr Russell Vega, the Chief Medical Examiner in the Twelfth Judicial Circuit of Florida. As noted in his summary and report dated 3/18/04, Dr. Vega reviewed all of your father's medical information which he obtained from your father's physician in New Jersey, Dr. William McHugh. Dr. McHugh's records established that your father suffered from myocardopathy, a muscle disease of the heart, in combination with arteriosclerosis, and that these conditions dated back to at least 1992, more than a decade before your father's death. Dr. Vega's opinion remains the same: that your father died of natural causes related to long-standing heart disease. Dr. Vega's findings are corroborated by the fact that emergency medical personnel found your father in ventricular fibrillation, a common cause of cardiac arrest and sudden cardiac death in diseased hearts. Furthermore, Dr. Vega found no evidence that your father ingested Corazol. Toxological analysis performed on vitreous fluid and hair obtained from your father do not show the presence of Corazol in your father's system.

I also reviewed the results of the FBI analysis of the 911 call performed in 2004 on the Gaidecom enhancement you sent to the Bureau. In addition, I diligently evaluated the audio enhancements by Mr. West and by Media Eve performed subsequent to the work done by Gaidecom. Despite listening repeatedly to the CDs you provided to us, I am unable to discern any of the statements you attribute to Ms. Amurrio or to your father, and I cannot agree with the interpretations posited by West, Media Eve or those put forth by Gaidecom in 2004.

In summary, after a thorough assessment of all the documentation available, including but not limited to the Sarasota Sheriff's Office investigative reports, the EMT report, the FBI materials, the multiple 911 call enhancements, Dr. McHugh's records, the findings of Dr. Vega and the toxicological data, and the investigative report by Mr. Casey, there is inadequate evidence to support a finding of probable cause that the death of Murray Cohen can be attributed to criminal action. In light of the dearth of evidence to sustain the minimal legal standard of probable cause, it would be impossible for the State to establish beyond a reasonable doubt that your father died of anything other than natural causes.

Respectfully,


Karen Fraivillig
Assistant State Attorney

July 25, 2013

Criminal Justice Building
2071 Ringling Blvd.
Suite 400
Sarasota, FL 34237

Dear Ms. Fraivillig,

Let me begin by telling you that your letter saddens me but does not surprise me. I knew from day one when you and Mr. Brodsky made the decision to keep this in house instead of doing the right thing by calling for an independent outside investigation, my family's chance for justice was doomed. Why didn't you request the Governor appoint an independent investigator?

On page 2 of your letter you state that Dr. Vega reviewed all of my father's medical information which was obtained from my father's doctor in New Jersey. You further stated that my father suffered from a decade of long standing heart disease. How do you explain the fact that prior to my father's death Dr. McHugh prescribed my father Viagra? How do you explain that not only was he prescribed Viagra numerous times but his dosage was increased the second time. Is that a medication that is commonly prescribe to people with a decade of heart disease? How do you explain the fact that half the medical records sent to Dr. Vega from my father's doctor are for the wrong Murray Cohen with a different birthday and social security number? Did Dr. Vega reveal this information to you?

You further state in your letter that Dr. Vega's findings are corroborated by the fact that emergency medical personnel found my father in ventricular fibrillation. What I have been told by experts is that ventricular fibrillation is detected in someone who had just stopped breathing. Do you dispute the fact that Corazol induces respiratory failure which would cause a heart attack? How do you explain the fact that Amurrio lied under oath that paramedics told her that my father was deceased for at least 40 minutes. Ventricular Fibrillation is not detected in a body of a person who has been dead for 40 minutes.

You stated in your letter that Dr. Vega found no evidence that my father

ingested corazol. How do you explain the alcohol smell reported by law enforcement on the scene? Corazol smells like alcohol. My father never drank alcohol. How do you explain the presence of an empty bottle of corazol inventoried by law enforcement at the death scene?

You further state that toxicological analysis performed on vitreous fluid and hair obtained from my father did not show the presence of corazol in his system. How is that conclusion reached when the experts at the toxicology lab who performed the tests have stated that the embalming fluid injected into my fathers body could have masked the presence of corazol. They have further stated that without case studies done on the effects on embalming and human flesh, there are no accurate tests available to date. My father was Jewish and his burial wishes were to never be embalmed. Amurrio knew that and embalmed him anyway to cover up the presence of Corazol. Lets not forget, Amurrio testified under oath numerous times that she was the former head of woman police in her country of Bolivia and a special narcotics agent. She would have knowledge on how to hide evidence of Corazol poisoning.

How do you explain Dr. Vega's public statements that he made and were published by the Sarasota Herald Tribune? Vega stated in an article dated June 15, 2005 "I never ruled out the possibility of an exotic poison could have killed Cohen". "The results were negative but there is no way to know how the Methanol in the embalming fluid effected the test". "The embalming fluid may have spoiled any chance of finding anything". "Looking back, I wish an autopsy had been performed". "The surest way to determine Cohen's cause of death would have been an autopsy". How do you explain away the fact that my father died an unattended death with an empty bottle of an exotic poison inventoried by law enforcement at the death scene and was given no autopsy against Florida law. According to Florida law, an autopsy was mandatory, not discretionary.

Dr. William Anderson is the medical examiner who signed my father's death certificate. He stated that he made a mistake and that my father's body needs to be exhumed and an autopsy performed to learn his true cause of death. Why is Dr. Anderson being opposed?

You state that you listened to the recording and cannot hear my father pleading for an ambulance or Amurrio yelling at him to give up. Could you please tell me the training and methods you applied to come to your

conclusion? I also would like to know what degrees and training you received in audio forensics? I asked you to request that the FBI listen to the version of the 911 recording that you had me send you in which my father's murder can clearly be heard. Did you ask the FBI to assist you with this copy that I sent you? If so, could I please have a copy of the report. I told you that Sarasota FBI agent, Lynn Billings admits to hearing someone pleading for an ambulance. Did you speak with her?

How do you explain away the fact that the Sarasota Sheriffs department lied to the FBI laboratory when they stated in their 2003 letter that the recording was no longer available in a digital format when in fact the system in place the day of my fathers death was archiving onto a DVD backup auxiliary recorder. Where you aware of the fact that Sheriff Counsel, Kurt Hoffman came up with eleven archived DVD's from the time period of my father's death and the only DVD missing was the one pertaining to the 911 call involving the date of my fathers death. The original copy of the 911 recording is on a crystal clear digital DVD copy which is the only one missing.

Did you ask SSO why they chose to send a 4th generation cassette tape made from two different sources to the FBI for analysis instead of the crystal clear digital DVD copy which was available?

Did you ask SSO why they violated a court order to turn over the original 911 recording and never did.

Did you ask SSO why the court order to preserve the hard drive containing the 911 call was violated? Did you ask Kurt Hoffman why he obtained an ex parte court order to destroy the hard drive while a public records request was pending for access to it by the Orlando Sentinel?

Did you ask Sheriffs Counsel Kurt Hoffman why an internal investigation was not initiated when he was informed by computer expert William Tidwell that all the 911 calls the day of my fathers death were deliberately deleted from the hard drive and auxiliary recorder?

You also state in your letter that you do not agree with the findings of the forensic audio experts, Arlo West, Media Eve or Gaide Com. How about the other expert Paul Ginsberg who examined the recording. How come you have

not mentioned him in your letter? He is one of the top audio experts in the country and has done work for the CIA, FBI and DEA. Mr. Ginsberg states that he hears a man pleading for an ambulance and the caller yelling at him to give up. Why are you silent about Mr. Ginsberg's findings? Do you disagree with his finding also?

I would like to know why you leave out the witness who called in the middle of my father's murder. Have you also discounted his testimony? He states he heard my father yelling in the background when he supposedly laid down to take a nap and died in his sleep. He further states that Amurrio's version of their conversation is false. Are you also discounting the fact that this witness states that Detective Hallisey falsified his statement that he gave? Did you take into consideration Detective Hallisey's character and integrity since he had to resign after being arrested for felony doctor shopping? Did you consider the fact that the sheriff at the time of my father's death, William Balkwill was found guilty of destroying evidence in a civil case against him. Is it possible that Sheriff Balkwill allowed evidence to be destroyed in my father's case also? Doesn't his character come into question?

How do you justify discounting the former head of the Jacksonville FBI's report in which he concludes that there is probable cause that my father was a victim of a murder? Mr. Casey was in charge in all FBI investigations in north Florida and has credentials that are impeccable. How do you ignore the fact that Mr. Casey states in his report that he hears Amurrio yelling at my father to give up?

We are American citizens and have the right to equal justice and for justice being served. I have one final question for you. How many innocent people have you knowingly prosecuted and put in jail just because you did not want to admit you were wrong?

Thank you,

Steven Cohen Esdale
2334 Weston Road,#234
Weston, FL 33326