

MR. KENNETH COLVIN, JR.'S 500 WORD SUMMARY OF MY CASE

Hello, my name is Kenneth Colvin, Jr. (#192744), and I was FRAMED of a crime that I did not commit.

I am currently incarcerated at the Macomb Correctional Facility (34625 25 Mile Road; Lenox Township, Michigan 48048), and I am looking for assistance from both a forensic expert and private investigator involving exculpatory evidence that was withheld by the State that would had proven my innocence, and ultimately, shown that the State was involved in prosecutorial misconduct.

The withheld evidence are as follow:

1. Michigan State Police ("MSP") Ballistic Report of my case (Neland Street Shooting: Lab. No. 32188-94) and another case (Fair Street Shooting: Lab. No. 32190-94) --which it was discovered by the MSP Techs that the firearm used in my case was also used in the Fair Street Shooting (just 18 days before my case occurred on June 24, 1994), but the test results from that Fair Street Shooting was omitted from my reports, despite the fact the test results the Neland case was explicitly cited in the Fair Street reports. (See Ballistic Reports); and

2. Investigative Notes taken of Carl Powell and Trent Chambliss by Detective James Grable, of the Grand Rapids Police Department ("GRPD") and their involvement in the Fair Street Shooting, including admitting to having the firearm (murder weapon) that was involved in the Neland case the same date that the Neland case occurred (June 24, 1994). (See Investigative Notes).

I need the forensic expert to prove that the MSP was mandated to cross-reference the test results of the Fair Street case to my case reports; and the private investigator to question the Powell/Chambliss Group regarding

the firearm, and the fact, that we (my brother and I) did not have any access to that firearm that caused the deaths of two individuals during a drughouse robbery on Meland Street in Grand Rapids, Michigan on June 24, 1994.

By the State withholding these extremely crucial evidence (which in Christopher Becker's [Kent County Chief Prosecutor] January 12, 2024 letter, he alleges that his office was not made aware of the withheld material evidence as well), and later, both Detectives Grable and Gary Crum committing perjury at my jury trial, falsely testifying that they were unable to trace the firearm "all the way back", when in fact, they had: to the Powell/Chambliss Group, it denied us the opportunity to present the material exculpatory/impeachment evidence to the jury to prove that the State was involved in misconduct, which led to our convictions and natural life sentences, and most important, clearing us of the crime. (See Letters from Prosecutor Becker and myself, and trial transcript testimony from Detective Grable and Crum).

(NOTE: If you will review my webpage:

PRISONINMATES.COM/KENNETHCOLVIN192744

Legal Document Section, March 4, 2016, and you will see other evidence that was withheld proving our innocence.)

Thank you for reading my profile, and I will be looking forward in hearing from you.

END

2ND SHOOTING

LABORATORY REPORT

Report No. 9402900
Date Rec'd 06-27-94
Time Rec'd 09:24 AM
File Class 1200-1
Date Completed 06-29-94

* Items #2-5 through #2-10 could have been fired in the same firearm as items #2-1 through #2-4 submitted on MSP laboratory case number 22188-94.

Inventory No. 22180-94
Received by Locker Number 509
Received by JIM GRABLE
Agency Grand Rapids Police Dept.
Agency No. 94-52238

ABOVE ITEMS RECEIVED BY
SIGNED *[Signature]*
AGENCY BPM
DATE 6-29

Disposition of Evidence

The evidence is being held at the Grand Rapids Laboratory on shelf I-4, vault #6, for the submitting agency to pick up.

[Signature]
S. Michael Burritt
Specialist (D/Sgt)
Firearms, Tool Marks and Explosives Subunit

Nature of Offense

Non-Aggravated Assault

Evidence Received: (This case was removed from laboratory evidence locker no. 509 by S.M. Burritt on 6-27-94 at 11:00 a.m.)

- 1 - Manila evidence envelope (sealed) enclosing:
 - 1 - Manila envelope (sealed) enclosing:
 - 1 - 38 Super automatic caliber Winchester fired cartridge case. (Item #2-1)
 - 1 - 38 Super automatic caliber Winchester fired cartridge case. (Item #2-2)
 - 1 - 38 Super automatic caliber Winchester fired cartridge case. (Item #2-3)
- 1 - Manila envelope (sealed) enclosing:
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-4)
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-5)
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-6)
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-7)
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-8)
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-9)
 - 1 - 32 automatic caliber Winchester fired cartridge case. (Item #2-10)

Results:

Items #2-1 through #2-3, the three 38 Super automatic caliber fired cartridge cases, are identified as having been fired in the same firearm.

* Items #2-1 through #2-3 are identified as having been fired in the same firearm, as items #2-1 through #2-4 submitted on MSP laboratory case number 22188-94.

Public Act 25 of 1991 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

Public Act 25 of 1991 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

MICHIGAN DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION

* MY CASE *
NELAND JT.
SHOOTING CASE

Inventory No. 22188-94
Received by LOCKER NUMBER 509
Received by JAMES GRABLE
Agency GRAND RAPIDS POLICE DEPT.
Agency No. 94-52278

MICHIGAN DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION

* FAIR CT. SHOOTING CASE *
2ND SHOOTING

Inventory No. 22188-94
Received by S. Michael Burritt
Received by James Grable
Agency Grand Rapids Police Dept.
Agency No. 94-52238

Report No. 9402618
Date Rec'd 08-08-94
Time Rec'd 12:39 PM
File Class 1200-1
Date Completed 08-08-94

LABORATORY REPORT

Report No. 9402602
Date Rec'd 08-04-94
Time Rec'd 01:08 PM
File Class 0900-1
Date Completed 08-08-94

LABORATORY REPORT

Inventory No. 22188-94 Supp.
Received by S. Michael Burritt
Received by James Grable
Agency Grand Rapids Police Dept.
Agency No. 94-52238

Nature of Offense

Non-Aggravated Assault

Evidence Received: (This case was removed from laboratory evidence vault #6, drawer I-4, on 8-8-94)

- 1 - 38 Super automatic caliber Winchester fired cartridge case (Item #2-1)
- 1 - 38 Super automatic caliber Winchester fired cartridge case (Item #2-2)
- 1 - 38 Super automatic caliber Winchester fired cartridge case (Item #2-3)

Results:

Items #2-1 through #2-3, the three 38 Super automatic caliber cartridge cases, are identified as having been fired in the 38 Super automatic caliber Colt pistol, serial number 221888, submitted on MSP laboratory number 22188-94.

Disposition of Evidence:

The evidence is being held at the Grand Rapids Laboratory on drawer I-4, vault #6, for the submitting agency to pick up.

[Signature]
S. Michael Burritt
Specialist (D/Sgt)
Firearms, Tool Marks and Explosives Subunit

SMB/ms

GARY CAUM'S SIGNATURE

ABOVE ITEMS RECEIVED BY
SIGNED *[Signature]*
AGENCY BPM
DATE 9-1-94

Public Act 25 of 1991 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

MICHIGAN DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION

* MY CASE *
NELAND JT.
SHOOTING CASE

Inventory No. 22188-94
Received by LOCKER NUMBER 509
Received by JAMES GRABLE
Agency GRAND RAPIDS POLICE DEPT.
Agency No. 94-52278

Report No. 9402618
Date Rec'd 08-08-94
Time Rec'd 12:39 PM
File Class 1200-1
Date Completed 08-08-94

LABORATORY REPORT

Report No. 9402602
Date Rec'd 08-04-94
Time Rec'd 01:08 PM
File Class 0900-1
Date Completed 08-08-94

Nature of Offense

Murder/Nonnegligent Manslaughter

Evidence Received: (Removed from locker P503 on 8-05-94 at 1:00 P.M. by S. M. Burritt)

- 1 - Manila evidence envelope, (sealed), enclosing:
 - 1 - 38 Super automatic caliber Colt, government model, semiautomatic pistol, serial number 221888.
 - 1 - Empty cartridge magazine.
 - 1 - 38 Super automatic caliber Winchester cartridges. (TWO)
 - 1 - 380 automatic caliber Remington-Union. (TWO)

Results:

Items #2-1 through #2-12, the six cartridges case, are identified as having been fired in the recovered 38 Super automatic caliber Colt pistol, serial number 221888.

Items #2-13 through #2-15, the four fired ball sts, are identified as having been fired in the recovered 38 Super automatic caliber Colt pistol, serial number 221888.

Disposition of Evidence:

The evidence is being held at the Grand Rapids Laboratory on shelf I-4, vault #6, for the submitting agency to pick up.

MISSING RESULTS OF 92100-94

[Signature]
S. Michael Burritt
Specialist (D/Sgt)
Firearms, Tool Marks, and Explosives Subunit

SMB/ms

GARY CAUM'S SIGNATURE

Public Act 25 of 1991 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

STATE POLICE
FORENSIC SCIENCE DIVISION

GRAND RAPIDS DIVISION
710 FULTON BLDG. #1
GRAND RAPIDS, MICHIGAN 49503
(616) 221-4131
MI (616) 221-4141

LABORATORY REPORT

Item # 1 9402897
Mfr Rec'd 06-27-94
Mfr Rec'd 09:24 AM
Mfr Ctry 0800-1
Mfr Ctry 06-28-94

ABOVE ITEMS RECEIVED BY
SIGNED: [Signature]
AGENCY: [Signature]
DATE: 1-3-95

***MURDER &
HOMICIDE
SHOOTING CASE**
Lab. No. 22188-94
Received by: LOCKER Number 509
Delivered by: JAMES GRABLE
Agency: Grand Rapids Police Dept.
Agency No. 94-58275
Nature of Offense:
Murder/Nonnegligent Manslaughter
Victim:
EDMON SMITH
CASSANDRA TILMAN

Evidence Received: (This case was removed from laboratory evidence locker no. 509 by S.M. Burritt on 6-27-94 at 11:00 A.M.)

- 1 - Manila evidence envelope (sealed) enclosing:
 - 1 - Manila coin envelope (sealed) enclosing: (N)
 - 1 - .32 automatic caliber Maytech Recreational Product fired cartridge case. (Item PF-1)
 - 1 - Manila coin envelope (sealed) enclosing: (I)
 - 1 - .32 automatic caliber Maytech Recreational Product fired cartridge case. (Item PF-2)
 - 1 - Manila coin envelope (sealed) enclosing: (J)
 - 1 - .32 automatic caliber Maytech Recreational Product fired cartridge case. (Item PF-3)
 - 1 - Manila coin envelope (sealed) enclosing: (K)
 - 1 - .32 automatic caliber Winchester fired cartridge case. (Item PF-4)
 - 1 - Manila coin envelope (sealed) enclosing: (L)
 - 1 - .32 automatic caliber Maytech Recreational Product fired cartridge case. (Item PF-5)
 - 1 - Manila coin envelope (sealed) enclosing: (M)
 - 1 - .32 automatic caliber Maytech Recreational Product fired cartridge case. (Item PF-6)
 - 1 - Manila evidence envelope (sealed) enclosing:
 - 1 - Manila coin envelope (sealed) enclosing: (A)
 - 1 - .38 super automatic caliber Winchester fired cartridge case. (Item PF-7)
 - 1 - Manila coin envelope (sealed) enclosing: (B)
 - 1 - .38 super automatic caliber Winchester fired cartridge case. (Item PF-8)

Public Act 35 of 1931 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

MICHIGAN DEPARTMENT OF
STATE POLICE
FORENSIC SCIENCE DIVISION

ABOVE ITEMS RECEIVED BY
SIGNED: [Signature]
AGENCY: [Signature]
DATE: 1-3-95

GRAND RAPIDS DIVISION
710 FULTON BLDG. #1
GRAND RAPIDS, MICHIGAN 49503
(616) 221-4131
MI (616) 221-4141

LABORATORY REPORT

Item # 1 9403121
Mfr Rec'd 07-08-94
Mfr Rec'd 2:54 PM
Mfr Ctry 0800-1
Mfr Ctry 07-14-94

OPEN SHOOTING FILE - 1-11-95
ABOVE ITEMS RECEIVED BY
SIGNED: [Signature]
AGENCY: [Signature]
DATE: 1-3-95

Lab. No. 22188-94 Supp.
Received by: LOCKER Number 525
Delivered by: JAMES GRABLE
Agency: Grand Rapids Police Dept.
Agency No. 94-58275

Nature of Offense:
Murder/Nonnegligent Manslaughter
Victim:
EDMON SMITH
CASSANDRA TILMAN

Evidence Received: (Removed from locker #225 on 7/12/94 at 7:30 A.M. by James Bullock)

- 1 - Evidence envelope (sealed) containing:
 - 3 - Manila envelopes (sealed) each containing:
 - 1 - Fired metal jacketed lead bullets (Items PF13-PF15).
- 1 - Evidence envelope (sealed) containing:
 - 1 - Manila envelope (tape sealed) containing:
 - 1 - Fired metal jacketed lead bullet (Item PF16).
 - 1 - Manila envelope (tape sealed) containing:
 - 1 - Fired metal jacketed lead bullet (Item PF17).
 - 1 - Manila envelope (tape sealed) containing:
 - 1 - Metal jacket fragment from a fired bullet (Item PF18).
 - 1 - Manila envelope (tape sealed) containing:
 - 1 - Metal jacket fragment from fired bullet (Item PF19).
 - 1 - Manila envelope (tape sealed) containing:
 - 1 - Portion of lead (Item PF20).
- 1 - Evidence envelope (sealed) containing:
 - 3 - Glass specimen slides (Items PF21-PF23).
- 1 - .32 auto caliber Colt, semiautomatic pistol, serial number 226112 (Item PF24). (NOTE: Right slide handily absent)
- 1 - Evidence envelope (sealed) containing:
 - 1 - Box magazine (Item PF25) containing:
 - 8 - .32 auto caliber "P" cartridges (Item PF26-PF33).
 - 1 - .32 auto caliber "P" cartridge (Item PF34).

Results:

The four (4) fired bullets Items PF13-PF16 are identified as having been fired from the same firearm. Items PF13-PF16 are consistent with being .38 super automatic caliber fired metal jacketed bullets having the rifling

Public Act 35 of 1931 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

Laboratory Number 22188-94
Received Number 9403121
Page Two

Evidence Received Continued:

- 1 - Manila coin envelope (sealed) enclosing: (C)
 - 1 - .38 super automatic caliber Winchester fired cartridge case. (Item PF-9)
- 1 - Manila coin envelope (sealed) enclosing: (D)
 - 1 - .38 super automatic caliber Winchester fired cartridge case. (Item PF-10)
- 1 - Manila coin envelope (sealed) enclosing: (F)
 - 1 - .38 super automatic caliber Winchester fired cartridge case. (Item PF-11)
- 1 - Manila coin envelope (sealed) enclosing: (G)
 - 1 - .38 super automatic caliber Winchester fired cartridge case. (Item PF-12)

Results:

Items PF-1 through PF-4, the six .32 automatic caliber fired cartridge cases, could have been fired in the same firearm.

Items PF-7 through PF-12, the six .38 super automatic caliber fired cartridge cases, are identified as having been fired in the same firearm.

Disposition of Evidence:

The above listed evidence was placed into the OPEN SHOOTING FILE and can be returned to the submitting agency on 12/29/94.

SM/enc

S. Michael Burdick
Specialist (D/Sgt)
Firearms, Tool-Marks and Explosives Subunit
MISSING RESULTS OF 32100-04

Public Act 35 of 1931 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

Lab. No. 22188-94 Supp.
Received No. 9403121
Page 2

Results: (Cont')

specifications of six (6) lands and grooves with a left hand twist. These specifications are characteristic of Colt handguns, however no suspected firearm should be overlooked.

Items PF17 & PF18 are identified as having been fired from the same firearm. Items PF18 and PF19 appear to be fragments from the same bullet. These items are consistent with being .32 auto caliber fired bullets exhibiting the rifling specifications of six (6) lands and grooves with a left hand twist. These specifications are characteristic of COLT handguns, however no suspected firearm should be overlooked.

Test shots taken from the .32 caliber Colt firearm Item PF22 could not be associated with the previously submitted .32 auto caliber fired cartridge cases (Items PF1-PF6) or the above bullets.

Examination of the glass specimen slides (Items PF21-PF23) revealed a particle of smokeless gunpowder on PF22C.

Disposition of Evidence:

Items PF13-PF16 were placed in the OPEN SHOOTING FILE this date.

Items PF-22-PF-24 were placed on shelf I-2, vault #6, for the submitting agency to pick up.

SM/enc

James J. Bullock
Laboratory Specialist (I/Lt)
Firearms, Tool Marks, and Explosives Subunit

Public Act 35 of 1931 requires "the investigating officer of each criminal case being adjudicated shall advise the prosecuting attorney if a forensic test has been conducted in the case."

OFFICER(S):
DATE OF INTERVIEW: 7-5-94 TIME 1203 LOCATION: KCCF
INITIAL INTERVIEW: YES X NO RIGHTS READ: YES X NO
PERSONAL INFORMATION ON SUBJECT: (to be completed on initial interview)
RACE/SEX: B/M D.O.B.: 1-4-74
ADDRESS: 305 EASTMAN ST #3 HOME PHONE: 774-9124
EMPLOYER: TC BUSINESS PHONE:
OTHER INFO. (specify):

SIGNIFICANCE OF THIS PERSON'S INVOLVEMENT WITH CASE: WIT
KAY, TRANT, ERIC
TAMARA BIGHAM - 305 EASTMAN ST
DAN - MANSURE - CUTLASS
KEITH MURPHY - THOMAS RICHMOND
GUNS STOLEN FROM ERIC'S HOME
ON 6-25-95 ON 6-26-95
DAD TOLD CARL THEY WERE SHOT
2 GUYS SAWER OFF 3 GUNS
TOOK MARIJUANA + GUNS -
INTERVIEW NOTES: SIGNED STATEMENT
Paul Powell

OFFICER(S):
DATE OF INTERVIEW: 7-5 TIME 1204 LOCATION: KCCF
INITIAL INTERVIEW: YES X NO RIGHTS READ: YES X NO
PERSONAL INFORMATION ON SUBJECT: (to be completed on initial interview)
RACE/SEX: B/M D.O.B.: 1-4-74
ADDRESS: 305 EASTMAN ST #3 HOME PHONE: 774-9124
EMPLOYER: BUSINESS PHONE:
OTHER INFO. (specify):

SIGNIFICANCE OF THIS PERSON'S INVOLVEMENT WITH CASE:
INTERVIEW NOTES: COLE ONLY OUT OF STATE
COLEY WILLIAMS
CARL BELIEVES THAT KAY TOOK MARIJUANA HOME
KAY DISTURBED CARL, CARL WAS IN A ROOM
WITH HIS FRIENDS TAMARA BIGHAM, KAY
TOLD CARL THAT MARIJUANA EX-BEYFRIEND
WAS GOING TO JUMP ON HER ON WEEK END
ON HER (CARL AND FRIENDS WENT BACK
CARL, KAY, TRANT + ERIC (IN CARL CAR)
DAN, MANSURE (ON BROWN CUTLASS) KEITH MURPHY
+ TYRONE RICHMOND, AND COLEY WILLIAMS (D
KEITH'S GREAT UNCLE) - CARL HAS A 32 AUTO
HE HAD BOUGHT THIS GUN FROM DAN, APT.
343 PINEBROOK/LAMAR ST - DAN LIVES THERE
WITH ERIC - THIS WAS THE ONLY GUN IN
CARL'S CAR - THE CAR WAS FROM
THE BROWN CUTLASS, MANSURE WAS DRIVING
Paul Powell

PAGE 1
THIS CARL DAN WAS THE BROWER - MANSURE
HAD THE (32 AUTO) AT THE HOUSE ON FAIR
CARL SAID MANSURE SEEN THE GUN ON
FAIR DAN HAS SEEN THIS GUN AT
ERIC + DAN'S HOUSE MANY TIMES, IT
IS A (32 AUTO) WITH SILVER ON THE
TOY, BLACK AND A BROWN HANDLE - AFTER
THE SHOTS ERIC EMER THEY LEFT HOME
RETURNING TO THE HOUSE ON EASTMAN WITH
CARL, KAY, TRANT, ERIC, MARIJUANA, MANSURE + DAN,
KEITH, TYRONE, + COLEY - THEY DIDN'T ALL
COME THROUGH - THEY SAID NO DAN
+ MANSURE SAID NO A LITTLE LATER
THEY HAD BROWER THE GUN HOME
- CARL STATES HE GOT THE (32 AUTO)
FROM DAN - ERIC APT A FEW DAYS BEFORE
THE INCIDENT ON FAIR ST A FEW DAYS
LATER HE RETURNED THE GUN TO THE APT.
HE LEFT IT THERE - CARL STATES HE
HAD THE GUN BECAUSE HE HAD TROUBLE WITH
A GUN IN THE MICHIGAN - HE HAS NO
REAL EXPLANATION AS TO WHY HE RETURNED
IT - THE SUN APT THE SAT THE APT.
OR PARENT WAS BEING INTO ERIC 6-25 ON 6-18
HE THEN STATES HE'S SURE THAT HE WENT TO DAN
THE SUN APT THE BROWER AND WENT TO
CR IN DETROIT HE STATES HE HAS TO GO
Paul Powell

PAGE 2
CASE: NAME: CARL POWELL
OFFICER(S):
DATE OF INTERVIEW: 7-5-94 TIME 1204 LOCATION: KCCF
INITIAL INTERVIEW: YES X NO RIGHTS READ: YES X NO
PERSONAL INFORMATION ON SUBJECT: (to be completed on initial interview)
RACE/SEX: B/M D.O.B.: 1-4-74
ADDRESS: HOME PHONE:
EMPLOYER: BUSINESS PHONE:
OTHER INFO. (specify):
SIGNIFICANCE OF THIS PERSON'S INVOLVEMENT WITH CASE:

INTERVIEW NOTES
TO CR IN DETROIT SON OF ERIC MANSURE - BROWER
SOS - DIVERS L.I. COLE + HOWARD IN DETROIT
SOUTH 101 - CARL STATES HE WAS
TOLD BY DAN ON THE PHONE - ON THE MORNING
OF THE SAT 6-18, THAT 2 GUNS
BROKE IN UP SAID ERIC SAID AND ERIC
MANSURE, THE 2 GUNS, AND TRANT - DAN TOLD
HIM THAT TRANT WAS THERE WITH THE ROBBERS
FORWARDED AND HE FLEW OUT THE WINDOW - ERIC WAS
IN DETROIT PICKING UP A CAR A BLK 87 -
DAN KNOW WHERE WAS WITH 32 AT HIS APT.
WHERE HE WAS ROBBED.

CASE NUMBER: _____

OFFICER(S): _____

DATE OF INTERVIEW: 7-5-94 TIME: 1:30 PM LOCATION: RICE

INITIAL INTERVIEW: YES NO RIGHTS READ: YES NO

PERSONAL INFORMATION ON SUBJECT: (to be completed on initial interview)

RACE/SEX: B M D.O.B.: 5-20-70

ADDRESS: 2741 CHAMBERS HOME PHONE: 470-1948

EMPLOYER: F&M Auto BUSINESS PHONE: _____

OTHER INFO. (specify): _____

CONSTITUTIONAL RIGHTS

1. YOU HAVE THE RIGHT TO REMAIN SILENT.
2. ANYTHING YOU SAY CAN BE USED AGAINST YOU IN A COURT OF LAW.
3. YOU HAVE THE RIGHT TO THE PRESENCE OF A LAWYER BEFORE AND DURING ANY QUESTIONING.
4. IF YOU WISH A LAWYER AND CANNOT AFFORD ONE THE COURT WILL APPOINT ONE BEFORE ANY QUESTIONING.

WAIVER

I HAVE BEEN ADVISED OF AND UNDERSTAND EACH OF THE ABOVE CONSTITUTIONAL RIGHTS AND I AM WILLING TO ANSWER QUESTIONS.

DATED THIS 5TH DAY OF JULY, 1994 AT 1:30 PM.

NAME: Terry Chambliss

SIGNATURE: *Terry Chambliss*

WITNESS: *[Signature]* BADGE NO. 189

WITNESS: *[Signature]* BADGE NO. 148

SIGNIFICANCE OF THIS PERSON'S INVOLVEMENT WITH CASE: UNSTABLE STATEMENT

INTERVIEW NOTES

TERRY STATES HE RESEMBLES AN INDIVIDUAL WHICH KANE SAID HE HAD PROCEEDED WITH HIS COMPLAINT. TERRY WENT WITH CARL & KANE AND SOME OTHER PEOPLE THREE WEEKS AGO. SHOTS FIRED BUT TERRY DOESN'T KNOW WHO FIRED THEM. TERRY STATES HE TALKS DAD + ERIC WHO TALKS BUT HE DOESN'T KNOW WHO OR IN WHICH CAR. TERRY STATES HE WAS NOT PRESENT BUT KNOWS THAT DAD SAID HE WAS RAISED BY 2 GUYS AT HIS AGE. DAD TOLD HIM ABOUT THE REASON HE STATES HE DOESN'T KNOW WHO WAS WITH DAD HE SAID IT HAPPENED EITHER 6-18 OR 6-25

Inventory # 152338 Description Assault/Shots Fired

Quantity 169 Date Acquired 6-6-94 Item # 2286

Location 134 Fair SE

Inventory # 128 Fair SE

Description Same

Quantity 22

Date Acquired 12/25/93

Inventory # 138 Super (3); 32 Auto (7)

LATENT PRINTS

Number of Prints: 169

Number of Latents: 169

Number of Impressions: 169

Number of Impressions: 169

PHOTOGRAPHS

Number of Prints: 169

Number of Latents: 169

Number of Impressions: 169

Number of Impressions: 169

TRACE EVIDENCE

Number of Prints: 169

Number of Latents: 169

Number of Impressions: 169

Number of Impressions: 169

COMPOSITE

Number of Prints: 169

Number of Latents: 169

Number of Impressions: 169

Number of Impressions: 169

CST searched, photographed, and measured the roadway north of 128 & 134 Fair SE with special attention to the position and location of three W-W brand .38 Super cartridge cases and seven WIN brand .32 Auto cartridge cases. No other ammunition components or defects were found. The items yielded no usable latents.

MR. KENNETH COLVIN, JR. (#192744)
MACOMB CORRECTIONAL FACILITY (MRF)
34625 26 Mile Road
Lenox Township, Michigan 48048

January 3, 2024

KENT COUNTY PROSECUTOR OFFICE
C/O Mr. Christopher R. Becker,
Kent County Head Prosecutor
82 Ionia Avenue, N.W.
Suite 450
Grand Rapids, Michigan 49503

RE: FILING THIS FORMAL COMPLAINT IN REGARDS TO MY WRONGFUL CRIMINAL CONVICTION
WITH KENT COUNTY.

Dear Honorable Becker:

I am writing your office in the wake of the enclosed response letter that I had received from Lieutenant Nathan Mead, of the Grand Rapids Police Department's Internal Affairs, dated December 18, 2023 regarding the misconduct (Brady and perjury violations) of the two former detectives who had worked for the Grand Rapids Police Department back in 1994 —when they were investigating and presented the case to the prosecutor's office.

As I had explained in "Letters of Complaint", first, to Col. Joe Gasper, Director of the Michigan State Police Department, dated March 19, 2023, and then, Mr. Eric Winstorm, Chief of the Grand Rapids Police Department, dated September 17, 2023 (all which has me writing you now), exculpatory evidence was withheld by the state prosecution that had led to me being wrongly convicted. If you will please review the letters that I had sent to Director Col. Gasper and Chief Winstrom, you will see the details of my complaint involving the withholding of the exculpatory/impeachment evidence and later deliberate perjury that led to the wrongful conviction.

In response to the complaint that I had filed with the Grand Rapids Police Department, I was told by Lt. Mead that I "...should direct any concerns surrounding the outcome of your (my) criminal case to the prosecuting attorney's office which had jurisdiction over the matter". See Letter, dated December 18, 2023.

So, this is the reason for me writing you and requesting an investigation on this matter, including receiving a response from your office on the matter regarding the investigation involving the withholding of the evidence: 1. discovering the fact that the murder weapon (.38 superauto) was involved in the Fair Street Shooting, dated June 6, 1994, and that the Powell/Chambliss Group was questioned about that shooting and the firearm that was involved that June 6 shooting, including the fact it was discovered that the Group

had possession of that murder weapon the same date, June 24, 1994, when the case had occurred that I am now wrongly convicted of --all exculpatory/impeachment evidence that was withheld, even after Mr. Michael Liquigli (ex-trial attorney) had presented the "tracing" of the murder weapon during my jury trial, and Mr. Kevin M. Bramble allowed both Detectives Gary Crum and James Grable to commit perjury on the tracing of that firearm; 2. failing to "cross-reference" the ballistic test results of that .38 superauto to the Neland Street Shooting Ballistic Test Result Reports, including failing to release those test results of the Fair Street Shooting, even after Mr. Liquigli asked the question about the firearm at my jury trial; 3. failing to reveal the fact that during the investigation the Powell/Chambliss Group were questioned, after discovering that they had possession of the murder weapon; 4. that victim witnesses had picked other prime suspects as the shooter; and 5. the fact it was discovered that Mr. Terron Johnson told others that he and his comrades were responsible for the robbery/homicide that I am now convicted of.

In closing, I want to thank you for taking this letter of complaint in consideration, and I pray to receive a timely response from your office of this matter.

Sincerely,



Kenneth Colvin, Jr.

CC: Filed.

PROSECUTING ATTORNEY

CRIMINAL DIVISION
82 Ionia Ave N.W.
Suite 450
Grand Rapids, MI 49503-3022
Telephone: (616) 632-6710
Fax: (616) 632-6714

January 12, 2024

Kenneth Colvin Jr.
Inmate #192744, Macomb Correctional Facility
34625 26 Mile Road
Lenox Township, MI 48048



CHRISTOPHER BECKER
Prosecutor

MONICA M. JANISKEE
Chief Assistant Prosecutor

Dear Mr. Colvin:

I have received your letter regarding the accusations of withholding exculpatory evidence at your trial from 1994, and allowing perjured testimony. I pulled our file out of storage and can find no facts to support these allegations. There is nothing in our file that contained any evidence regarding the gun you referenced being involved in any other shooting other than this case, and even if in fact that was the case, it would appear that nobody in our office knew anything about it. There is simply nothing in our file with that information. Furthermore, your own documents do not support your own statements. You indicate in your letter that the Powell/Chambliss group had possession of the murder weapon, "the same date, June 24, 1994, when the case had occurred that I am now wrongly convicted of." However, in your packet of information, you include a interview of Carl Powell in which he states that two guys, "Broke in w/sawed off shotguns and stole money, two guns, and jewelry..", which occurred on June 18 six days before your crime. So, for arguments sake, they did have the gun sometime prior to your crime, by your own material it was stolen from them by someone, prior to June 24, 1994.

From my review of the trial transcripts there were three individuals who identified you as being the person who went upstairs in this incident. They not only identified you in court, they had a prior identification with a photo line-up. Your own brother implicated you in the crime. While they did introduce the gun at your trial, in no way were they able in any way to tie that gun to you in any fashion. There were no fingerprints, DNA, or witnesses who could place the gun in your possession. Mr. Liqigii did an excellent job of highlighting that fact in cross-examination. You correctly state, in a letter to my predecessor Mr. Forsyth, "they do not have any physical evidence connecting me to this case, but my brother's statement and three victim witnesses." That was entirely true in the transcripts I read. Interestingly, you then go on to tell him that you have alibi witnesses that would state you were not at the scene of the crime when the crime was committed. Yet no such alibi witnesses supporting those facts were presented at your trial.

In short, based on my review of the case, our office did not withhold any evidence, did not support any perjury, your allegations are not supported by what I viewed in the file.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Becker", written over a horizontal line.

Chris Becker
Kent County Prosecutor

MR. KENNETH COLVIN, JR. (#192744)
MACOMB CORRECTIONAL FACILITY (MRF)
34625 26 Mile Road
Lenox Township, Michigan 48048

"PRISONINMATES.COM/KENNETHCOLVIN192744"

January 29, 2024

MICHIGAN ATTORNEY GENERAL OFFICE
C/O Honorable Madam Dana Nessel
Michigan Attorney General
G. MENNEN WILLIAMS BLDG., 7th Floor
525 West Ottawa
Lansing, Michigan 48909

***LETTER OF COMPLAINT AGAINST
KENT COUNTY PROSECUTOR, HON. CHRIS
BECKER!!!***

RE: WRITING YOUR OFFICE IN RESPONSE TO A LETTER THAT I HAD RECEIVED FROM
MR. CHRIS BECKER, KENT COUNTY PROSECUTOR, DATED JANUARY 12, 2024 IN
REGARDS TO GOVERNMENT MISCONDUCT THAT HAD LED ME TO BE WRONGFULLY
CONVICTED.

Dear Honorable Madam Nessel:

I am writing you once again in regards to law enforcement misconduct that has led me to a wrongful conviction, based on withholding exculpatory/impeachment evidence, if the evidence was given to me and my defense team, I would have been exonerated and proven innocent. (NOTE: I had written your office on March 12, 2023, after I had received problems with your division, "Public Integrity Unit" not responding to countless letters that I had mailed to their office, including the enclosed letter, dated November 11, 2022. PLEASE SEE ATTACHED DOCUMENTS.)

On January 19, 2024, I had received a response letter from Christopher Becker, Kent County Prosecutor, in response to a "Letter of Complaint" that I had filed with his agency, dated January 3, 2024, on the instruction, Lt. Nathan Mead, Grand Rapids Police Department's Internal Affairs Unit (which I had filed a Complaint with their agency, dated September 17, 2023 [and I had received a response letter from Lt. Mead, dated December 18, 2023], after I was instructed Lt. Rick Sekely, Michigan State Police Department's Internal Affairs Section, dated August 8, 2023 in response to a Complaint that I had filed with the Michigan State Police Department, dated March 19, 2023. See Attached Letters.), based on law enforcement misconduct, and in that January 12, 2024 letter, Prosecutor Becker stated the following that was extremely important to my case, and supporting my position that exculpatory/impeachment evidence was in fact withheld from my defense:

"There is nothing in our file that contained any evidence regarding the gun [.38 Superauto] you referenced being involved in any other shooting other than this case, and even if in fact that was the case, it would appear that nobody in our office knew anything about it. There is simply nothing in our file with that information."

The evidence of an another shooting that Mr. Becker is referring to, is the Fair Street Shooting case (GRPD No. 94-52338 [MSP Lab. No. 32190-94] which occurred on June 6, 1994). Please review the March 12, 2023 letter that I had addressed to you, and section numbers 1, 2 and 3, along with the Michigan State Police Department's Forensic Science Division (Grand Rapids) Lab. Reports (Ballistic Test Reports of the .38 Superauto). With that in mind, Mr. Becker goes on and states the following:

"Furthermore, your own documents do not support your own statements. You indicate in your letter that the Powell/Chambliss group had possession of the murder weapon, 'the same date, June 24, 1994, when the case had occurred that I am now wrongly convicted of.' However, in your packet of information, you indicate a (sic) interview of Carl Powell in which he states that two guys, 'Broke in w/sawed off shotguns and stole money, two guns, and jewelry..', which occurred on June 18, six days before your crime. So, for arguments sake, they did have the gun sometime prior to your crime, by your own material it was stolen from them by someone, prior to June 24, 1994."

Now, for obvious reasons, Mr. Becker has ignored several pertinent points supports my position that the Fowell/Chambliss Group had possession of that .38 Superauto (murder weapon) the same date that my case had occurred:

A.) In Powell's statement, dated July 5, 1994 (which his "Rights" were read, and he and Detective James Grable [Badge No. 189] had signed the "Constitutional Rights" card), he explicitly stated the following on page 1:

"Guns stolen from Eric House 6-25-93 (sic) or 6-26-94. Don told Carl they were stolen 2 guys sawed off took money & guns—"

Mr. Becker totally ignores the first written statement that stated the gun was allegedly taken on June 25 or 26, 1994 —which made them had the gun(s) on the same date June 24, 1994, when my case had occurred.

Even more troubling, Mr. Becker ignores the statement after his "Cherry Picked Statement" on Page 3, which stated, "Don told him (Powell) that Trent (Chambliss) was there when the robbery happened and he fled out the window..." yet, failing to look at Trent Chambliss's interview, dated July 5, 1994, in which he stated "Trent states 'he was not present but knows that Don said he was robbed -by 2 Guys at his apt.'...He said it happened either 6-18 or 6-25."

In essence, Mr. Becker's reliability of Powell's interview careless, because he knows: 1. that this alleged Don and his so-called robbery event is "hearsay evidence"; and 2. there is no supporting evidence that supported that a robbery in fact occurred. (NOTE: Had the Powell Group been charged for this crime that I am now convicted of, Mr. Becker would have taken my position on this statement issue.)

B.) Mr. Becker totally failed to address the issue about the Powell/Chambliss Group's interview notes and etc. were withheld from allegedly them but unequivocally from the defendants (us), because if the prosecution did not have a copy (and was not proved a copy) of the Powell/Chambliss interview notes or their MSP's Ballistic Test Result reports, we were totally in the dark about the Fair Street Shooting case —which is clearly a BRADY VIOLATION.

C.) Mr. Becker failed to address the issue regarding the Fair Street Test results and how those results were totally omitted, twice from my reports and yet, the test results from my case were report (cross-referenced) twice, to the Fair Street Shooting Reports.

D.) Finally, Mr. Becker totally ignores the fact that Detectives Grum and Grable committed perjury when they falsely claimed they were unable to trace the .38 Superauto (murder weapon) "all the way back", when in fact they had: to the Powell/Chambliss Group —which I had pointed to those areas of their testimony in which they had lied.

Finally, Mr. Becker and others continue to ignore, "WHY WOULD THE EVIDENCE OF THE POWELL/CHAMBLISS GROUP, INCLUDING THE BALLISTIC TEST RESULTS OF THE FAIR STREET SHOOTING CASE BE WITHHELD FROM MY BROTHER AND I, AND FROM THE PROSECUTION, IF IT WAS NOT MATERIAL OR DAMAGING TO THE PROSECUTION? WHY WOULD BOTH DETECTIVES GRABLE AND GRUM, AND MSP TECH BURRITT COMMIT PERJURY AND WITHHOLD THE FAIR STREET TEST RESULTS FROM MY BALLISTIC TEST REPORTS, IF IT WAS NOT MATERIAL OR DAMAGING TO THE PROSECUTION? THE FACT IS, THEY WERE AWARE THAT THE ROBBERY CLAIM WAS NOT TRUE AND SUPPORTED BY EVIDENCE, 2. IF WE WERE ABLE TO INTERVIEW THE POWELL/CHAMBLISS GROUP AND PRESENTED THEM TO OUR JURY TRIALS, WE WOULD HAD SHOWN THAT THE POWELL/CHAMBLISS GROUP HAD SOLE POSSESSION OF THE GUN THE SAME DATE THAT MY CASE HAD OCCURRED, AND MOST IMPORTANTLY, THE POWELL/CHAMBLISS GROUP DID NOT KNOW US AND WE DID NOT KNOW THEM."

In closing, I have enclosed numerous documents, including letters and response letters from other agencies about this misconduct, including writing the news media networks about my case.

Additionally, I have both your office the "Michigan Conviction Integrity Unit (MI-CIU), and the "WMU's COOLEY LAW SCHOOL INNOCENCE PROJECT investigating my case.

I CANNOT UNDERSTAND WHY I AM STILL INCARCERATED, WHEN I HAVE PROVEN OVERWHELMINGLY, THAT MY BROTHER AND I ARE INNOCENT OF THIS CRIME WE ARE WRONGLY CONVICTED OF, AND I ASK YOU TO PLEASE STEP IN ON MY CASE!!!

PLEASE, I ASK YOU TO PLEASE LOOK INTO MY CASE, AND CORRECT THIS WRONG.

Before, I go, I can not understand why your "Public Integrity Unit has failed to acknowledge that they received my many complaints that I have filed on this matter, or even investigated the matter.

Thank you for taking my letter into consideration, and I pray that I will hear from you, personally, Hon. Madam Nessel.

Sincerely,

Kenneth Colvin, Jr.

CC: File.

1 three to five years we'll have a brand-new
 2 courthouse, which won't do you people much good
 3 right now, but we're trying to get something done
 4 for you. But I don't want to take bets that we'll
 5 get it done before the trial's over.
 6 Mr. Bramble?
 7 MR. BRAMBLE: Your Honor, at this time
 8 the State would call Detective Gary Crum.
 9 DETECTIVE GARY CRUM,
 10 called by the People at 10:52 a.m. and sworn by the
 11 Court, testified:
 12 DIRECT EXAMINATION
 13 BY MR. BRAMBLE:
 14 Q You are employed, sir?
 15 A Yes, I am.
 16 Q Where are you employed?
 17 A City of Grand Rapids Police Department.
 18 Q How long have you been employed with the City of
 19 Grand Rapids as a police officer?
 20 A About six years.
 21 Q And how many years as a patrol officer?
 22 A About fourteen, fifteen years.
 23 Q You're currently assign to what position?
 24 A Detective unit, Major Case Team.
 25 Q What are your responsibilities, what do you do on

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1 A That's correct.
 2 Q You don't know the tracing of this gun, do you, who
 3 sold it to who?
 4 A No, I don't.
 5 Q So you don't know how the person that was found with
 6 this gun came into possession of it, do you?
 7 A No. I did not get involved in that portion of, as
 8 far as tracing the gun back.
 9 Q And it wasn't traced back, was it?
 10 A I don't have any firsthand knowledge on what was
 11 done as far as tracing it back.
 12 Q You are one of the two detectives in charge of this
 13 case, aren't you?
 14 A Yes. Detective Grable is the one that actually
 15 handled the weapon and did the background on that.
 16 So what he came up with, I'm not sure.
 17 Q How much time would you say you talked to
 18 Mr. Colvin, Kelley Colvin, prior to turning on the
 19 tape?
 20 A By looking at the transcript that was passed out, I
 21 could give you a pretty accurate -- I know it's,
 22 when we went in, the Miranda warnings were read to
 23 him at 5:14 p.m., which would be very close to the
 24 very beginning of any talk with him.
 25 Q That's 1700 hours?

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DETECTIVE CRUM TESTIFIED FALSELY CLAIMING THAT HE WASN'T AWARE IF MURDER WEAPON (HANDGUN) WAS TRACED BACK WHEN IN FACT, AS OF SEPTEMBER 1, 1994, HE WAS AWARE, AFTER SIGNING THE MICHIGAN STATE POLICE FORENSIC REPORTS (LABORATORY REPORT NUMBERS: 32190-94 (DATED: 05/27/1994, PAGES: 114-15) AND 32190-94 (DATED: 08/08/1994), THAT IT WAS REVEALED IN THOSE REPORTS THAT THE MURDER WEAPON WAS INVOLVED IN THE NELAND STREET SHOOTING (THE CASE THAT I AM CONVICTED OF) AND THE FAIR STREET SHOOTING (THE POWELL/CHAMBLESS GROUP, PAGES 90-96).

NOTICE

THE DOCUMENTS PRESENTED IN PAGES 90 THROUGH 125B IS IN FACT THE "SMOKING GUN" OF MY CASE IN PROVING THAT BOTH THE GRAND RAPIDS POLICE DEPARTMENT AND THE MICHIGAN STATE POLICE DEPARTMENT, ALONG WITH THE KENT COUNTY PROSECUTOR'S OFFICE HAD CONCEALED EXONERATORY EVIDENCE THAT MURDER WEAPON (HANDGUN) THAT WAS USED IN BOTH THE NELAND AND FAIR STREET CASES, WERE IN FACT DISCOVERED DURING THEIR INVESTIGATION, THAT THE POWELL/CHAMBLESS GROUP (WHO WERE INVOLVED IN THE FAIR STREET SHOOTING, DATED 05/05/1994) HAD POSSESSION OF THE MURDER WEAPON THE DAY THE NELAND STREET SHOOTING WAS COMMITTED (JUNE 24, 1994). THE DISCOVERY IN THAT THE FACT THAT THE HANDGUN(S) WERE INVOLVED IN BOTH STREET SHOOTING WERE DELIBERATED WITHHELD FROM MY CASE AND FROM THE STATE GOVERNMENT WITNESSES'S TESTIMONY. IN FACT, DURING THE REDIRECT EXAMINATION OF DETECTIVE GRABLE'S TRIAL TESTIMONY (PAGES 118-120), THE PROSECUTOR HAD DETECTIVE GRABLE COMMIT DELIBERATE PERJURY BY HAVING HIM TESTIFY FALSELY THAT HE WAS UNABLE TO TRACE THE MURDER WEAPON BACK, WHEN IN FACT HE HAD, TO THE POWELL/CHAMBLESS GROUP. HAD WE HAD THIS MATERIAL INFORMATION DURING TRIAL, WE WOULD BEEN ABLE TO PROVE TO THE JURY THAT IT WAS IMPOSSIBLE FOR US TO HAD COMMITTED THE NELAND STREET SHOOTING, WHEN THE POWELL/CHAMBLESS GROUP HAD POSSESSION OF THE HANDGUN(S) AT THE TIME THE NELAND CASE WAS BEING COMMITTED. ADDITIONALLY, THE PROSECUTOR AND THE DETECTIVES WERE AWARE THAT WE DID NOT KNOW THE POWELL/CHAMBLESS GROUP, THUS PROVING WE DID NOT HAVE ACCESS TO THE HANDGUNS -BECAUSE IF THE PROSECUTION HAD EVIDENCE THAT WE HAD KNOWN THE POWELL/CHAMBLESS GROUP, HE WOULD HAD THE GROUP TESTIFYING AT OUR JURY TRIALS STATING SUCH, INSTEAD OF CONCEALING THE EXONERATORY EVIDENCE, AND HAVING THE DETECTIVES COMMIT PERJURY DURING THE JURY TRIALS. ON AUGUST 17, 2001, I HAD FILED A COMPLAINT WITH THE MICHIGAN STATE POLICE REGARDING THIS MATTER, AND ON SEPTEMBER 27, 2001, I HAD RECEIVED A RESPONSE FROM DR. JUHALA STATING THAT THE FAIR STREET SHOOTING WAS REVEALED, BUT WAS NOT DOCUMENTED IN THE NELAND SHOOTING REPORT, AS THE NELAND RESULTS WERE REVEALED IN THE FAIR STREET SHOOTING REPORTS.

125B

DETECTIVE GRABLE'S FALSE TESTIMONY CLAIMING HE FAILED TO TRACE TO MURDER WEAPON
BACK, WHEN HE IN FACT TRACED IT TO MR. CARL POWELL/IRONT CHAMBERS WHO HAD
Do you agree with that? THE MURDER WEAPON THE DAY THE CRIME
WAS COMMITTED. (pgs. 509-80)

1 Q No.
2 A
3 MR. BRAMBLE: I have nothing further.
4 THE COURT: Do you want to pursue the
5 last answer at all?
6 MR. LIQUIGLI: No, that's fine.
7 THE COURT: Okay, you can step down,
8 Officer Crum.
9 MR. BRAMBLE: Your Honor, at this time
10 the State would call Detective James Grable.
11 THE COURT: Okay.
12 OFFICER JAMES GRABLE,
13 re-called by the People at 11:30 a.m., previously
14 sworn, testified:
15 THE COURT: You can be seated, Officer.
16 As you know, you were sworn earlier in this trial
17 so, you're still under oath. Do you understand
18 that?
19 THE WITNESS: Yes, sir.
20 THE COURT: You can be seated. Remember
21 you're still under oath.
22 REDIRECT EXAMINATION
23 BY MR. BRAMBLE:
24 Q Detective, you've already described that you have
25 been assigned to this case and you're a member of

1 During that time, as a patrol officer I
2 was also a field training officer, training new
3 recruits as they came in, and in 1991 I returned to
4 the detective unit.
5 Q During this time period did you come in contact with
6 a lot of weapons?
7 A Yes, I have.
8 Q You've heard a weapon described as a .38 caliber
9 super auto lemon squeeze?
10 A Yes, I have.
11 Q In all your time you've spent, be it in the Major
12 Case Team, as a road officer, airport, whatever, how
13 many weapons have you come into contact like this
14 weapon?
15 A This is the second time I've come in contact with
16 a .38 super auto.
17 Q In how many years?
18 A Including my military time before that, since I have
19 been -- probably in my life, this is the second one
20 that I've come into contact with.
21 Q In your opinion, is it uncommon for people who
22 commit a crime involving a weapon to pass that
23 weapon on to distance themselves from it?
24 A Weapons are traded on the street on a daily basis.
25 This is the second time in a homicide that I've come

1 up with a weapon from someone else that was traded
2 off within days of the homicide.
3 Q You heard Mr. Liquigli's questions to
4 Detective Crum. Were there efforts made to trace
5 proposed Exhibit 11?
6 A Yes, there were.
7 Q Were you able to trace it all the way back?
8 A The person who had that weapon, I don't know if I'm,
9 I think it would be hearsay for me to say, other
10 than I did try and I was not able to get past the
11 person he said he got it from.
12 Q Needless to say, you need some cooperation in order
13 to do that?
14 A That's correct, yes.
15 Q Did you have contact with the defendant, Kenneth
16 Colvin?
17 A Yes, I did.
18 Q Where did this contact occur?
19 A This occurred initially -- he was arrested in
20 Detroit, and I went to Detroit to pick him up there
21 with Officer Crum.
22 Q Did you bring him back here?
23 A Yes, we did.
24 Q Did you make an attempt to sit down and talk to the
25 defendant, Kenneth Colvin?

1 ***MR. BURRIT'S TESTIMONY FALSELY CLAIMING HE NEVER DID ANYTHING ELSE WITH THE MURDER
WEAPON WHEN HE IN FACT DISCOVERED THAT IT WAS INVOLVED IN MR. POWELL/AIR STREET SHOOTING.***
STUART M. BURRIT, (pg. 560)
2 called by the People at 10:13 a.m. and sworn by the
3 Court, testified:
4 DIRECT EXAMINATION
5 BY MR. BRAMBLE:
6 Q You are employed, sir?
7 A Yes, sir, I am.
8 Q Where, please?
9 A I'm employed by the Michigan Department of State
10 Police, at the forensic crime laboratory located in
11 Grand Rapids.
12 Q And what are your duties and responsibilities, what
13 do you do there, please?
14 A My primary function at the laboratory is as a
15 firearms, tool markings, and explosives examiner.
16 Q Can you describe what that involves?
17 A With respect to firearms identification work, my
18 primary responsibilities are to examine fired
19 bullets, fired cartridge cases, fired shotgun
20 shells, and the components that come from shot
21 shells for the purpose of classification and
22 subsequent identification with a specific firearm.
23 In addition to that, I'm also required
24 to raise serial numbers on firearms that have
25 obliterated serial numbers. I'm also involved in

1 Q Is he your supervisor?
2 A Yes, he is.
3 Q The items you've described in detail, the weapon,
4 have they been altered or changed in any way?
5 A No, they have not.
6 Q Is that basically the extent of your analysis of the
7 items submitted under "that case number" and "that
8 case?"
9 A No, sir.
10 Q What additionally did you do?
11 A In addition to that, the six fired cartridge cases
12 were compared to the test firings from the firearm
13 here.
14 Q Okay, what did that reveal?
15 A That revealed that the six fired cartridge cases,
16 that being the .38 super auto, were identified as
17 also having been fired in this firearm.
18 Q Anything else that you did?
19 A No, sir.
20 MR. BRAMBLE: I have nothing further.
21 THE COURT: Mr. Liquigli?
22 MR. LIQUIGLI: Thank you, your Honor.
23 CROSS-EXAMINATION
24 BY MR. LIQUIGLI:
25 Q Sergeant, using all of your experience -- you said
560 122

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1 Q I'm not that familiar with weapons, but what would
2 cause items like this to be left in an area where a
3 gun's been fired?
4 A There's two basic types of handguns. There's a
5 revolver and there's semiautomatic firearms. The
6 caliber that we're dealing with here, the .32
7 automatic caliber and a .38 super automatic caliber,
8 are designed to be fired in semiautomatic handguns.
9 Semiautomatic handguns, if you have a
10 magazine that self-loads upon pulling the trigger so
11 a new cartridge comes into the chamber. To do that
12 process, these fired cartridges are being ejected
13 automatically from the firearm and thrown out, so
14 they would be thrown out on the floor when you
15 discharged a semiautomatic, unlike a revolver, where
16 the cartridge case would stay in the cylinder until
17 they're manually ejected.
18 Q Did you examine these items in relationship to any
19 particular firearm?
20 A I personally examined a .32 automatic handgun, a
21 Colt, and did a comparison between that Colt handgun
22 with the .32 automatic bullets that I examined, and
23 I could not link that handgun up with these bullets,
24 the .32 caliber bullets.
25 Q Do you have what's called an open shooting file?
547 124

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1 ***MR. BULLOCK'S TESTIMONY FAILING TO REVEAL THE FACT THAT THE MURDER WEAPON WAS
2 DISCOVERED TO HAD BEEN USED IN MR. POHLL/FAIR STREET SHOOTING. (pgs. 547-48)***
3 MR. BRAMBLE: Your Honor, at this time
4 the state would call James Bullock.
5 JAMES BULLOCK,
6 called by the People at 9:57 a.m. and sworn by the
7 Court, testified:
8 DIRECT EXAMINATION
9 BY MR. BRAMBLE:
10 Q Mr. Bullock, are you employed?
11 A Yes, sir.
12 Q Where are you employed?
13 A I'm a detective lieutenant laboratory specialist
14 with the Michigan State Police. I'm currently
15 assigned to the Grand Rapids Regional Crime
16 Laboratory.
17 Q How long have you been employed in that capacity?
18 A I have been with the Michigan State Police eighteen
19 years.
20 Q In that eighteen years, what have you done with the
21 Michigan State Police Crime Lab?
22 A Well, the last sixteen years I have been assigned to
23 the firearms and explosives unit in the crime lab.
24 So my primary responsibility is as a firearms
25 examiner.
I'm currently the unit supervisor of the
firearms unit at the Grand Rapids Crime Lab.
538 125

REBECCA L. RUSSO, CSR, RPR, CM - OFFICIAL COURT REPORT

1 A Yes, I do.
2 Q What is that?
3 A An open shooting file is a section in our firearms
4 unit that contains bullets that are collected by
5 agencies from crime scenes that they don't have a
6 suspect firearm. And we place -- we classify the
7 bullets, give the investigator what kind of handgun
8 could have fired those bullets and we place them in
9 our open shooting file.
10 In that manner, any time we get a gun
11 from another agency that may be in West Michigan
12 that just happens to stop a car and they obtain a
13 gun, they could submit that gun to us, we can take a
14 test shot from that handgun, and we would
15 automatically compare it to the cases on open
16 shootings, in our open shooting file that matches
17 that caliber and those specifications.
18 Q Did you do any examination or try to link the .38
19 caliber super autos to any particular weapon?
20 A I personally did not. I placed those items in the
21 open shooting file, and then Sergeant Burritt later
22 did a comparison when a gun was obtained and
23 submitted, and he did a comparison on those items
24 from the open shooting file.
25 Q Are those the ones you referred to as being his
548 125

REBECCA L. RUSSO, CSR, RPR, CM - OFFICIAL COURT REPORT

MR. KENNETH COLVIN, JR. (#192744)
MACOMB CORRECTIONAL FACILITY (MCF)
34625 26 Mile Road
Lenox Township, Michigan 48048
PRISONINMATES.COM/KENNETHCOLVIN192744

March 5, 2023

MR. DAVID TOWNSHEND
5395 Bunker Road
Mason, Michigan 48854

RE: Writing you in regards to obtaining assistance to the enclosed documents that I have sent for your review, please.

Dear Mr. Townshend:

First, I want to thank you for taking the time to read my letter, and also, review the enclosed documents from the Michigan State Police Forensic Crime Lab.

I had came across your name while I was reading the case of Desmond Ricks (v. David Pauch, 322 F.Supp.3d 813, 819 (E.D. Mich. 2018)), in which you had assisted Mr. Ricks in regards to the false evidence that was presented in his case, that caused him to receive a wrongful conviction—all at the hands of the Detroit Police Department's Crime Lab.

With this in mind, after reading Mr. Ricks' case, I had thought I should write you, and request for your assistance involving my case in which evidence (exculpatory/impeachment) was "omitted" from my MSP's Ballistic reports—if I had that evidence, it would had unequivocally cleared me of my wrongful conviction.

The enclosed documents that I have sent for your review, comes from the MSP's Forensic Crime Lab (Grand Rapids), and it relates to a firearm (.38 superauto) that was discovered to had been used in two (2) shooting cases (1. Meland Street Shooting Case [my case], Lab. No.: S2188-94; and 2. Fair Street Shooting Case, Lab. No. 32190-94).

The reason for me sending you these documents for your review, including requesting your assistance, because you were in fact a MSP's firearm examiner (Tech) at the time that the test were conducted with my case and the firearm in question, and you would had known of "the" proper procedure in "cross-referencing" test results with a recovered firearm.

In my Ballistic reports, dated June 29, 1994, and August 8, 1994, I had discovered that the Ballistic test results from the Fair Street Shooting case were completely omitted from my reports, despite the fact, the test results of my case were clearly cited (cross-referenced) in the Fair Street Shooting Ballistic test reports. (NOTE: IF you will review each of the submitted reports closely, you will see that the testing for both case were

conducted and reported, simultaneously, on both "Completed" dates: June 29, 1994 and August 8, 1994. Yet, the Fair Street test results were never cross-referenced to my Ballistic reports, and thus, denying me the opportunity to discover that the firearm (.38 superauto) was involved in another shooting, and detectives discovered that other suspects, who were involved in the Fair Street Shooting Case, admitted to having possession of that .38 superauto that same date that my case had occurred.

Mr. Townshend, I am simply asking: 1. By the test results from my case being cross-referenced to the Fair Street Shooting Case reports, should the test results from the Fair Street Shooting Case been also cross-referenced to my case reports?;

2. Do you have a copy of the Michigan State Police's "Procedures/Training Manual - Firearms/Toolmarks / Firearm - Toolmarks Procedures & Training Manuals '11.0 Reporting of Results'"? I have the copy of the April 11, 2016, created by John Bowen, last modified by Andrew Carribeau on April 21, 2016, 11.0 Reporting of Results. I have been attempting to locate the manual from 1994.

I would deeply appreciate it very much if you would please assist me on this matter.

I currently have the Western Michigan University Cooley Law School Innocence Project (File No. 01-00642; Ann Garant, Managing Attorney) reviewing/investigating my case.

Thank you for taking my letter into consideration, and I hope to hear from you at your earliest convenience.

Sincerely,

Kenneth Colvin, Jr.

CC: Filed.

-1-

-2-



FORENSIC EXAMINATION SERVICE
CIVIL AND CRIMINAL EXAMINATIONS

David G. Townshend
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5395 Bunker Road
Mason, MI 48854

June 24, 2023

Mr. Kenneth Colvin
Macomb Correctional Facility
34525 26 Mile Rd.
Lenox Twp. MI 48048

Dear Mr. Colvin:

Examination of the documents you sent me revealed that they entailed reports submitted by the Michigan State Police. Unfortunately, due to the fact that the MSP was involved in the laboratory examination of the evidence on your case, I am unable to assist you.

I am sorry for the delay in answering your letters, but it involved circumstances that were beyond my control.

I wish you the best of luck on your case, and wish I could have been of assistance.

Sincerely,

David G. Townshend
Forensic Examination Service

FILED
5395 BUNKER RD
MASON MI
48854

MR. KENNETH COLVIN #192744
MACOMB CORRECTIONAL FACILITY
34525 26 MILE RD
LENOX TWP MI 48048

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Michigan State Police

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