



**11th Annual
National Trial Advocacy Competition**

October 21, 22, 23, & 24, 2010
East Lansing, Michigan

Moot Court & Trial Advocacy Board
Michigan State University College of Law

**MICHIGAN STATE UNIVERSITY COLLEGE OF LAW
2010 NATIONAL TRIAL ADVOCACY COMPETITION**

COMPETITION DETAILS

Welcome to the 2010 Michigan State University College of Law National Trial Advocacy Competition. This year's competition will take place from October 21-24, in East Lansing, Michigan. Competition information can be found at www.law.msu.edu/ntac/.

The purpose of the competition is to foster the development of trial advocacy skills. The competition consists of three preliminary rounds, followed by a quarter-final round and a semi-final round. The two finalists from the semi-final round will advance to a single elimination final round.

The preliminary rounds are tentatively scheduled for Thursday, October 21, at 6:00 p.m.; Friday, October 22, at 9:30 a.m.; and Friday afternoon at 3:30 p.m. Team assignments for the first two preliminary rounds will be made at random; the third round may be power-paired. The eight teams with the best records (according to Section I of the Rules) will proceed to the quarter-final round on Saturday, October 10, at 9:00 a.m. The four winning teams from the quarter-final round will proceed to the semi-final round at 2 p.m. The two winning teams from the semi-final round will meet for the championship round on Sunday morning at 9:00 a.m. Each trial should last approximately three hours, followed by a short session of comments from the evaluators.

The coaches' meeting is tentatively scheduled for Thursday, October 21 at 3:00 p.m. Every team must have a representative present at the coaches' meeting.

During each trial, each advocate must conduct a direct examination of a witness, a cross-examination of a witness, and present either the opening statement or closing argument. One advocate cannot give both the opening and closing arguments. Competitors are also evaluated on their skills in making and responding to objections, handling exhibits and arguing motions *in limine*.

Competitors are evaluated and scored based on advocacy skills and performance, and not the merits of the case. A judge and jury of experienced attorneys will score the competitors based upon demonstrated skills. The judges will not announce the winners of any of the preliminary rounds.

During the three preliminary rounds, each team will argue on behalf of the prosecution and defense at least once. In the quarter-final, semi-final, and final rounds, teams will participate as follows: if the teams have met before, the teams will switch sides; if they have not met before, sides will be decided by a coin toss.

After the third round on Friday evening, all participants and guests are invited to a cocktail reception hosted by Michigan State University College of Law at the East Lansing Marriott. The eight quarter-finalists will be announced at approximately 9:30 p.m. Individual awards will be given at this reception as well.

The Competition Committee will give the following awards:

1. First Place Team
2. Second Place Team
3. Semi-Finalist Teams
4. Best Advocate
5. Best Opening Statement
6. Best Direct Examination
7. Best Cross-Examination
8. Best Closing Argument
9. The Professional Ethics Award

Individual awards will be determined based on total scores of the three preliminary rounds. In the event of a tie for an individual award, the Competition Committee shall evaluate and consider other aspects of the competitors' performance in deciding the winner of the award. The Professional Ethics Award will be based on evaluations made by the individual teams after each round.

We look forward to seeing you in a few weeks. Good luck!

RULES

A. Team Composition:

1. Each team must consist of four law students (i.e., students who are enrolled, in good standing, currently attending the law school they represent, and working toward a Juris Doctor degree or its equivalent).
2. No competitor shall allude to his or her school or the school of their opponent before, during, or after a round. Teams must respect this rule as it is in place to ensure fairness and impartiality in the competition. A violation of this rule may result in the immediate disqualification of the offending team.
3. No substitution in the membership of the team is permitted after the commencement of a round in which a team is participating, except upon written approval of the Competition Committee.

B. Witnesses:

1. The witnesses providing oral testimony at trial shall be:

Prosecution: (1) Jo Mulvaney
 (2) Sam Long

Defense: (1) John Green
 (2) Leslie Johnson
2. The defendant is male. All other witnesses providing oral testimony are gender neutral. Any gender specific terms appearing in the competition materials should be read to include the term appropriate to the actual gender of the team member assuming that role. For instance, the terms “she,” and “her,” shall become “he,” and “him,” if the team member assuming that role is male. In the event such terms are read from the record or from any exhibits at trial, any such gender-specific substitutions may be made (i.e. an advocate need not refer to a

- female witness as “he” when reading from a transcript merely because of the language used in the materials). For ease of grammatical presentation, each team will be required to disclose the gender of potential witnesses to the judge prior to each trial.
3. All witnesses must testify during each team’s respective case-in-chief. The prosecution and defense must call their respective witnesses as listed above. Furthermore, a witness may only be called once by his/her team and may not be recalled by either side. Neither side may call a witness of the other party.
 4. Witnesses must testify in accordance with the factual scenario created within the problem. A witness may testify as to a reasonable inference drawn from the case materials on non-material facts, but participants are prohibited from enhancing their position by presenting testimony about material facts not contained in the case materials. The creation of facts outside of the problem may result in disqualification from the competition. A reasonable inference is one that flows logically, necessarily, and inescapably from the stated facts. A reasonable inference is not one that is merely possible or consistent with the stated facts. If an advocate attempts to impeach a witness by omission, the witness must reply consistently with the facts as given, but may also testify as to any inference which is reasonable as it has been defined here. A witness may not respond with the statement: “I was not asked that question.” Additionally, no team may change the testimony given in the transcript.
 5. During the opening statements, reference to the governing law can be made as to the elements of the causes of action and the nature of the allegations brought forth in the case.
 6. Other than what is supplied in the problem itself, there is nothing exceptional or unusual about the background information of any of the witnesses that would bolster or detract from their credibility.
 7. The order of witnesses shall be determined by each team.

C. Team Coaches and Observers:

1. Team coaches may be present in the courtroom for their team's trials only. No team may receive advice or assistance from any faculty advisor or observer during a round. Faculty advisors and observers may NOT: talk to, signal, communicate with, or otherwise coach their teams during the trials or on any breaks during the trial. Violation of this rule may result in the offending team forfeiting the round in which the offense occurred or immediate disqualification of the offending team from the entire competition.
2. Team members, advisors, coaches, and any other representatives of the competing teams are not permitted to observe the proceedings in any courtroom other than the courtroom in which their team is competing.

D. Time Limits:

1. Each team shall be allotted ten (10) minutes to argue motions *in limine*. This allotment includes any responses and arguments stemming from such motions. Motions *in limine* cannot be presented in writing. Each team shall then have an additional eighty (80) minutes in which to present its opening statement, two witnesses, cross-examination of witnesses and give closing argument. The prosecution has the option of presenting a rebuttal but may only do so after giving an initial closing argument. Such rebuttal must fit within the eighty (80) minute time constraint. Additionally, if necessary, at the end of both teams' closing arguments each team will have five (5) minutes to present a "beyond the record" objection. See Section (G)(3).
2. Time will be kept by the bailiff, and the bailiff will give time warnings upon request at appropriate points in the trial.
3. The amount of time spent on any one aspect of the trial is to be determined by each team.

4. The clock will not stop during objections and legal argument on objections. The presiding judge has the discretion to limit argument on objections. Teams should make every effort to be selective and concise in making and arguing objections.

E. Trial:

1. Examination is limited to Direct, Cross, and Re-Direct. Teams are permitted only one opportunity for Re-Direct per witness. Re-Cross is not permitted. Cross-Examination is not limited to the scope of Direct Examination. However, Re-Direct is limited to the scope of the issues raised during Cross-Examination.
2. No trial briefs, written memoranda, or case law may be submitted to the Court before or during the trial. A written notice of appearance and exhibit list for the presiding judge and evaluating judges is permitted. The judges will be instructed that this is for administrative ease, only. No reference to the school the team is representing shall appear on the appearance sheet.
3. During trial, the team presenting prosecution's case-in-chief shall sit closest to the jury box.

F. Presentation, Exhibits, and Stipulations:

1. The Federal Rules of Evidence and the Federal Rules of Criminal Procedure apply. The substantive law is set forth in the jury instructions. Teams may cite the Advisory Committee's notes for the Federal Rules of Evidence. **No other law or outside research is permitted. Use of outside research or law may result in disqualification from the competition.**
2. Teams may use whatever method to present their case they deem appropriate. If a chalkboard or easel is necessary to your presentation, you must bring it with you, as one cannot be guaranteed. While teams may draw on the chalkboard or easel during the trial, they may not bring in any earlier prepared materials, with the exception of those provided for in Rule 4 of this section.

3. Means for an electronic presentation (i.e. PowerPoint) may be available for all rounds. Teams should prepare as if such means will not be available. Teams are prohibited from using any electronic evidence presenting software (i.e. TrialDirector) and document cameras (i.e. Elmos). If such means for an electronic presentation are available, and a team wishes to use them, the team must supply their own laptop to run the electronic presentation. In order to ensure compatibility, teams desiring to use a laptop in the competition must notify the competition director (via email at ntac@law.msu.edu) of the make and model number of the laptop they plan on using no later than, Friday, October 1. Failure to timely notify the competition director may result in an inability to utilize an electronic presentation.
4. Teams are permitted to enlarge only the jury instructions, verdict form, and evidentiary exhibits. Teams may not create any demonstratives, outside of the courtroom, for use during competition. All evidence is deemed a photograph or a photocopy of an original.
5. All exhibits are deemed authentic. Best evidence rule objections will not be entertained.
6. All transcripts are true and accurate representations of the witnesses' testimony.
7. All witnesses listed in Section B (1) of the Rules are required to testify.
8. No witness, while testifying, may invent an individual that is not mentioned in this problem.
9. All testimony was given under oath.
10. No chain of custody arguments will be permitted.
11. Meg Ryan is out of the country and unavailable to testify at trial. She meets the criteria under FRE 804(5) to establish unavailability. The method of presentation to the jury is left to the teams' discretion as long as it is consistent with the Federal Rules of Evidence.
12. Steve VanKamp has admitted to stalking Dr. Kelly Green on several occasions after the death of his wife and unborn child, including the U12 soccer game at Freedom Park on March 28, 2010.
13. John Green dropped his son, Michael, off at the Smith's house for a birthday party, on March 28, 2010 at 1:30 p.m.

14. The Smith's house is 5.2 miles north of Freedom Park on Patriot Road.
15. The speed limit on Patriot Road is 25 miles per hour.
16. D/Lt. Mulvaney has had extensive training and experience in homicide investigation, including autopsies where forensic pathologists had determined the cause of death to be gunshot wound injuries to the head of the victim. D/Lt. Mulvaney was personally present during the autopsy of the decedent Kelly Green. D/Lt. Mulvaney may testify including opinion testimony, that Kelly Green died as a proximate result of a gunshot wound to her head.
17. D/Lt. Mulvaney is a proper sponsor of a Sparta Police Laboratory Report authored by Rex Ian Prince regarding evidence obtained during the course of the investigation.
18. D/Lt. Mulvaney has acquired enough firsthand knowledge by way of training and experience as a police officer to testify competently regarding the properties of "frangible" ammunition.
19. D/Lt. Mulvaney is competent to render the opinion that the wound fatal to Kelly Green was from "indeterminate" range.
20. D/Lt. Mulvaney is a proper sponsor of the records pertaining to the Complaint for Divorce and Order in re: Kelly Green v. John Green and they are admissible, without objection.
21. The Autopsy Report does not offend Confrontation Clause rights of Defendant John Green.
22. The parties are to assume that any advance notices that are required to be given to the other side are, for purposes of this case, considered to have been given.
23. In 2004, there was a departmental finding that John Green falsified a police report.
24. The Defendant and his wife were residing at 700 E. Colfax Street, Spartanville, SP 49058 on the date of her death.
25. Steven VanKamp's wife and unborn child died on February 15, 2010.
26. The subpoenas (Ex. 13, 14, 15) and resulting documents (Ex. 16, 17, 18) are deemed to be constructively signed.

27. All stipulated facts are deemed true and admissible.

G. Objections:

1. Objections made during the direct examination and cross-examination of a witness may only be made by the competitor who is responsible for the direct examination or cross-examination of that particular witness. Objections during opening statements and closing arguments must be made only by the competitor who is responsible for handling his or her team's opening or closing. This rule does not prohibit advocates from the same team from conferring with each other regarding any matter during the course of the trial, provided that such communication is not disruptive.
2. During the course of the trial, the arguments of motions and objections are strictly a matter for the judge to rule on.
3. At the end of closing arguments, an objection may be made if the other team has gone "beyond the record" throughout the course of the trial. This objection is only appropriate if 1. impeachment procedures were conducted during the course of the trial AND 2. the offending team still made references to material outside the record. This objection shall consist of the facts that were beyond the record, and how these facts adversely impacted the course of the trial. If a team is extending the record, the judge reserves the right to decrease the offending team's overall score.

H. Procedure for Questions Regarding the Problem:

1. All questions regarding the problem should be directed to the competition director. Questions must be submitted via email to **ntac@law.msu.edu** no later than 5 p.m. EST on Friday, September 10.
2. Responses to the questions will be released via email on Friday, September 17.
3. Each team is limited to asking five questions, including all subparts.
4. Any response to a question that *directly* contradicts facts contained in the case materials will supersede any previously given information.

5. Substantive questions will not be entertained at the Coaches' Meeting, or at any subsequent date, unless the competition director deems it appropriate.

I. Matching & Scoring:

1. The teams will be paired at random for the first two preliminary rounds.
2. All teams are guaranteed to present each side of the case at least once in the preliminary rounds.
3. The teams may be power-paired for the third preliminary round.
4. Each preliminary round will be scored by judges. In addition to determining a winning team, each judge will give an overall team performance on a scale of zero (0) to one hundred and twenty (120). A copy of the judge's ballot is contained in the problem materials.
5. The winner of each preliminary round will be determined by the selection of the winning team by the judges. No more than three judges will score a round. In the event that four judges are present for a round, the presiding judge's ballot will be disregarded. In the event that only two judges are present for a round, a third ballot will be created by averaging the two ballots.
6. The qualifiers of the quarter-final round will be determined as follows (in descending order):
 - a. Win-loss record in preliminary rounds – the number of rounds won or lost by a team (out of three);
 - b. Win-loss record on individual ballots – the number of scoring judges' votes a team earned in preceding rounds (out of nine);
 - c. Total point differential;
 - d. Total points;
 - e. Coin toss in the event of a tie on all four, above.
7. The pairings for the quarter-final round will be based on the results of the preliminary rounds. The quarter-final teams will be ranked one through eight. Team one will then face team eight and team two will face team seven.

8. The same procedure for pairings will apply to the semi-final round.
9. The party each team will represent in the quarter-final round will be determined by a coin toss, unless the teams have previously competed against each other, in which case the teams will trade sides. The semi-finalists will represent the party against whom they competed in the quarter-final round. If the semi-finalists competed on the same side in the quarter-final round, the sides will be determined by a coin toss.
10. The same procedure for party representation will apply to the final round.
11. The two finalists will be determined by single elimination during the semi-final round.
12. The Best Advocate will be chosen based on overall performance in the preliminary rounds as determined by preliminary round evaluators.

J. Protests During the Competition:

1. If any team believes that an opponent has committed a violation of these rules severe enough to place the result of the round in question, the offended team may choose to file a protest.

The protest procedure is as follows:

- a. Inform the bailiff, in writing, within five minutes of the conclusion of closing arguments detailing the specific violation, including a short explanation;
 - b. Five coaches will be selected at the initial coaches' meeting to form the protest panel. This panel will convene as soon as possible to hear both sides of the protest;
 - c. In the event that a coach on the protest panel is associated with one of the teams involved in the protest, that coach will be recused from the panel;
 - d. The protest panel will inform both teams of its findings as soon as possible.
2. **Protests are not, and should not, become part of the competitive process; they are intended only as a last resort.**

3. The protest panel will review the protested conduct and attempt to remedy the situation in a fair and equitable manner. Weight will be given to whether the alleged violation affected the outcome of the trial.
4. The protest panel will make a recommendation to the Competition Director. The Competition Director will determine the final remedy.

JUDGE'S BALLOT

MICHIGAN STATE UNIVERSITY COLLEGE OF LAW
NATIONAL TRIAL ADVOCACY COMPETITION

BALLOT READS FROM LEFT TO RIGHT

Round # _____ Room # _____

PROSECUTION: Letter _____

DEFENSE: Letter _____

PROSECUTION'S OPENING STATEMENT (20 pts)

Advocate's Individual # _____
Opening Statement Points _____/20

DEFENSE'S OPENING STATEMENT (20 pts)

Advocate's Individual # _____
Opening Statement Points _____/20

DIRECT OF PROSECUTION'S WITNESS #1 (15 pts)

Advocate's Individual # _____
Direct of Prosecution Witness #1 Points _____/15

CROSS-EXAMINATION OF WITNESS #1 (15 pts)

Advocate's Individual # _____
Cross of Prosecution Witness #1 Points _____/15

DIRECT OF PROSECUTION'S WITNESS #2 (15 pts)

Advocate's Individual # _____
Direct of Prosecution Witness #2 Points _____/15

CROSS-EXAMINATION OF WITNESS #2 (15 pts)

Advocate's Individual # _____
Cross of Prosecution Witness #2 Points _____/15

CROSS EXAMINATION OF WITNESS #1 (15 pts)

Advocate's Individual # _____
Cross of Defense Witness #1 Points _____/15

DIRECT OF DEFENSE'S WITNESS #1 (15 pts)

Advocate's Individual # _____
Direct of Defense Witness #1 Points _____/15

CROSS EXAMINATION OF WITNESS #2 (15 pts)

Advocate's Individual # _____
Cross of Defense Witness #2 Points _____/15

DIRECT OF DEFENSE'S WITNESS #2 (15 pts)

Advocate's Individual # _____
Direct of Defense Witness #2 Points _____/15

PROSECUTION'S CLOSING ARGUMENT (20 pts)

Advocate's Individual # _____
Closing Argument Points _____/20

DEFENSE'S CLOSING ARGUMENT (20 pts)

Advocate's Individual # _____
Closing Argument Points _____/20

PROSECUTION'S COURTROOM DEMEANOR (5 pts/each)

Advocate's Individual # _____
Courtroom Demeanor Points _____/5
Advocate's Individual # _____
Courtroom Demeanor Points _____/5

DEFENSE'S COURTROOM DEMEANOR (5 pts/each)

Advocate's Individual # _____
Courtroom Demeanor Points _____/5
Advocate's Individual # _____
Courtroom Demeanor Points _____/5

PROSECUTION'S OBJECTIONS/MOTIONS (5pts/each)

Advocate's Individual # _____
Objections/Motions Points _____/5
Advocate's Individual # _____
Objections/Motions Points _____/5

DEFENSE'S OBJECTIONS/MOTIONS (5pts/each)

Advocate's Individual # _____
Objections/Motions Points _____/5
Advocate's Individual # _____
Objections/Motions Points _____/5

BEYOND THE RECORD (deduction up to 5 points)

BEYOND THE RECORD (deduction up to 5 points)

Total Points for Prosecution _____ (120 pts)

Total Points for Defense _____ (120 pts)

WINNING TEAM (Based on POINTS – Please circle ONLY one)

PROSECUTION

YOU MUST CIRCLE ONE WINNER

DEFENSE

Judge's Signature: _____

Date: _____

1 STATE OF SPARTA
2 IN THE DISTRICT COURT FOR THE COUNTY OF IZZO

3 **STATE OF SPARTA,**) Case No.: 10-0081305
4 **vs.**) **EXAMINATION OF JO MULVANEY**
5)
6 **John Green,**)
7 _____)

8 Examination of JO MULVANEY, taken in above-titled manner before the Honorable
9 Judge Timothy Ronald, District Judge, Spartanville, SP, 48823 on June 4, 2010, at
10 approximately 8:45 AM.

11 JO MULVANEY, being fully sworn by the Court Reporter, testified under oath as
12 follows:

13 Q: Can you please state and spell your name?

14 A: Jo Mulvaney. M-U-L-V-A-N-E-Y.

15 Q: What is your current address?

16 A: I live at 337 Arbor Court, Spartanville, SP.

17 Q: What is your current occupation?

18 A: I'm a Detective Lieutenant with the Sparta State Police.

19 Q: How long have you held that position?

20 A: 22 years with the State Police. Seven years as ranking Detective
21 Lieutenant.

22 Q: Thank you. Now, I'd like to take you to the events of March 28th, 2010.
23 Where were you dispatched to that day?

24 A: To Freedom Park in Spartanville.

25 Q: Why were you dispatched there?

26 A: I was dispatched there because there was a homicide that just occurred,
27 and the potential suspect, John Green, was an active officer of the
28 Spartanville Police Department. As such, there was a conflict with the

1 Spartanville Police Department investigating the case and it became necessary
2 to get the Sparta State Police involved.

3 Q: What time did you arrive to Freedom Park that day?

4 A: 4:00 p.m.

5 Q: Did you speak to the Spartanville Police officers who were at the scene
6 when you arrived?

7 A: Yes, I did.

8 Q: What did they tell you had occurred?

9 A: That a female was walking away from the soccer game and had been shot.
10 They had cordoned off the area, and made an appropriate decision to get the
11 outside agency involved due to the conflict of interest with John Green.

12 Q: What did you observe at the scene when you arrived there?

13 A: The female victim, Kelly Green, lying face down in the grass, proximal to
14 the sidewalk.

15 Q: Did you create a crime scene sketch?

16 A: I did. It's not drawn to scale, but it accurately depicts the scene as I
17 found it on March 28.

18 Q: Did the victim have any visible wounds?

19 A: You know, due to her hair, you really couldn't tell exactly where the
20 wound was. You could see that there was blood pooling to the left side of
21 her, and on her wrist. However, you couldn't tell exactly where the wound
22 was.

23 Q: Did you see John Green that day?

24 A: Yes, I did. Upon my arrival.

25 Q: Did you observe his demeanor?

26 A: Yes, I did. He was very casual about the whole thing considering that he
27 had just lost his wife.

28 Q: Who did you identify as the suspect in this case?

1 A: John Green, Kelly Green's husband.

2 Q: Is he in the courtroom today?

3 A: Yes, he is. He's wearing a grey-black jacket.

4 Q: Did you interview Mr. Green?

5 A: Yes, I did and he gave a statement to me voluntarily, which was a summary
6 of what we discussed.

7 Q: Did you discuss where Mr. Green was on the day of his wife's murder?

8 A: Yes.

9 Q: What did he tell you?

10 A: He said he was at his son Patrick's soccer game, and that he left there
11 around 1:30 p.m. to take his other son, Michael, to a birthday party at the
12 home of Jay and Carla Smith. Then, he said he met his friend, Leslie Johnson,
13 at Miller's Bar for a burger.

14 Q: What else did you learn during your investigation?

15 A: I learned that John had recently taken out a life insurance policy on his
16 wife. Kelly Green is the insured and John Green is the beneficiary. The
17 amount of the policy is one million dollars. John gave me a copy of the
18 policy.

19 Q: Did you file an investigative subpoena relating to the Defendant's phone
20 records?

21 A: Yes I did. I learned from Patrick Cumba at Alltel that the phone had been
22 disabled from a period of about 12 and-a-half hours on March 28, 2010. I've
23 investigated crimes before involving disabled phones and there's really only
24 two ways to do it. One is to accidentally destroy it and one is to remove the
25 battery.

26 Q: Did you file an investigative subpoena relating to the Defendant's
27 gambling debts?

28 A: Yes, I filed an investigative subpoena. I received responses, which all

1 indicated the amount the Defendant owed to each casino.
2 He owed \$51,000 to Greektown, \$97,500 to MGM, and \$47,500 to MotorCity.
3 Q: Are you aware that an autopsy was performed in this case?
4 A: I am. I was present for the autopsy.
5 Q: Did you receive a copy of the report?
6 A: Yes, I did.
7 Q: What did the report conclude?
8 A: That Kelly Green died of a massive trauma to the brain from a gunshot
9 wound. Also, the wound fatal to Kelly Green was from an indeterminate range.
10 Q: Detective Mulvaney, was there also a ballistics report filed with you?
11 A: Yes.
12 Q: What was Officer Prince's conclusion as a result of his ballistics
13 analysis?
14 A: The victim had a large amount of debris field inside of her cranial
15 cavity, which is consistent with what is basically referred to as a non-lead
16 composite bullet that is often referred to as a frangible bullet. The Medical
17 Examiner also noted that the fragments were the remnants of a frangible
18 bullet.
19 Q: What is a frangible bullet?
20 A: They are used in training exercises in law enforcement. They essentially
21 fragment and vaporize upon hitting a solid object. They are a safety round.
22 Police departments and the military use metal knock down targets in which you
23 have a jacketed bullet that's copper jacketed. The jacket can tear off and
24 actually ricochet and hit someone. So as a safety issue, they created this
25 frangible bullet, which vaporizes upon impact.
26 Q: Detective Mulvaney, where can you purchase frangible bullets?
27 A: They are not readily available for commercial purchase, but if you know
28 where to buy them, you can get them. I know they are also used at commercial

1 shooting ranges, for obvious safety reasons.

2 Q: Would frangible bullets have been available to the Spartanville Police?

3 A: Yes.

4 Q: Did you rule out Steven VanKamp as a suspect?

5 A: I never ruled him in. He was a person of interest, but after interviewing
6 him, I couldn't find any underlying reason why Mr. VanKamp would really want
7 to see the death of Dr. Green.

8 Q: Why was he a person of interest?

9 A: During the course of my investigation, I learned that VanKamp thought Dr.
10 Green was responsible for the death of his wife and unborn child. He thought
11 she committed medical malpractice. I found a note that appeared to be from
12 VanKamp in the victim's purse. It read, "You will pay." I asked Steven
13 VanKamp about this letter during my interview with him and he denied writing
14 it.

15 Q: How did you arrive to your conclusion that John Green shot Kelly Green?

16 A: I asked myself who stood to benefit the most from Dr. Green's death. It
17 was John Green.

18 Cross-Examination waived.

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1 STATE OF SPARTA
2 IN THE DISTRICT COURT FOR THE COUNTY OF IZZO

3 **STATE OF SPARTA,**) Case No.: 10-0081305
4 **vs.**) **EXAMINATION OF SAM LONG**
5)
6 **John Green,**)
7)

8
9 Examination of SAM LONG, taken in above-titled manner before the Honorable
10 Judge Timothy Ronald, District Judge, Spartanville, SP, 48823 on June 4, 2010, at
11 approximately 10:45 AM.

12 SAM LONG, being fully sworn by the Court Reporter, testified under oath as
13 follows:

14 Q: Please state and spell your name?

15 A: Sam Long, L-O-N-G.

16 Q: What is your current address?

17 A: Currently, I live at 1919 Forest Court, Spartanville, SP.

18 Q: Are you employed?

19 A: Yes, I am a pharmaceutical sales representative for Medco.

20 Q: Do you know Kelly Green?

21 A: I did.

22 Q: How did you know her?

23 A: We met when I called on her office for my sales calls.

24 Q: How long ago was that?

25 A: About 3 years, I think.

26 Q: Did you develop a relationship with her?

27 A: Yes. We were close friends. We discovered that we exercised at the same
28 gym, and had children who were close in age.

1 Q: Do you know Dr. Green's husband?

2 A: I do.

3 Q: Can you identify him and point out an article of clothing that he is

4 wearing?

5 A: He is sitting at the end of that table wearing a blue-ish/grey-black

6 jacket.

7 Q: Were you at Freedom Park on March 28, 2010?

8 A: Yes, I was.

9 Q: Why were you there?

10 A: I was watching my son, Jeff's, soccer game. Kelly's son, Patrick, was

11 playing too.

12 Q: Can you give me a description of the park?

13 A: It is a municipal complex. There are soccer fields, baseball fields, a

14 wooded trail area and a playground.

15 Q: So there are open areas in the park?

16 A: Yes.

17 Q: Are there trees in the park?

18 A: Yes, of course, several. There are several wooded areas.

19 Q: Are these areas dense enough in which a person could hide?

20 A: Yes.

21 Q: How far away are these areas from the parking lot?

22 A: I have never been great with estimating distances. About one football

23 field.

24 Q: What time did the soccer game commence?

25 A: Noon.

26 Q: Was it crowded?

27 A: Yes, somewhat. There were a couple of games that day. Maybe 50-60 people.

28 Q: Was John Green there?

1 A: Yes.

2 Q: Did you see him?

3 A: Yes.

4 Q: Did he stay for the entire game?

5 A: No, he did not.

6 Q: Where was he sitting?

7 A: On the other side of the bleachers from us.

8 Q: Did he ever come over and sit near you and Dr. Green?

9 A: No.

10 Q: How long did he stay?

11 A: For most of the game. He had to take his other son, Michael, to a
12 birthday party.

13 Q: Do you know where the birthday party was being held?

14 A: Somewhere in Spartanville. It was the party of another kid from school,
15 so maybe 15 minutes away.

16 Q: Did he return to the game?

17 A: No. I did not see him until after the incident.

18 Q: What time did he leave the game?

19 A: He left around 1:15 p.m.

20 Q: What time did the game end?

21 A: Around 1:40 p.m. Something like that.

22 Q: What did you do after the game ended?

23 A: Kelly and I helped some of the other parents put the equipment away.

24 Q: How long did that take?

25 A: About 15 minutes.

26 Q: So, at 2 p.m. you were done?

27 A: Yes.

28 Q: Did you start walking to your cars?

1 A: Yes.

2 Q: Was your son, Jeff, and Dr. Green's son, Patrick, with you?

3 A: No. They rode their bikes to get ice cream. They left right after the
4 game.

5 Q: What happened when you were walking to the parking lot?

6 A: I heard a noise. It sounded like a gunshot. I hunt and frequent the
7 shooting range, and I know what a gun sounds like. I thought that was odd
8 because it wasn't hunting season and we weren't near a shooting range. I
9 turned back and Kelly was on the ground.

10 Q: Were you able to determine where the gunshot came from?

11 A: Just by sound, I would say it came from the woods behind me.

12 Q: Now when you heard this gunshot, were you facing the parking lot?

13 A: Yes.

14 Q: Did you have a clear view of it?

15 A: Yes.

16 Q: Did you see anybody in the parking lot with a gun?

17 A: No.

18 Q: What did you do after you saw Kelly on the ground?

19 A: Well, I thought she just fell. I went over to her to help her up and
20 that's when I saw the blood. I yelled. I kneeled down and tried to move her.
21 She didn't respond. Then I called 9-1-1.

22 Q: How long after you called 9-1-1 did the police arrive?

23 A: I don't know. Not long. Time seemed to stand still at that point. I just
24 remember hearing sirens, and seeing a rush of police and EMT.

25 Q: Did you see John Green at the scene after you called 9-1-1?

26 A: Yes.

27 Q: Where was he?

28 A: In the parking lot. I remember thinking it was weird that he was just

1 standing there. It was his wife. I thought he would bull through the police
2 to get up there to see her. I mean, he is a police officer. But, he just
3 stood there in the parking lot.

4 Q: Did you see Patrick immediately after the shooting?

5 A: No. Thank God. The next time I saw him was at her funeral.

6 Q: Did John talk to you?

7 A: No. We don't talk. We have never been on good terms. With the marital
8 problems, pending divorce, and the nature of my friendship with Kelly, we
9 just don't talk. I've always thought he was a terrible person with violent
10 tendencies. I told Kelly that on more than one occasion, and in December, she
11 confided in me that things were really getting ugly at home. She told me that
12 she feared for her life because John threatened to hurt her.

13 Q: Do you remember what Mr. Green was wearing on the day of the shooting?

14 A: I can't quite recall. I know he had a t-shirt and a hat on.

15 Q: Did you see a man named Steven VanKamp at the game?

16 A: Yes.

17 Q: Was his child on the soccer team as well?

18 A: No. He didn't have any children and I don't think he lived nearby.

19 Q: Do you know Mr. VanKamp?

20 A: Yes, he is a member of my gun club, the Spartan Gun Club, and he's in my
21 practical shooting league. I know he teaches in the Junior League as well. My
22 son had him as an instructor.

23 Q: Have you ever been paired up with him for competitions?

24 A: Yes, we were paired up for the Steel Challenge one year and he won an
25 award for best shot.

26 Q: What was the distance?

27 A: 75 yards.

28 Q: Are you aware of anyone using frangible bullets at Spartan Gun Club?

1 A: Yes, they use them in the Junior League, for obvious safety reasons.

2 Q: Mr. VanKamp was the husband of one of Dr. Green's patient's who recently
3 died?

4 A: Yes. He had been harassing her for several weeks.

5 Q: What was he wearing at the game, if you can recall?

6 A: A tan/off-white t-shirt with jeans. I think he had a hat on as well.

7 Q: Thank you. No further questions.

8 Cross Examination Waived.

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1 STATE OF SPARTA
2 IN THE DISTRICT COURT FOR THE COUNTY OF IZZO

3 **STATE OF SPARTA,**) Case No.: 10-0081305
4 **vs.**) **EXAMINATION OF MEG RYAN**
5)
6 **John Green,**)
7)

8
9 Examination of MEG RYAN, taken in above-titled manner before the Honorable
10 Judge Timothy Ronald, District Judge, Spartanville, SP, 48823 on June 4, 2010, at
11 approximately 1:45 PM.

12 MEG RYAN, being fully sworn by the Court Reporter, testified under oath as
13 follows:

14 Q: Please state and spell your name for the record?

15 A: Meg Ryan, R-Y-A-N.

16 Q: Ms. Ryan, describe your relationship with John Green?

17 A: We were romantic at one time. But that doesn't really mean much. I came
18 to learn that he was romantic with many. After we ended things, the women
19 started to come out of the wood work. One was my best friend, Rhonda. I guess
20 it still stings a little.

21 Q: Describe how your relationship evolved.

22 A: I met John about two years ago. I was working at the coffee shop, the
23 Donut Hole, and going to the Community College. He started coming in. I knew
24 he was a cop. He kept dropping stuff about the crime scenes, the Court
25 appearances and training with the sniper school. Always building himself up.
26 I liked it. I knew he was flirting with me. He was mature, handsome, seemed
27 to have resources and he was interested in me. He gave me a few things, but
28 mostly a lot flattery.

1 Q: Did your relationship with Mr. Green progress from there?

2 A: We started going out. A lunch. A ballgame. A movie. Some dinners at
3 nice restaurants. Then we started to take some weekends down at the casino
4 hotels. The relationship began to change a little.

5 Q: What did you learn about John during this time?

6 A: I learned that John was a drinker, and not a pleasant drunk. He also
7 played some high stakes at the tables. For a while he was a big winner. He
8 had lots of cash, and credit with the casinos. We had the best rooms, with
9 service. It was a blast. Then his luck began to change. Losing a little at
10 first and then a lot. I don't know his finances, but I am sure the accounts
11 are against him.

12 Q: Did these gambling debts stop Mr. Green from gambling?

13 A: He kept going because his wife made quite of bit of money. She was a busy
14 M.D. John did not like the dependence. But, he took advantage of the
15 checkbook. I think he kept the finances under his thumb. Kelly, his wife,
16 probably didn't know much of the finances.

17 Q: Did your relationship with Mr. Green being to change at this point?

18 A: Things were kind of constant for the first year or so. Then things
19 started to change. John was obviously not happy. He began to drink more,
20 maybe some drugs. He spent a lot of time with Leslie. The tables turned
21 against him; he began to lose heavily. I know the casinos did not treat him
22 with the same respect. The rooms were smaller, no *gratis* at the buffet.
23 Changes. John began to grumble about the unfairness of the casinos.

24 Q: How did Mr. Green react to this different treatment at the casinos?

25 A: I know that he pulled his gun on one of the employees, but I don't know
26 the reason. That was about the end of our visits to the casino hotels. John
27 started to actively complain about his wife, Kelly.

28 Q: What did Mr. Green complain about in regards to his wife?

1 A: He called her smug and mercenary. He said she was more concerned about
2 her career and bank account than him or the boys. He said she was trying to
3 turn him into a monk, poor and celibate. He became very negative toward her.
4 He was very positive toward me. He introduced me to his kids. He was very
5 kind with his choice of words. He was trying to put me in a very good light
6 with them. I liked it. Honestly, I wanted to be with him, and his boys. I
7 began to feel very special.

8 Q: Did Mr. Green's attitude towards his wife begin to worry you?

9 A: I admit, I was disturbed about his negativity toward Kelly. I know that
10 he bought a big insurance policy on her life. He began to make comments
11 like: "even though she's a M.D.; she's worth more dead than alive." After
12 awhile, Kelly filed for divorce.

13 Q: How did Mr. Green react after his wife filed for divorce?

14 A: John went through the roof when the pleadings started to come in,
15 particularly the property settlement and child support formulas. John would
16 get pretty profane about how much Kelly made, how little he made and how
17 biased the Friend of the Court workers were. John started to volunteer for
18 START training; he said he needed the overtime; but, he would practice long
19 range shots on his own time at a DNR range. He kept fine-tuning the scope on
20 his own high-power rifle. I was very concerned about how things were going.

21 Q: Did your relationship with Mr. Green change at this point?

22 A: Yes.

23 Q: How did it change?

24 A: John seemed to be preoccupied. His mind was somewhere else. He was always
25 on the phone with Leslie and he said Leslie would do anything he wanted, that
26 he owed him. They were almost secretive. I saw John two days before Kelly was
27 shot. He told me that things were going to get better real soon. No matter
28

1 what, I was to deny any relationship with John if the police were to ask me
2 any questions.

3 Q: What else did Mr. Green tell you to say?

4 A: John told me that he might want me to testify about a 'story' that we
5 would work, if it became necessary. Most important, John wanted me to
6 "remember" that he was going to take one of the boys to a party while Kelly
7 was with the other boy.

8 Q: Did Mr. Green say anything else about that day?

9 A: He also said that his life was forever tied to mine. We would be a happy
10 couple in the best places, where the sun always shined.

11 Q: How did you feel about Mr. Green's promises?

12 A: I really didn't believe him. In fact, on March 27, my friend Rhonda
13 confessed to me that she was having an affair with him and that they were in
14 love. I stopped talking to him after that. I heard about the incident on the
15 evening news. It's really tragic.

16 Q: Thank you, no further questions.

17 Cross Examination Waived.

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1 STATE OF SPARTA
2 IN THE DISTRICT COURT FOR THE COUNTY OF IZZO

3 **STATE OF SPARTA,**) Case No.: 10-0081305
4 **vs.**) **EXAMINATION OF LESLIE JOHNSON**
5)
6 **John Green,**)
7)

8
9 Examination of LESLIE JOHNSON, taken in above-titled manner before the
10 Honorable Judge Timothy Ronald, District Judge, Spartanville, SP, 48823 on June 4,
11 2010, at approximately 2:45 PM.

12 LESLIE JOHNSON, being fully sworn by the Court Reporter, testified under oath
13 as follows:

14 Q: Please state and spell your name?

15 A: Leslie Johnson, J-O-H-N-S-O-N.

16 Q: What is your current address?

17 A: I live at 26343 Elm, Spartanville, SP.

18 Q: Are you currently employed?

19 A: Yes, I am an accountant.

20 Q: Do you know John Green?

21 A: I do.

22 Q: How long have you known him?

23 A: We met about 10 years ago.

24 Q: How did you meet?

25 A: At the home of a mutual friend, for poker night.

26 Q: Did you develop a relationship with him?

27 A: Yes. We are friends with mutual friends in common.

28 Q: What is the extent of your social relationship?

1 A: John and I gamble together for fun. We also grab lunch weekly and go on
2 vacation once per year.

3 Q: Do you know Mr. Green's wife?

4 A: I met her once or twice. My friendship was really just with him.

5 Q: Did he ever talk to you about his relationship with her?

6 A: Only to say that it was good while it lasted, but that it was over. I
7 learned several years ago from him that they had an open relationship.

8 Q: What is an open relationship?

9 A: They could be intimate with other people.

10 Q: Did you know that Mr. Green was going through a divorce with his wife?

11 A: Yes, I did know that the divorce proceedings commenced, but I really
12 can't provide any specific information about it. That just wasn't the topic
13 of our conversations.

14 Q: Did he ever tell you that he was angry with his wife?

15 A: To the contrary. He said he loved her.

16 Q: Have you had any run-ins with the law?

17 A: Who hasn't? Just a minor thing, really. Is it really necessary to
18 discuss?

19 Q: Yes, it is.

20 A: I had a felony forgery charge about 12 years ago. I served a couple of
21 years for that. I feel bad about it. I was in a bad place. I forged two of my
22 aunt's checks. She had just recently passed away and I really needed money
23 and I obviously didn't think she'd need it.

24 Q: Anything else?

25 A: Yes, I was charged and convicted for a felony amphetamine possession. I
26 served 18 months and was fined \$5000.00.

27 Q: When was that?

28 A: I was convicted on March 9, 2006.

1 Q: Do you currently use drugs?

2 A: No. I am a recovering addict. John and I used a few times to stay up for
3 poker tournaments, but I am on the straight and narrow now, and so is he.

4 Q: Where were you on March 28, 2010?

5 A: I was with John Green, grabbing a burger at Miller's Bar. We meet every
6 week on Sunday afternoons.

7 Q: What time was that?

8 A: I think he called me to tell me he was on his way over to the bar. I
9 can't recall now. Anyway, we met at roughly a quarter to two. The lunch
10 didn't happen though because John saw the breaking news blast on the bar TV
11 about the shooting of a woman at Freedom Park. He yelled VAN KAMP!
12 immediately and rushed out when he saw that. We literally walked in and
13 walked out.

14 Q: Can you make an estimate of how far Miller's Bar is from Freedom Park?

15 A: Roughly, ten minutes away from Freedom Park. About 10 miles north on
16 Patriot Road.

17 Q: Did you know what the VanKamp reference meant?

18 A: VanKamp is the guy who wanted his wife dead because of the death of his
19 wife and unborn child. Apparently VanKamp thought Dr. Green was responsible
20 for their death.

21 Q: How do you know this information about VanKamp?

22 A: John told me that VanKamp had left threatening messages on their home
23 phone.

24 Q: What did Mr. Green do when he learned of the threats?

25 A: Oh, he was upset by them. He went into protection mode. Like he always
26 does for people. He was devastated when Kelly died. He felt like he should
27 have done a better job of protecting the mother of his children.

28 Q: What is his protection mode?

1 A: Well, he took care of people. He was a protector. That's why he went into
2 law enforcement. We had many discussions about this. Anyway, when I had my
3 second run-in with the law, I was a little over-extended and he covered my
4 legal fees for me. I think I owed that hot-shot defense attorney about
5 \$10,000. John told me he had my back and not to worry about it.

6 Q: Are you aware that Mr. Green has gambling debts near \$200,000, which is
7 owed to several casinos?

8 A: 200 hundred thousand. That's nothing earth shattering. We were headed to
9 the World Poker Tournament in Vegas. You could win that in one hand. He was
10 back on the winning streak lately. Speaking from experience in the
11 competition circuit, everyone loses from time to time. It's just that people
12 only talk about the wins.

13 Q: Has Mr. Green ever asked you to assist him with his gambling debts?

14 A: No, he knew that he was a hand away from paying it all off. If he needed
15 help, he would have just asked me for it. I actually just inherited a large
16 sum of money from my father and I told John that I could pay it for him if he
17 needed. I felt like I owed him for being there for me before. He declined.

18 Q: Thank you. No further questions.

19 Cross Examination Waived.

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Sparta State Police
Homicide Investigation Report
Complaint # 2010-03-2836

DISPATCH INFORMATION:

On Sunday March 28th, 2010 at approximately 1600hrs, I was dispatched to the Freedom Park soccer field area located at 101 Ash Street, in Spartanville for a possible Homicide that just occurred.

VENUE:

Freedom park soccer fields are municipally owned soccer fields located at 101 Ash Street, within the City of Spartanville, County of Izzo, State of Sparta.

TIME AND DATE:

The call came into the 911 dispatch center at 1349 hrs, and was requested by SPD Command Staff at 1600hrs on 3/28/2010.

IDENTIFICATION OF VICTIM:

KELLY ANN GREEN (M.D.)
W/F D.O.B. 3/17/1969 (41 years of age)
700 E. Colfax Street
Spartanville, SP 49058

IDENTIFICATION OF WITNESSES:

1. SAM LONG-Original complainant, called 911 on cell phone.
2. Uniformed SPD Officers ROBERT FITZPATRICK and BARRY WHITE.

INTERVIEW WITH SAM LONG:

After initial introductions and presentation of my police identification and business card, I proceeded to interview SAM LONG. SAM LONG had come to the game to watch SAM LONG'S son, JEFF LONG, play in the TNT U12 soccer game at Freedom Park, and had stayed late to help clean up. SAM LONG added that, although most everyone who attended the soccer game had already left the soccer field, there were still a "fair number" of people in the immediate vicinity. SAM LONG had stayed after to visit with DR. KELLY GREEN who is a close friend. SAM LONG explained that as they left the soccer field area, DR. GREEN and SAM LONG were walking back towards the parking lot to their cars.

SAM LONG states that they were walking towards the parking lot and suddenly heard a loud "crack" or "firearm" noise from behind (to the North) that was startling. SAM LONG added that it was strange to hear that kind of noise because firearm hunting season ended last fall and there was not supposed to be any hunting within the city limits. SAM LONG turned around to see what or who made the noise, did not see anything in particular; but, people were running in all directions. SAM LONG turned around again to see DR. KELLY GREEN laying face down in an odd position.

SAM LONG states that where DR. GREEN had fallen, SAM LONG observed obvious blood oozing and pooling out and around her head and face area. SAM LONG states "tried to check for a pulse and I found none." SAM LONG then called 911. SAM LONG states it was quite obvious that DR. GREEN was not going to survive her injuries.

During the course of this interview, I repeatedly questioned SAM LONG, about seeing anyone or anything at all. SAM LONG states "never saw anything, just heard a single gunshot." SAM LONG states that there is a wood line to the North of the soccer field, and theorized who ever shot DR. GREEN must have been hiding in the woods. SAM LONG added that, "the shooter must have been a really good shot to hit a moving target at that distance."

I then questioned SAM LONG about JOHN GREEN. SAM LONG states that there are marital problems and that the GREENS were going to get divorced. SAM LONG states that sometime after 2PM JOHN GREEN showed back up at Freedom Park, but was held back by the uniformed officers at the scene. When asked, SAM LONG states, "[JOHN GREEN] he failed to show much emotion, and stayed by the other police officers. SAM LONG added "he never came close to the body; he just stood there and looked on."

SAM LONG then mentioned to me that something else was odd about the events surrounding the death of KELLY GREEN. SAM LONG states that while at the soccer game with KELLY, KELLY GREEN pointed out to SAM LONG a subject whom KELLY GREEN knew as the

husband of an ex-patient, and GREEN stated a "STEVE" was stalking and harassing her. SAM LONG states she looked at the man discretely pointed out to her by KELLY GREEN and immediately recognized the subject as STEVEN VANKAMP from Wolverine, Sparta. SAM LONG knows STEVEN VANKAMP from a Shooting League at Spartan Gun Club.

SAM LONG added that it was very unusual for STEVEN VANKAMP to be attending this U 12 Soccer game as he had no children of his own, Spartanville is not his hometown, and his wife recently passed away.

When asked, SAM LONG noted that STEVEN VANKAMP was present for most of the soccer game, walked away for a period of time, and then was seen by SAM LONG near the crime scene apparently looking on after KELLY GREEN was shot. I questioned SAM LONG as to what STEVEN VANKAMP was wearing today. SAM LONG states that VANKAMP had on blue jeans, light tan collared short sleeve shirt, and a red "Detroit Redwings" baseball cap on. SAM LONG then mentioned to me "ironically, JOHN GREEN had a Detroit Redwings baseball cap on as well. I then asked SAM LONG to describe the physical build of STEVEN VANKAMP. SAM LONG states that STEVE is about 40 years of age, 5-10", 190#'s with medium brown hair. SAM LONG spontaneously added that STEVEN VANKAMP and JOHN GREEN are actually quite similar in appearance; except for JOHN has a much shorter hair style than STEVE does. Spontaneously, SAM LONG commented that JOHN GREEN also had on blue jeans, and a white or really light tan T-shirt on as well.

I thanked SAM LONG and concluded my interview.

INTERVIEW OF OFFICERS ROBERT FITZPATRICK and BARRY WHITE:

Spartanville officers ROBERT FITZPATRICK and BARRY WHITE were the first to arrive on scene and discovered a W/F laying face down with what appears to be an obvious and significant traumatic injury to the victims head probably caused by a gunshot wound.

Officers ROBERT FITZPATRICK and BARRY WHITE state they determined the victim was deceased, secured the crime scene, and notified dispatch to contact the Detectives. According to FITZPATRICK and WHITE, SGT. JOHN GREEN showed up on scene at 2:20PM, and was initially held back by the officers. Officers ROBERT FITZPATRICK and BARRY WHITE state that due to the nature of the shooting, and that the possible suspect may be SGT GREEN, they contacted dispatch to have an on-duty shift commander respond to the scene. Shortly thereafter it was determined by SPD command staff that an outside police agency should come in to investigate the case.

Officers ROBERT FITZPATRICK and BARRY WHITE state they conducted an initial sweep of the area, and determined that they could not locate a weapon, nor could they locate a firearms shell casing.

PHOTOGRAPHS:

Both 35mm and Digital photographs were taken of the crime scene, and surrounding area. They will be attached to this investigation report. In image No. 2, the victim's head is facing south towards the parking lot and the feet are facing north, where ANN LONG states the shot came from.

CRIME SCENE SKETCH:

I have completed a crime scene sketch of the area, and that sketch will be attached to this report as well.

PERSONAL EFFECTS RECOVERED:

I recovered a pair of Oakley sunglasses and a Coach purse from the crime scene. The contents of the purse included, a large ring of keys, a can of pepper spray, a wristwatch, a security proximity card for restricted areas within Spartanville General Hospital, a cell phone, a digital camera, a program for youth soccer events and a piece of 8x11 paper with text that read, "Dr. Green, My wife was everything to me. We tried for a baby for 7 years. I have nothing now. You will pay." Proper chain of evidence procedures were followed in the retrieval and storage of the personal effects. A copy of the letter will be attached to this report.

TRANSPORT OF VICTIM TO CITY MORGUE:

I contacted the Medical Examiner's Office, and ordered an autopsy in this case. Subsequently, Mercy Ambulance transported the victim to Spartanville General Hospital (SGH) for an autopsy. For chain of evidence purposes, I followed the Mercy Ambulance to SGH, and signed the victim's remains into the SGH/City Morgue.

VICTIM'S BACKGROUND HISTORY:

Victim KELLY GREEN is a well known and respected OB/GYN Physician in the Mid-Sparta area. She is married to SGT. JOHN B. GREEN of the Spartanville Police Department. They have two children in common (Michael who is 15 years of age, and Patrick who is 10 years of age).

During the initial course of this investigation, it has been brought to my attention that a Divorce Complaint was filed in Izzo County Circuit Court, in which DR. KELLY GREEN is the plaintiff, and SGT. JOHN B. GREEN is the Defendant. A brief check with the Izzo County Circuit Court clerk confirms this information to be accurate.

IDENTIFICATION OF SUSPECT:

Based on the initial facts and circumstances surrounding this case, the following person has been identified as a possible suspect in the murder of DR. KELLY A. GREEN.

JOHN B. GREEN
(Sergeant with the Spartanville Police Department)
W/M D.O.B 05/05/1965
700 E. Colfax Street
Spartanville, SP 49058

STATUS:

Open, pending further investigation.

Respectfully Submitted,

D/Lt. Jo Mulvaney
Sparta State Police
Dated: 3/29/10

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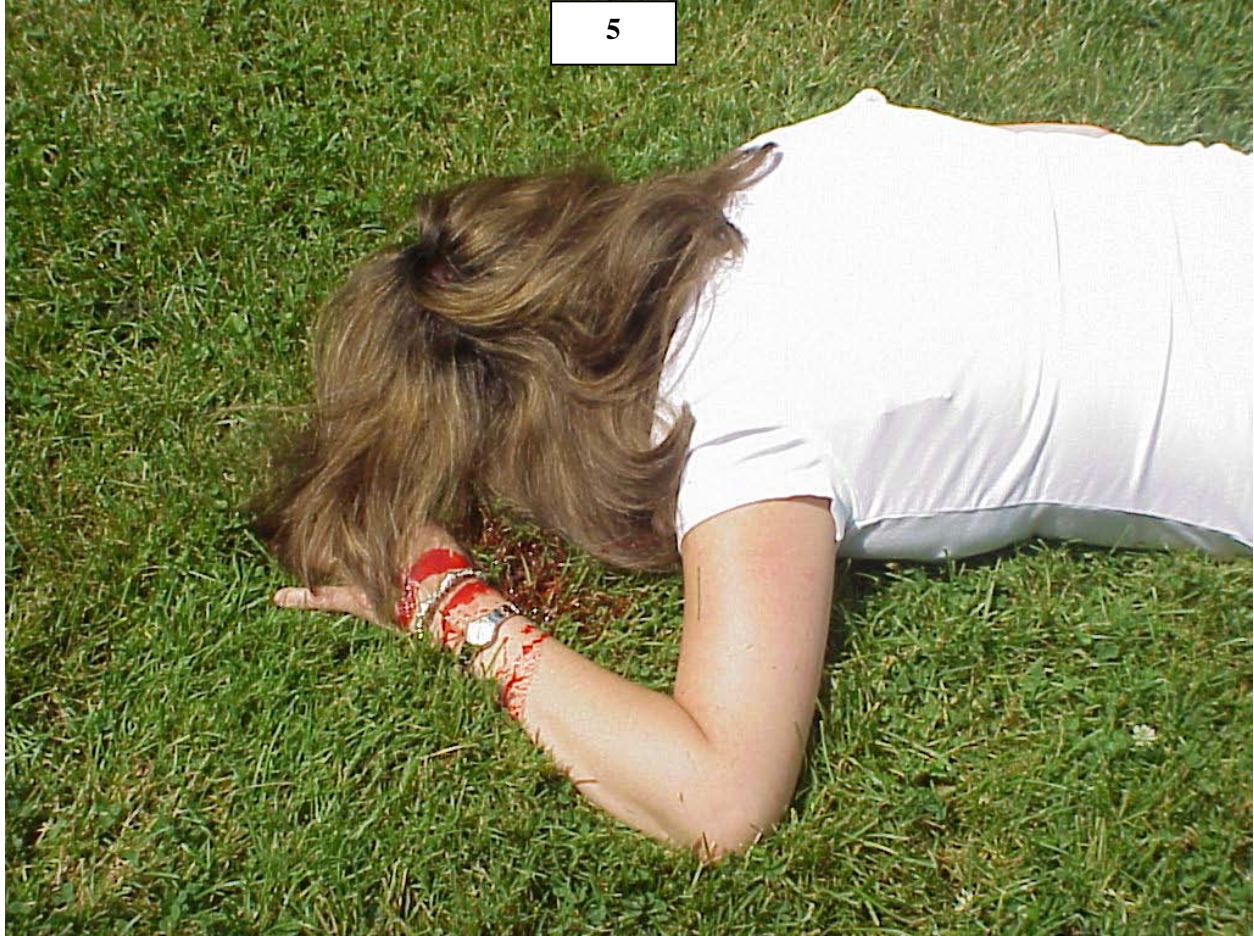


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2010-03-2836

0900-1

3/28/2010

D/LT. MULVANEY

- NOT TO SCALE -

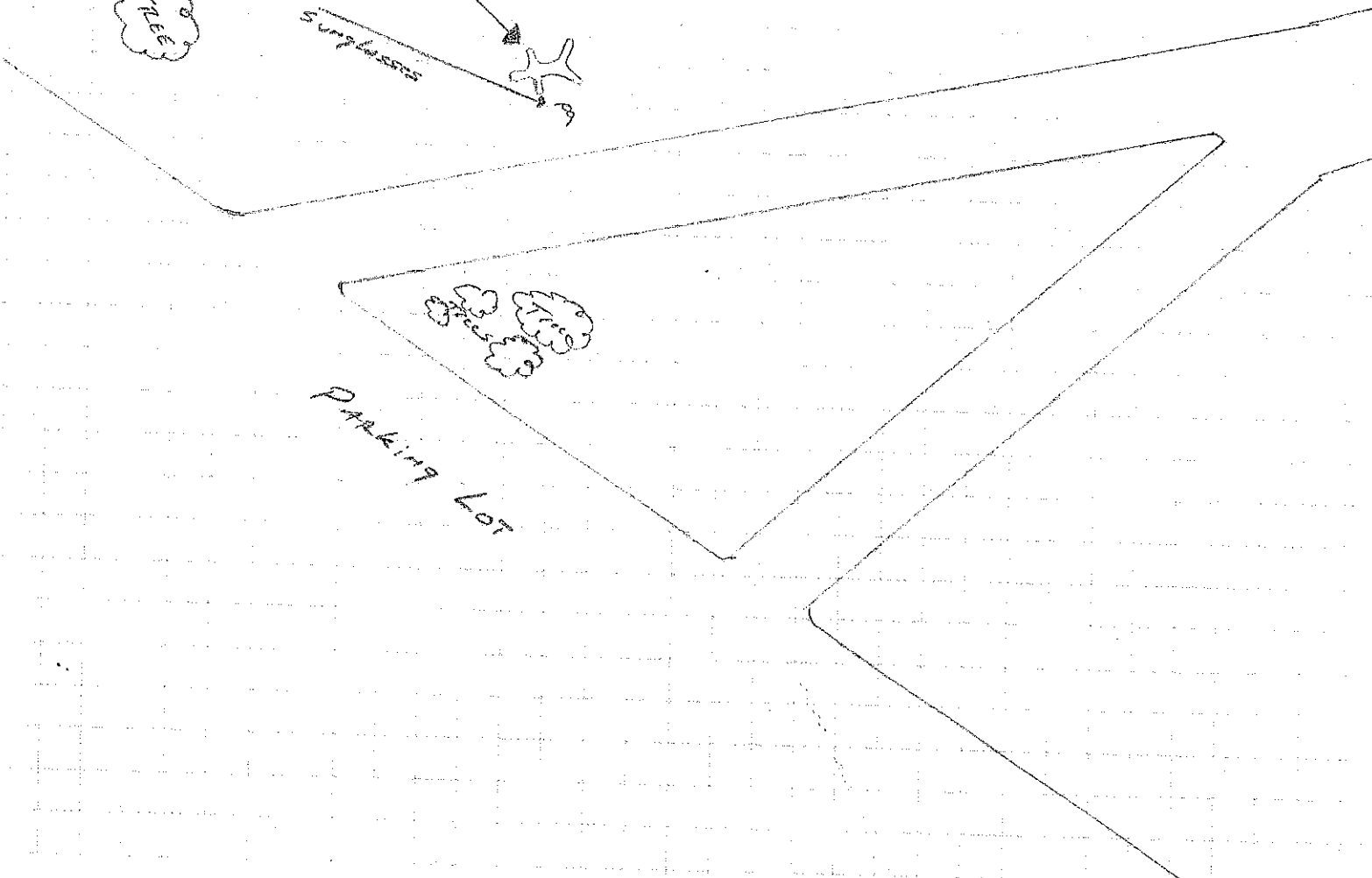
VICTIM GREEN
KELLY GREEN

Surpluses

TREE

TREE

PARKING LOT



Dr. Green,

My wife was everything to me. We tried for a baby for 7 years. I have nothing now.

You will pay.

Sparta State Police

Homicide Investigation Report – Supplemental Report Complaint # 2010-03-2836

INVESTIGATIVE SUBPOENA:

On Monday 3/29/2010 I met with Assistant Prosecuting (APA) Attorney Michael Smith. At that meeting APA Smith assisted me in writing an investigative Subpoena for the cell phone records for JOHN GREEN for the date range of March 26th 2010 through March 28th 2010.

INVESTIGATIVE SUBPOENA AUTHORIZED:

Judge Jerome Whitehead of the Izzo County District Court authorized the issuance of the Investigative Subpoena on 3/29/2010.

SUBPOENA SERVICE:

The Investigative Subpoena was faxed to the Alltel Cell phone Investigative Demands unit in St. Petersburg Florida, as well as a hard copy was mailed via certified U.S. mail to the Alltel Investigative Demands unit.

FOLLOW UP WITH ALLTEL SECURITY:

On Thursday 4/01/2010 I received a call from PATRICK CUMBA who is a Senior Investigator with Alltel Corporate Investigations. PATRICK CUMBA advised me that on 3/28/2010 the cell phone in question belonging to JOHN GREEN was completely turned off, and “not affiliating” with any cell phone towers on 3/28/2010. The non-affiliation of JOHN GREEN’S phone started at approximately 0600 hrs, and was not turned on again, or re-affiliated until approximately 1835hrs on 3/28/2010.

PATRICK CUMBA explained to me that most modern cell phones when turned off, are simply put into a power save mode, and that the Alltel database can still track the phone, when the cell phone in question is turned off. However,

PATRICK CUMBA further explained that for the phone to be completely off the database or system, one of two things happened. The phone was destroyed (crushed, soaked in water etc.) or the phone was disabled by the following means; to correctly disable the cell phone, the phone must be shut off, and then the battery/power supply completely removed from the phone.

PATRICK CUMBA stated that since the phone belonging to JOHN GREEN was taken off the system at 0600hrs, and then returned back into the system at 1835hrs, the person who possessed the phone must have disabled it, and possessed the knowledge on how to correctly disable a cell phone.

STATUS:

Open.

Respectfully submitted,

D/Lt. Jo Mulvaney

Dated: 4/1/10

**STATE OF SPARTA
IN THE IZZO COUNTY CIRCUIT COURT - FAMILY DIVISION**

KELLY GREEN

FILE NO: 10-213345-DM

Plaintiff,

HON. DIANA HOWARD

vs.

COMPLAINT FOR DIVORCE

JOHN GREEN,

Defendant.

Gary Hillman (P23456)
Attorney for Plaintiff
S. Main Street #101
Wolverine, SP 45678
(566) 254-4958

John Green
Defendant, In Pro Per
700 E. Colfax
Spartanville, SP 49058
(555) 193-0495

NOW COMES, Plaintiff, Kelly Green, and for her Complaint for Divorce states:

1. Plaintiff has been a resident of the State of Sparta for at least 180 days and of Izzo County for at least 10 days immediately preceding the filing of this Complaint.
2. The parties were legally married on July 14, 1993 by a person authorized to perform marriages.
3. There have been two children born to these parties, whom are Minors at the time of this filing, to wit: Patrick born 07/04/00 and Michael born 06/08/1995.
5. No Sparta Court has continuing jurisdiction over the children of the parties.
6. The minor children reside with the parties at 700 E. Colfax, Spartanville,

Sparta 49058.

7. Plaintiff has not participated in any capacity in other litigation concerning the custody of the minor children in this or another state.
8. Plaintiff has no information of a custody proceeding concerning the minor children pending in a Court of this or another state.
9. Plaintiff does not know of a person not a party to these proceedings who has physical custody of the children or claims custody or parenting time rights with the children.
10. During the marriage the parties have acquired property and debts which are to be divided.
12. The parties have not separated.
14. There has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.

WHEREFORE, Plaintiff prays:

- A. That Plaintiff and Defendant be awarded temporary joint legal and physical custody of the parties' minor children: Patrick born 07/04/00 and Michael born 06/08/1995.
- B. That the marriage between the Plaintiff and Defendant be dissolved and a divorce from the bonds of matrimony be decreed.
- C. That a fair and equitable property settlement be awarded.
- D. That the Court grant Plaintiff any and all such other relief this Court deems

fair and equitable under the circumstances.

I DECLARE THAT THE STATEMENTS ABOVE ARE TRUE TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

Dated: December 15, 2009

By: *Gary Hillman*
Gary Hillman
Attorney for Plaintiff

STATE OF SPARTA
IN THE IZZO COUNTY CIRCUIT COURT - FAMILY DIVISION

KELLY GREEN

FILE NO: 10-213345-DM

Plaintiff,

HON. DIANA HOWARD

vs.

JOHN GREEN,

Defendant.

Gary Hillman (P23456)
Attorney for Plaintiff
S. Main Street #101
Wolverine, SP 45678
(566) 254-4958

John Green
Defendant, In Pro Per
700 E. Colfax
Spartanville, SP 49058
(555) 193-0495

ORDER

At a session of said court held in the Izzo County Courthouse
on March 15, 2010.

Present: Honorable Diana Howard
Circuit Court Judge

This matter was brought forward on Plaintiff's Motion for Temporary Order, the Court
having heard arguments of counsel, and being otherwise advised on the premises, NOW

WHEREFORE:

IT IS ORDERED:

- I. Asset division.** Plaintiff is awarded the marital home as she is sole party to this action that might possibly be financially able to retain same. There will be an equal division of the parties' property, both real and personal, except that Plaintiff will pay Defendant \$10,000, equaling 1/5th of the

equity in the marital home. Plaintiff will receive one half of the value of all retirement accounts.

II. Child Custody/Support. Based upon the shared economic formula, child support is entered at \$500 per month after credits and debits for health insurance and ordinary health care supplements, from Defendant to Plaintiff.

III. Child custody/ Parenting time. Custody of the minor children of the parties is as follows:

a. *Legal.* Plaintiff and Defendant are awarded joint legal custody of the children. In agreeing to joint legal custody, the parties intend as follows:

i. Each party will foster, encourage, and support the relationship between the children and the other parent.

ii. Each party is entitled to complete access to the children's medical and school records.

iii. Each party will advise the other promptly of any serious illness, emergency, or any other significant event that arises while the children are with him or her.

iv. Each party will decide all routine matters concerning the children's welfare while the children are in his or her respective possession.

v. Each party will support the other in the enforcement of reasonable rules and regulations for the children.

vi. The parties will consult together on major policy decisions relating to the health, education, and welfare of the children.

vii. If the parties cannot agree on major policy decisions relating to the health, education, and welfare, they will, on notice to the other parent, seek the assistance of a qualified family counselor or mediator who will attempt to assist them to make such decisions.

b. *Physical.* Plaintiff is awarded primary physical custody of the minor children.

c. *Parenting time.* Defendant is to have reasonable parenting time with the parties' minor children as agreed by the parties.

IV. Effective Date. This order is effective upon entry.

D. Howard

HON. DIANA HOWARD

Dated: March 15, 2010

Entered: March 22, 2010

Sparta State Police
Homicide Investigation Report – Supplemental Report
Complaint # 2010-03-2836

STATEMENT GIVEN TO POLICE

JOHN B. GREEN

(Sergeant with the Spartanville Police Department)

W/M D.O.B 05/05/1965

700 E. Colfax Street

Spartanville, SP 49508

April 6, 2010.

I HAVE BEEN ADVISED OF MY MIRANDA RIGHTS, UNDERSTAND THEM, AND VOLUNTARILY AGREE TO WAIVE THOSE RIGHTS. I AM NOT UNDER THE INFLUENCE OF DRUGS OR ALCOHOL. I VOLUNTARILY COMPLETE THIS WRITTEN STATEMENT WITHOUT ANY THREATS, OR PROMISES MADE TO ME.

My name is John Green. I was born and raised in Spartanville and attended Madison Community College, where I earned an Associates Degree in Criminal Justice.

I wanted to be a police officer my entire life, and joined the Spartanville Police Department in 1994.

I have spent my entire career in the uniform division, and was promoted to the rank of Sergeant in 2002. My base salary is approximately \$55,000 per year, but with overtime and holiday pay I can earn up to \$65,000 per year.

I am a member of the START Team (Special Tactics and Response Team), and I have attended numerous training sessions across the nation. I am one of two departmental snipers. I obtained my training at the Naval Warfare Center in San Diego California, where Navy Seals are trained.

My wife and I were married on July 13th 1994, which was the same year I joined the Department. We have two wonderful sons, Michael and Patrick. Michael was born in 1995, and Patrick was born in 2000.

I love my wife, and would never do anything to hurt her. I had a life insurance policy on her because of the boys. We decided that we wanted to make sure we did everything we could to take care of the boys. I'll give you a copy of the policy. I have nothing to hide.

On occasion, I have partaken in the comfort of other women. My wife worked all the time, and was always off doing yoga or pilates. She wasn't home to attend to my marital needs. But, we had a mutual understanding. I do know Meg Ryan. We had a relationship at one time. I ended things and she was upset.

I might spend a little more money than I should gambling, but it's no one else's business. I owe something like \$70K to \$100K to MGM Grand Casino, another \$50K or so to Greektown Casino, and maybe \$35K to \$50K to Motor City Casino. That's small change when you win a lot. I am getting my winning streak back. Rumors spread like wildfire among cops. Some people in the Department are just bitter and like to talk because they are upset that I wasn't terminated back in 2004 when I was disciplined by the Department for allegedly falsifying a police report on a drug bust.

My wife and I were going through a divorce. I am not happy with how things were turning out because the Friend of the Court was determined to ruin my life, and take all of my money, and leave me with nothing to live on. The Friend of the Court has a bias against men. I have let men go on Child Support Warrants because I knew the Friend of The Court was biased towards men and especially cops. I don't think it's fair that I have to pay child support to a woman who makes upwards of \$250K per year.

On March 28, 2010, I dropped my son Patrick off at his soccer game at Freedom Park at around noon, and watched until around 1:15. I had to leave to take Michael to a birthday party at Jay and Carla Smith's house. The party was about 7 miles away in Spartanville. I dropped him off at around 1:40, and then I stopped to meet my friend, Leslie Johnson, for a quick burger. I did not shoot my old lady in the head. I could not have made it back in time. My phone was disabled because I have a Blackberry and it needed to be reset. I have to take the battery out to reset it. I just happened to forget about it that day and I left it at home.

I love my wife. I did not kill her. You should talk to Steven VanKamp because he was stalking my wife. He would leave hate messages on our home phone, and he even sent her a note that said she would pay. She showed it to me at the game on March 28. Now I am sure that he meant she would pay with her life. I wish I figured that out before he killed her.

John Green

John Green

NATIONAL INDEMNIFICATION GROUP

RESOLUTION OF ASSURANCE

WHEREAS: The Board of Directors of the **NATIONAL INDEMNIFICATION GROUP, a privately funded Underwriter of Life and Risk**, has been fully advised of the actuarial risks associated with Dr. Kelly Ann Green, M.D.; and,

WHEREAS: The Board of Directors of the **NATIONAL INDEMNIFICATION GROUP** is assured that the income generated by Dr. Kelly Ann Green's medical practice and her current state of health are both sufficient to meet the obligations of this **Comprehensive Life and Accident Policy**; and

WHEREAS: The Board of Directors of the **NATIONAL INDEMNIFICATION GROUP** is satisfied with the documentation supplied with the application for **Life Assurance**; and

WHEREAS: The Board of Directors of the **NATIONAL INDEMNIFICATION GROUP** is persuaded that the **Comprehensive Casualty Policy** undertaken in this matter is well within the industry standards for the **Life Assurance** of medical professionals; and

WHEREAS: The party benefiting from the assurance, Sgt. John Green, having fully accepted the terms, conditions and exclusions (comprised of 50 pages set forth in Appendix A, attached hereto and fully incorporated herein) imposed by the Board of Directors of the **NATIONAL INDEMNIFICATION GROUP**; then

LET IT BE RESOLVED that Sgt. John Green be assured of indemnification and compensation for any losses sustained from the death of Dr. Kelly Ann Green, in the amount of **ONE MILLION UNITED STATES DOLLARS (\$1,000,000.00)** in accordance with the terms and conditions more fully set out in "Appendix A"; and

BE IT FINALLY RESOLVED that the terms and conditions of this RESOLUTION OF ASSURANCE shall remain in full force and effect only so long as the premiums are fully paid by the commencement of the fiscal quarter in advance of the policy's expiration date, and shall continue from year to year.

Dated: October 20, 2009

By: *John Green*

STATE OF SPARTA County of IZZO	INVESTIGATIVE SUBPOENA Order to Produce	CASE NO. File No. 10- 22 - PZ
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Prosecutor's Address: 303 W. Main, 4th Floor, Spartanville, SP 48933
Prosecutor's Telephone No.: (517)483-0000

IN THE NAME OF THE PEOPLE OF THE STATE OF SPARTA.

TO: Custodian of Records, Greek Town Casino, 555 E. Lafayette, Motor City, Sparta.

YOU ARE ORDERED , pursuant to Section VII(A) of the Code of Criminal Procedure, to produce the Records set forth below:		
1. PLACE: Izzo County Prosecutor, c/o Sparta State Police, 7777 S. Harrison, Spartanville, SP VIA FACSIMILE (517) 222-2222		
2. DAY: Forthwith	DATE: Forthwith	TIME:

YOU ARE ALSO ORDERED to:

3. Produce the following items for inspection, copying, or both: ALL "Player Development" Files for the following individual: **John B. Green.**

This subpoena is issued pursuant to an order of Judge Joseph Sarcona, Izzo County Circuit Court as allowed by SCL 767A.2(2). Failure to obey the command of this subpoena or failure to appear at the stated time and place will subject you to penalty for contempt of court.

This subpoena involves the investigation of the crime of Murder.

You may object to this subpoena, or file reasons for not complying, by filing a written statement of objection or noncompliance with the Izzo County Prosecuting Attorney on or before the scheduled date of hearing.

If you object to this subpoena, the Prosecutor may seek an order compelling your compliance.

You are permitted to have legal counsel of your choice present at all times during the questioning or during the time that the records, documents or physical evidence that you provide are being inspected.

The proceedings related to this subpoenas are confidential.

Date: April 7, 2010

STATE OF SPARTA County of IZZO	INVESTIGATIVE SUBPOENA Order to Produce	CASE NO. File No. 10- 22 - PZ
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Prosecutor's Address: _____ Prosecutor's Telephone No.: _____

303 W. Main, 4th Floor, Spartanville, SP 48933 (517)483-0000

IN THE NAME OF THE PEOPLE OF THE STATE OF SPARTA.

TO: Custodian of Records, Motor City Casino, 2901 E. Grand River, Motor City, Sparta.

YOU ARE ORDERED , pursuant to Section VII(A) of the Code of Criminal Procedure, to produce the Records set forth below:		
1. PLACE: Izzo County Prosecutor, c/o Sparta State Police, 7777 S. Harrison, Spartanville, SP VIA FACSIMILE (517) 222-2222		
2. DAY: Forthwith	DATE: Forthwith	TIME:

YOU ARE ALSO ORDERED to:

3. Produce the following items for inspection, copying, or both: ALL "Player Development" Files for the following individual: **John B. Green.**

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The proceedings related to this subpoenas are confidential.

Date: April 7, 2010

STATE OF SPARTA County of IZZO	INVESTIGATIVE SUBPOENA Order to Produce	CASE NO. File No. 10- 22 - PZ
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Prosecutor's Address:

Prosecutor's Telephone No.:

303 W. Main, 4th Floor, Spartanville, SP 48933

(517)483-0000

IN THE NAME OF THE PEOPLE OF THE STATE OF SPARTA.

TO: Custodian of Records, MGM Grand Casino, 1300 John C Lodge, Motor City, Sparta.

YOU ARE ORDERED , pursuant to Section VII(A) of the Code of Criminal Procedure, to produce the Records set forth below:		
1. PLACE: Izzo County Prosecutor, c/o Sparta State Police, 7777 S. Harrison, Spartanville, SP VIA FACSIMILE (517) 222-2222		
2. DAY: Forthwith	DATE: Forthwith	TIME:

YOU ARE ALSO ORDERED to:

3. Produce the following items for inspection, copying, or both: ALL "Player Development" Files for the following individual: **John B. Green.**

This subpoena is issued pursuant to an order of Judge Joseph Sarcona, Izzo County Circuit Court as allowed by SCL 767A.2(2). Failure to obey the command of this subpoena or failure to appear at the stated time and place will subject you to penalty for contempt of court.

This subpoena involves the investigation of the crime of Murder.

You may object to this subpoena, or file reasons for not complying, by filing a written statement of objection or noncompliance with the Izzo County Prosecuting Attorney on or before the scheduled date of hearing.

If you object to this subpoena, the Prosecutor may seek an order compelling your compliance.

You are permitted to have legal counsel of your choice present at all times during the questioning or during the time that the records, documents or physical evidence that you provide are being inspected.

The proceedings related to this subpoenas are confidential.

Date: April 7, 2010

GREEKTOWN CASINO

Date: April 12, 2010

Custodian of Records
Greek Town Casino
555 E. Lafayette
Motor City, SP 48333

Lt. John Mulvaney
Sparta State Police
7777 S. Harrison Rd.
Spartanville, SP 48823

Lt. John Mulvaney:

I, Charles Daug, Custodian of the Records for the Greek Town Casino, having the above noted address, am in receipt of an Investigative Subpoena, IN THE MATTER OF AN INVESTIGATION OF THE HOMICIDE DEATH OF KELLY GREEN, File No. 10- 22 – PZ, which directs certain records returned to your attention. PLEASE BE ADVISED, the Records you request are subject to current investigation conducted by several Federal agencies. It is alleged that certain employees, who are all current, or past, law enforcement officers, have conspired with other current or past law enforcement officers, to **launder monies**; contrary to Federal and State laws. For this reason, this response is in summary letter format. The conclusions contained herein are an accurate rendering of documents maintained in the regular course of our business activity. **A more detailed transaction history will be provided only upon a specific Court Order, following a Hearing in which all interested parties are afforded an opportunity to be heard.**

TAKE NOTICE: John Green, having the specific personal data supplied in your Subpoena, had transaction summary, monies in and out, of **Two hundred thirty-eight thousand Seven hundred United States Dollars (\$238,700.00)**. **This Casino has a current Account Receivable for John Green in the amount \$51, 500.00.** The Receivable is subject to both Criminal and Civil litigation. No further information will be supplied without either direct Court Order, or consent of all parties to the litigations.

Respectfully Submitted,

Charles Daug, Custodian of the Records, the Greek Town Casino

MGM GRAND CASINO

Date: April 12, 2010

Custodian of Records
MGM Grand Casino
1300 John C. Lodge
Motor City, SP 48333

Lt. John Mulvaney
Sparta State Police
7777 S. Harrison Rd.
Spartanville, SP 48823

Lt. John Mulvaney:

I, George Hermans, Custodian of the Records for the MGM Grand Casino, having the above noted address, am in receipt of an Investigative Subpoena, IN THE MATTER OF AN INVESTIGATION OF THE HOMICIDE DEATH OF KELLY GREEN, File No. 10- 22 – PZ, which directs certain records returned to your attention. PLEASE BE ADVISED, the Records you request are subject to current investigation conducted by several Federal agencies. It is alleged that certain employees, who are all current, or past, law enforcement officers, have conspired with other current or past law enforcement officers, to **launder monies**; contrary to Federal and State laws. For this reason, this response is in summary letter format. The conclusions contained herein are an accurate rendering of documents maintained in the regular course of our business activity. **A more detailed transaction history will be provided only upon a specific Court Order, following a Hearing in which all interested parties are afforded an opportunity to be heard.**

TAKE NOTICE: John Green, having the specific personal data supplied in your Subpoena, had transaction summary, monies in and out, of **Three hundred forty one thousand Seven hundred United States Dollars (\$341,700.00)**. **This Casino has a current Account Receivable for John Green in the amount \$97, 500.00.** The Receivable is subject to both Criminal and Civil litigation. No further information will be supplied without either direct Court Order, or consent of all parties to the litigations.

Respectfully Submitted,

George Hermans, Custodian of the Records, the MGM Grand Casino

MOTORCITY CASINO

Date: April 12, 2010

Custodian of Records
Motor City Casino
2901 E. Grand River
Motor City, SP 48333

Lt. John Mulvaney
Sparta State Police
7777 S. Harrison Rd.
Spartanville, SP 48823

Lt. John Mulvaney:

I, Evelyn Freney, Custodian of the Records for the MotorCity Casino, having the above noted address, am in receipt of an Investigative Subpoena, IN THE MATTER OF AN INVESTIGATION OF THE HOMICIDE DEATH OF KELLY GREEN, File No. 10 – 22 – PZ, which directs certain records returned to your attention. PLEASE BE ADVISED, the Records you request are subject to current investigation conducted by several Federal agencies. It is alleged that certain employees, who are all current, or past, law enforcement officers, have conspired with other current or past law enforcement officers, to **launder monies**; contrary to Federal and State laws. For this reason, this response is in summary letter format. The conclusions contained herein are an accurate rendering of documents maintained in the regular course of our business activity. **A more detailed transaction history will be provided only upon a specific Court Order, following a Hearing in which all interested parties are afforded an opportunity to be heard.**

TAKE NOTICE: John Green, having the specific personal data supplied in your Subpoena, had transaction summary, monies in and out, of **One hundred sixty three thousand Five hundred United States Dollars (\$163,500.00)**. **This Casino has a current Account Receivable for John Green in the amount \$47, 500.00.** The Receivable is subject to both Criminal and Civil litigation. No further information will be supplied without either direct Court Order, or consent of all parties to the litigations.

Respectfully Submitted,

Evelyn Freney, Custodian of the Records, the MotorCity Casino

Sparta State Police
Homicide Investigation Report – Supplemental Report
Complaint # 2010-03-2836

INTERVIEW OF STEVEN L VANKAMP:

On April 7, 2010 at approximately 1000hrs I met with the following person of interest at the Sparta State Police Post in Spartanville:

STEVEN L. VANKAMP
W/M DOB 10/31/1968
2400 Shore Drive
Wolverine, SP 46605

Initially, writer thanked STEVEN VANKAMP for coming in and explained to him the circumstances as to why he had been called in for an interview. In addition, I advised STEVEN VANKAMP that he was not under arrest, and free to go at anytime he wished to leave.

Spontaneously, STEVEN VANKAMP stated “I know why you called me in. You think I had something to do with the murder of Dr. Green, don’t you?” Before I could answer STEVEN VANKAMP continued “yeah, sure I was at the game, and you bet I sure didn’t cry when I found out she was dead, but I didn’t have anything to do with her death.”

I responded to STEVEN VANKAMP encouraging him to slow down, and that I wanted to deal with one issue at a time. First and foremost, I wanted to know why he was at a soccer game in which he had no apparent interest in. STEVEN VANKAMP admitted that he was there, but that he had no bad intentions towards Dr. Green. However, as the conversation continued, STEVEN VANKAMP was willing to admit that “on occasion” he frequented locations where he knew Dr. Green to be. STEVEN VANKAMP added, “I just wanted to intimidate her a little bit, let her see my face, and show her all the pain she has caused me.”

STEVEN VANKAMP explained that he and his wife of 15 years had been trying to have kids. After numerous failed attempts, they finally conceived a child, which

went full term. However (according to STEVEN VANKAMP), Dr. Green “screwed up” during the labor and delivery process, and that because of Dr. Green’s errors in medical judgment STEVEN VANKAMP lost both his wife and his unborn son. STEVEN VANKAMP added that because of the negligent deaths of his wife and unborn son, he has started drinking again, using controlled substances (Vicodin, Fentanyl, Xanax) and recently lost his job. STEVEN VANKAMP states he has contacted an attorney, and they were getting ready file a civil action against Dr. Green when Dr. Green was killed. STEVEN VANKAMP added that his attorney NINA JACOBS thinks they may still have a case against the hospital. I showed him the note I found at the scene and he denied writing it. STEVEN VANKAMP states, “I’ve never seen that before and I certainly didn’t write it.”

I then questioned STEVEN VANKAMP “where were you when the shot was fired that killed Dr. Green?” STEVEN VANKAMP states he had been milling about the soccer game with the express intent to be seen by Dr. Green, and that he had began to leave near the end of the soccer game, and was walking away when he heard the shot ring out. STEVEN VANKAMP states he went to his vehicle (a 2008 Honda Pilot) and was in the process of leaving when he changed his mind and parked again and walked over to where all the people were gathering. STEVEN VANKAMP states that at this point in time he realized Dr. Green had been shot, and decided it was best if he just left before someone tried to pin the death of Dr. Green on him.

When asked, STEVEN VANKAMP states he was alone at the game, and did not see anyone at the game he knew or recognized except for Dr. Green.

I questioned STEVEN VANKAMP “so you are telling me today that you had nothing to do with the death of Dr. Kelly Green?” STEVEN VANKAMP responded “yes, that’s correct.” I then questioned STEVEN VANKAMP “have you ever been arrested before?” STEVEN VANKAMP responded “once yes, in 2002, for Domestic Violence against my wife. But the case is closed. I then questioned STEVEN VANKAMP as to what he was wearing the day Dr. Green was shot and killed? STEVEN VANKAMP states he had on blue jeans, a tan colored shirt, and his favorite Red Wings Ball cap.

I then changed the topic, and asked STEVEN VANKAMP if he owned any guns? STEVEN VANKAMP states he owns a “couple of guns.” I then asked STEVEN VANKAMP to list them out for me. STEVEN VANKAMP states he owns the following firearms:

1. Mossberg 16 gauge shotgun
2. Ruger 10-22 .22 cal rifle with open sights
3. Colt .45 Military Pistol (his fathers from WWII collection)
4. Berretta 9mm Semi Auto pistol
5. FN 5.7 mm Semi Auto Pistol

I then mentioned to STEVEN VANKAMP that the FN 5.7 mm pistol was a rather exotic firearm to be possessed by an everyday ordinary citizen such as himself. STEVEN VANKAMP admitted that he used to do some competitive shooting. STEVEN VANKAMP then stated “look Detective, I know where you are going with this and I had nothing to do with Dr. Green’s death.” At that point in time, I concluded the interview with STEVEN VANKAMP.

STATUS:

Open.

Respectfully submitted,

D/Lt. Jo Mulvaney

Dated: 4/7/10

Case Number: 10-234-MGH**HISTORICAL SUMMARY**

This 41 yoa white female was near an area designated for parking at the Freedom Park Soccer Complex, a municipally owned facility operated by the City of Spartanville, Izzo County, Sparta. Efforts to resuscitate at the scene were deemed unnecessary. Following radio communication with receiving personnel at the nearby hospital, the victim was pronounced at the scene. The area was cordoned by the responding officers from Sparta State Police. It is reported that a crime scene investigation was completed before the victim was removed. The victim was transported by Mercy Ambulance. The victim was identified to the City Morgue by Sparta State Police D/Lt Jo Mulvaney as **KELLY ANN GREEN (M.D.), DOB 3/17/1969, 700 E. Colfax Street, Spartanville, MI 48888.**

EXAMINATION INFORMATION

At the direction of the County Medical Examiner, a complete autopsy was performed in the City Hospital Morgue, commencing at 0900 hours, March 29, 2010. Assisting was Tomas Degas. Attending was D/Lt Jo Mulvaney of the Sparta State Police.

PRESENTATION, CLOTHING, ASSOCIATED ITEMS

The body is presented in a white bag bearing **10-234-MFH**, MSP Complaint No. 2010-03-2836 as identifiers. Within, the body is clothed: a white t-shirt and nylon "warm-up" pants with white trim and Spartans logo. The items of clothing are removed and all items inventoried as follows: an outer jacket (previously described), outer warm-up pants (previously described), black with green lettering and logo of the SU Women's Basketball Team t-shirt, a sport's bra, Hanes women's briefs, Nike sports shoes, and socks. The clothing and described items were TOT to D/Lt Mulvaney.

EVIDENCE OF MEDICAL INTERVENTION

None observed.

POSTMORTEM CHANGES

Rigor mortis is generalized and well developed. Livor mortis is well developed, dorsal, the usual violet color, and blanches with light pressure. The eyes show early corneal clouding.

EXTERNAL EXAMINATION

General: Body habitus and hair distribution is normal for age and gender. There is no evidence of malnutrition or dehydration. No peculiar odors or color changes are noted. There is no visible or palpable lymphadenopathy.

Head: A penetrating wound, consistent with a gunshot entry wound, is present on the left side of the head, just above the top of the left ear, 2 inches above the external auditory meatus. The wound is located 65 inches above the heel and 6 inches to the left of anterior midline. The wound consists of an approximate 3/8-inch circular hole from which extend radial tears measuring up to 1/2-inch in length. A 1/4 -inch concentric rim of purple contusion surround the hole. Within the superficial wound track, prominent deposits gunshot “debris” is visible. No soot or stippling is present on the skin surface surrounding the wound. The face shows evidence of “raccoon eyes”. The scalp and soft tissues of the head are otherwise normal. Dry blood streaks are present posterior to the wound and within the hair.

Neck: The neck shows no indication of abrasion, contusion, swelling, asymmetry, or other abnormality.

Torso: The torso is free of injury and symmetrical. There is evidence indicating non-caesarian delivery of children.

Upper Extremities: The upper extremities are symmetrical, well-developed and muscular. There is an area of abrasion of the right palm. Gravel and debris was debrided from the area.

Lower Extremities: The lower extremities are symmetrical, well-developed and muscular. There is area of contusion on the right knee.

Evidence of Injury: The principal areas of injury are to the left skull, right palm and right knee.

INTERNAL EXAMINATION

Torso: The skin of the chest and abdomen is reflected using the usual Y-shaped incision. Subcutaneous fat and muscular are normal and free of injury. There are no abnormal fluid collections in the chest or abdomen. The ribs and sternum are intact and without fracture. Examination of the organs *in situ* shows normal organ morphology and relationship. The viscera are uncongested. The diaphragm demonstrates no stress related trauma. The stomach is not distended with air.

Organ weights:

Heart, 485 g	Liver, 1650 g
Left lung, 450 g	Right lung, 510 g
Kidneys, 160 g each	Spleen, 140 g

Cardiovascular System: The coronary arteries are normally distributed and are widely patent throughout their lengths, with minimum soft, atherosclerotic plaques focally. The epicardium, valve leaflets, chordae, and endocardium appear normal. The pericardium appears normal. There are no arterial perforations.

Respiratory System: The trachea and bronchi are grossly normal.

Digestive System: The scerosa, wall, and mucosa of the esophagus, stomach, small bowel, colon, and rectum are grossly normal. The stomach contains approximately one cup of partial digested food, primarily consisting of green vegetable material. Hiptobiliary System and Pancreas. The liver shows no congestion. There is no indication of fatty changes or cirrhosis.

Reticuloendothelial System: The spleen is grossly normal.

The Head: The scalp is reflected with the standard intermastoidal incision. There is no indication of scalp trauma except a 3 inch circular area of full-thickness soft tissue hemorrhage in the left mid-parietal region above the left ear. The left parietal bone contains a 3/8 inch circular fracture, which is displaced into the over-lying parietal soft tissues. The brain weight is 1540 grams. There is massive injury to the structure of the brain. Numerous particles/fragments of a projective were diffused within the cranial vault. Several of the larger specimen were recovered ant TOT to D/L Mulvaney. Most of the fragments were of such a small size that recovery was not practical. **Note:** A review of literature suggests the fragments were the remnants of a frangible bullet.

SUMMARY OF IN JURIES

Examination shows an apparent gunshot wound of indeterminate distance to the left parietal with massively perforating brain injury and the recovery of projectile fragments was significantly limited. Not other acute injuries were present.

ANCILIARY PROCEDURES, LABORATORY TESTS AND RESULTS

Vitreous for chemistries: Negative
Peripheral blood for ethanol: Negative
Urine for drug abuse screen: Negative

SUMMARY AND COMMENTS

Investigation and autopsy show that decedent was the victim of a gunshot wound.

CAUSE OF DEATH STATEMENT

The cause of death is perforating brain injury due to a gunshot wound from indeterminate distance. The manner of death is homicide.

STATE OF SPARTA
DEPARTMENT OF STATE POLICE
FORENSIC SCIENCE DIVISION

Spartanville Laboratory
Laboratory No. 987-10 Record No. 1012345
Received by Locker 2
Date received: April 15, 2010
Delivered by: D/Lt. John Mulvaney Time received: 1530
Agency: SSP Completed: May 1, 2010
Agency No. SSP #2010-03-2836
LABORATORY REPORT

Evidence Received:

1 – Medium, clear plastic bag containing:

1 brown paper envelope containing approximately 31 particles of varying size.

1- Large, clear plastic bag containing:

4 x-ray images depicting intra-cranial particulate matter apparently resulting from a gunshot wound. The images depict a “snow storm pattern”.

Disclosure:

The undersigned has neither been proficiency tested nor qualified as expert in the evaluation of ballistic bullet debris from bullets designed and manufactured to be “frangible” on or near impact. The undersigned has reviewed the limited literature in the field. The conclusions set forth in the paragraph below should be viewed with extreme caution.

Results:

After analyzing the debris submitted, and the x-rays images made at the time of the autopsy, the undersigned has concluded as follows:

1. The debris is consistent with a non-lead composite projectile (bullet) that is currently manufactured commercially and sold to a limited market that includes but not limited to the following: law enforcement, special units within the military, and shooting ranges.
2. The x-ray images demonstrate a pattern consistent with the few studies of human trauma sustained as a result of gunshot wounds attributed to this family of ammunition.

3. It is the opinion of the undersigned that the amount of recovered debris and the “signature” demonstrated in the x-ray images compare favorably with the patterns previously observed which were known to be the result of 65 grains (gr) bullet impact/intrusion.

4. Commercially manufactured bullets, with the approximate mass of 65 gr, include .22-250 cal., .223 cal., and 5.7mm. Commercially available bullets in .243 cal., .308 cal., and 7.62mm universally have greater mass; and, therefore, in the opinion of the undersigned, may be excluded from the possible class of bullet causing the observed trauma.

This matter will be maintained as an open file. New research, test results and developments in the literature in the field shall be evaluated against the submitted evidence.

Rex Ian Prince
State Police Specialist
May 1, 2010

RIP: rip

JURY INSTRUCTIONS

1.1 Presumption of Innocence, burden of Proof, and Reasonable Doubt

(1) A person accused of a crime is presumed to be innocent. This means that you must start with the presumption that the defendant is innocent. This presumption continues throughout the trial and entitled the defendant to a verdict of not guilty unless you are satisfied beyond a reasonable doubt that he is guilty.

(2) Every crime is made up of parts called elements. The prosecutor must prove each element of the crime beyond a reasonable doubt. The defendant is not required to prove his innocence or to do anything. If you find that the prosecutor has not proven every element beyond a reasonable doubt, then you must find the defendant not guilty.

(3) A reasonable doubt is a fair, honest doubt growing out of the evidence or lack of evidence. It is not merely an imaginary or a possible doubt, but a doubt based on reason and common sense. A reasonable doubt is just that – a doubt that is reasonable, after a careful and considered examination of the facts and circumstances of the case.

1.2 Considering Only Evidence / What Evidence Is

When it is time for you to decide the case, you are only allowed to consider the evidence that was admitted in the case. Evidence includes only the sworn testimony of witnesses, the exhibits admitted into evidence, and anything else I tell you to consider as evidence.

2.1 First-Degree Murder

(1) The defendant is charged with the crime of first-degree premeditated murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of Kelly Green, that is, that Kelly Green died as a result of being shot by defendant.

(3) Second, that the defendant intended to kill Kelly Green.

(4) Third, that this intent to kill was premeditated, that is, thought out beforehand.

(5) Fourth, that the killing was deliberate, which means that the defendant considered the pros and cons of the killing and thought about and chose his actions before acting. There must have been real and substantial reflection for long enough to give a reasonable person a chance to think twice about the intent to kill. The law does not say how much time is needed. It is for you to decide if enough time has passed under the circumstances of this case. The killing cannot be the result of a sudden impulse without thought or reflection.

(6) Fifth, that the killing was not justified or excused.

2.2 Inferring premeditation from facts and circumstances

Premeditation and deliberation may be inferred from all the facts and circumstances surrounding the killing.

Factors that may establish premeditation include:

- * the previous relationship between the defendant and the victim;
- * motive;
- * the defendant's actions prior to the actual killing;
- * the acquisition of a weapon in preparation for the killing;
- * the circumstances of the killing itself; and
- * the defendant's conduct after the homicide, including steps to conceal the crime

2.3 Inferring State of Mind

(1) You must think about all the evidence in deciding what the defendant's state of mind was at the time of the alleged killing.

(2) The defendant's state of mind may be inferred from the kind of weapon used, the type of wounds inflicted, the acts and words of the defendant, and any other circumstances surrounding the alleged killing.

2.4 Second-Degree Murder

(1) The defendant is charged with the crime of first-degree murder. You may also consider the lesser charge of second-degree murder. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant caused the death of Kelly Green, that is, that Kelly Green died as a result of being shot in the head by the defendant.

(3) Second, that the defendant had one of these three states of mind: he intended to kill, or he intended to do great bodily harm to Kelly Green, or he knowingly created a very high risk of death or great bodily harm knowing that death or such harm would be the likely result of his actions.

(4) Third, that the killing was not justified, excused, or done under circumstances that reduce it to a lesser crime.

3.1 Credibility of Witnesses

You are the judges of the facts in this case, and you must determine which witnesses to believe and what weight to give to their testimony. In doing so you may consider each witness's ability and opportunity to observe, his or her memory, manner while testifying, any interest, bias or prejudice, and the reasonableness of the testimony considered in the light of all the evidence.

3.2 Police Witness

You have heard testimony from a witness who is a police officer. That testimony is to be judged by the same standards you use to evaluate the testimony of any other witness.

4.1 Circumstantial Evidence

(1) Facts can be proved by direct evidence from a witness or an exhibit. Direct evidence is about what we actually see or hear. For example, if you look outside and see rain falling, that is direct evidence that it is raining.

(2) Facts can also be proved by indirect, or circumstantial, evidence. Circumstantial evidence is evidence that normally or reasonable leads to other facts. So, for example, if you see a person come in from outside wearing a raincoat covered with small drops of water, that would be circumstantial evidence that it is raining.

(3) You may consider circumstantial evidence. Circumstantial evidence by itself, or a combination of circumstantial evidence and direct evidence, can be used to prove the elements of a crime. In other words, you should consider all the evidence that you believe.

5.1 Motive

(1) You may consider whether the defendant had a reason to commit the alleged crime, but a reason, by itself, is not enough to find a person guilty of a crime.

(2) The prosecutor does not have to prove that the defendant had a reason to commit the alleged crime. The prosecutor only has to show that the defendant actually committed the crime and that he meant to do so.

5.2 Intent

The defendant's intent may be proved by what he said, what he did, how he did it, or by any other facts and circumstances in evidence.

6.1 Character Evidence Regarding Credibility of Witness

You have heard evidence about the character of [*name witness*] for truthfulness. You may consider this evidence, together with all the other evidence in the case, in deciding whether you believe the testimony of [*name witness*] and in deciding how much weight to give that testimony.

STATE OF SPARTA
IN THE IZZO COUNTY CIRCUIT COURT

STATE OF SPARTA,

vs.

John Green,

) Case No.: 10-0081305

) **VERDICT FORM**

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We the jury, duly empanelled and sworn to try the issues in the above-entitled cause,
enter the following unanimous verdict:

To the charge of FIRST DEGREE MURDER,

_____ Guilty

_____ Not Guilty

To the lesser included offense of SECOND DEGREE MURDER,

_____ Guilty

_____ Not Guilty

X _____

Jury Foreperson