WDK

CERTIFICATE OF ANALYSIS

INDIANA STATE POLICE

State Police Laboratory
1550 East 181st Avenue
Lowell, IN 46356

Telephone: (219) 696-6242

June 20, 2002

COPY

TO: JOEL BOURDON
ELKHART POLICE DEPARTMENT
175 EAST WATERFALL
ELKHART IN 46516

SUPPLEMENTAL

Lab File #: 97L-332

Agency Case #: 96-303-0189

Evidence Submitted By: Detective Joel Bourdon Received: 02/05/97 at 12:10

Item 1B Sealed manila envelope containing cutting from hat.
Item 1C Sealed manila envelope containing cutting from hat.
Item 2A1 Sealed manila envelope containing stain card from whole blood of Keith D. Cooper.

RESULTS:

In the DNA analysis detailed below, the following loci were analyzed using Polymerase Chain Reaction (PCR): FGA, TPOX, D8S1179, vWA, Penta E, D18S51, D21S11, THO1, D3S1358, Penta D, CSF1PO, D16S536, D7S820, D13S317, D5S818, and Amelogenin.

The DNA profile obtained from one sample of the hat (item 1C) is not consistent with Keith D. Cooper (item 2A1). The profile was searched in the Indiana DNA Database and compared to the Convicted Offender and Forensic Unknown specimen categories. No matches were found. This profile will continue to be searched on a routine basis.

The DNA profile obtained from the second sample of the hat (item 1B) demonstrated the presence of a mixture from which Keith D. Cooper can be eliminated as a possible contributor.

Items 1B, 1C and 2A1 have been retained by the Indiana State Police Laboratory for the possibility of future analysis.

EXHIBIT C

CERTIFICATE OF ANALYSIS

INDIANA STATE POLICE

REMARKS:

The additional analysis of the above samples was performed at the request of William D. Polansky, Deputy Public Defender, One North Capitol, Suite 800, Indianapolis Indiana 46204-2026; (317) 232-2475. A copy of this report will be provided to Mr. Polansky.

Lisa B. Black
DNA Supervisor

LBB

rcv'd. 9:30/03
WDP

AFFIDAVIT

I, Debery Coleman, hereby affirm under penalty of perjury, pursuant to **Ind. Code § 35-44-2-1**, the following:

I affirm That The statement given by me To Detective Windbigler on 2-10-97 concerning case # 9630220189 about Keith Coopers involvement in The event under This case # WAS entirely fabricated by me To gain favor with The Elkhart Drug Task Force For whom I was working as a confidential informant. I offer This declaration freely and voluntarily and wish To make clear That I have not been coerced into or offered any inducements for doing so. I only wish To correct The wrong done To Mr. Coopers by my original false Testimony

FURTHER THIS AFFIANT SAITH NOT.

Dated: Sept 26, 2003.

Debery Coleman
AFFIANT

Subscribed and sworn to before me, a Notary Public for the State of Indiana, this 26 day of SEPTEMBER, 2003.

My Commission Expires:

6 - 12 - 2008
Month Day Year

J. Goodwin
Notary Public

Sullivan
County of Residence

J. Goodwin
Name Printed

(A-1)

EXHIBIT F

CERTIFICATE OF ANALYSIS

INDIANA STATE POLICE

State Police Laboratory
1550 East 181st Avenue
Lowell, IN 46356

Telephone: (219) 696-6242

March 8, 2004

EVIDENCE RELEASED TO:

PRINTED NAME: _____

SIGNATURE: _____

DATE: _____

TO: JOEL BOURDON
ELKHART POLICE DEPARTMENT
175 EAST WATERFALL
ELKHART IN 46516

Lab File #: 97L-332 **SUPPLEMENTAL**

Agency Case #: 96-303-0189

Evidence Submitted By: Detective Joel Bourdon

Received by Laboratory 02/05/97 at 12:10

Item 1B Sealed manila envelope containing cutting from hat.
Item 1C Sealed manila envelope containing cutting from hat.
Item 2A1 Sealed manila envelope containing stain card from whole blood of Keith D. Cooper.

DNA RESULTS:

In the DNA analysis detailed below, the following loci were analyzed using Polymerase Chain Reaction (PCR): FGA, TPOX, D8S1179, vWA, Penta E, D18S51, D21S11, THO1, D3S1358, Penta D, CSF1PO, D16S539, D7S820, D13S317, D5S818 and Amelogenin.

The DNA profile obtained from one sample of the hat (item 1C) was searched in the National DNA Database and was found to be consistent with Michigan Department of Corrections Inmate Johlanis Cortez Ervin (Michigan Department of Corrections #454577).

To confirm this information for criminal prosecution, please submit an evidentiary blood sample from Johlanis Cortez Ervin.

The DNA profile obtained from a second sample of the hat (item 1B) demonstrated the presence of a mixture from which Johlanis Cortez Ervin (Michigan Department of Corrections #454577) and an unknown individual cannot be excluded as possible contributors. Keith D. Cooper (item 2A1) can be excluded as a possible contributor.

LB

CERTIFICATE OF ANALYSIS

INDIANA STATE POLICE

Items 1B, 1C and 2A1 have been retained by the Indiana State Police Laboratory for the possibility of future analysis.

REMARKS:

A copy of this report will be provided to William D. Polansky, Deputy Public Defender, One North Capitol, Suite 800, Indianapolis, Indiana 46204-2026.

Lisa B. Black 3/9/04 4775

Lisa B. Black
DNA Supervisor

LBB

Affidavit by Debery L. Coleman.

I, Debery L. Coleman, first being duly sworn, state under oath and penalty of perjury as follows:

1. My name is Debery Lee Coleman.

2. My date of birth is December 1, 1970.

3. I worked as a confidential informant for the Elkhart County Drug Task Force from January of 1996 to February of 1997.

4. I was familiar with Detectives Rezutko and Ambrose from my previous arrests. They arrested me on all my previous cases.

5. In January of 1996 I was arrested outside of a nightclub with a large quantity of drugs. At that time, Detectives Rezutko and Ambrose asked me to become a confidential informant for the Elkhart Police Department.

6. During the first week of February in 1997, I was placed into a cell with

Keith Cooper. This cell was known as the hole. I had done nothing wrong to be placed in the hole.

7. Detective Rezutko pulled me into a holding room in the booking area of the county jail. He told me he was placing me into a cell with keith Cooper in order to get information from Keith Cooper about an attempted murder and armed robbery.

8. He, Detective Rezutko, told me that he could help me out with the sentencing in my case if I provided him with the information he wanted.

9. While I was in the cell with Keith Cooper, he maintained he was innocent of this crime.

10. The description of events concerning this armed robbery and attempted murder, were the police version of events. Not keith Cooper giving an admission to what happened. Cooper was explaining to me what the police

were of accosing him of doing.

11. Within approximately a week of being placed into a cell with Keith Cooper, I wrote a letter to the Elkhart Drug Task Force; ~~to~~ let them know that I had information that might be helpful.

12. I was pulled out of the cell with Keith Cooper shortly after I wrote the letter. I was placed, once again, in a holding cell in the booking area.

13. Shortly after, Detective Rezutko came to speak with me about Cooper. I refused to speak with him because of previous interactions. He asked me if I would be willing to speak with someone else and I said yes.

14. A jail officer then brought me upstairs to Detective Windbigler's office.

15. When in Detective Windbigler's office. I informed him that Detective Rezutko placed me into Keith Coopers' cell in order

to get information about the armed robbery and attempted murder.

16. Detective Windbigler asked me what knowledge I had about the accusations, I told him the information that I had heard from Cooper. This information was Cooper explaining the police version of events to me. Cooper always maintained that he was innocent. After disclosing what little information I knew Det. Windbigler, told me what role each one of them played in it.

17. Detective Windbigler gave me specific details about the crime. In these details he included both Keith Cooper and Chris Parish in the armed robbery and attempted murder.

18. Detective Windbigler helped me create a fabricated statement against Keith Cooper and Christopher Parish. Details about the crime that I had no idea about. Detective Windbigler gave to me for my Statement. I was promised things in exchange for my false statement and

future testimony against Keith Cooper.

19. Detective Windbigler promised me that in exchange for my fabricated Statement that he would get me a deal during my sentencing hearing. He promised me that I would get suspended time and a much lesser sentence. I was facing twenty years. He told me I would get a 10 year sentence with four years suspended. I would only have to serve 6 years. Of that 6, I would have to serve only 3 with good time. Since I already had served around 18 months, Detective Windbigler was promising me about 18 more months of incarceration in exchange for lying against Keith Cooper.

20. Between my Statement against Keith Cooper on February 10, 1997 and my Sentencing hearing on February 24, 1997, I met with Detective Windbigler again. I met with him to make sure our deal was still on. At that point, Detective Windbigler called Barry Snyder who was head of the Elkhart County Drug Task