

To The Public:

While I have kept a quiet approach throughout these false allegations, I have decided to answer the most recent articles about allegations of multiple sexual assaults brought upon me. Abigail Ross accused me, Patrick Swilling Jr., of sexual assault in February 2014; while I have been cleared of those allegations by the Tulsa Police Department and The University of Tulsa, Abigail Ross, attorney John Clune and ESPN's Paula Lavigne have continued to pursue me. They have continued their slander, released misinterpreted and misleading information and statements that have proven to be false. Since the allegations began, their party has only released information in their favor to shape the public's view on the case; I also have information to share:

- Ms. Ross painted the picture that I forcefully held her down and raped her; she has recanted and changed the story numerous times since first reporting to authorities on January 28th.
- Ms. Ross submitted incomplete (deleted) text messages to authorities that included between 50 and 100 text messages since the night of January 27th.

- On the night of January 27<sup>th</sup> Ms. Ross has stated she was at another apartment on campus where she was witnessed acting normal and in good spirits throughout the night.
- On the night of January 27<sup>th</sup> both my roommate and his girlfriend were both present and awoke in the apartment and did not support Ms. Ross claims.
- Ms. Ross favorited and retweeted tweets from my twitter account after January 27<sup>th</sup>, to later be deleted when allegations became public.
- Ms. Ross tweeted a picture of a young girl holding a poster claiming to be raped by an athlete days before she implicated me to having sexually assaulted her.
- Ms. Ross had previously accused a former University of Tulsa student athlete of rape when she allegedly was recorded having sexual intercourse with 2 other men but recanted when shown the video.  
(Video Attached)

- Ms. Ross is a self proclaimed "cleat chaser".
- Ms. Ross's mother attempted to "reach out" to Ms. Ross' witnesses to make sure they were all on the same page days before The University of Tulsa's hearing. (Documented)
- Ms. Ross was implicated in witness tampering; she allegedly asked the witness was he still in possession of the sex video and to keep quiet about their ordeal in which she accused him of rape if asked by authorities.

While ESPN's Paula Lavigne has worked tirelessly to research my background and find any lead she could, she resorted to Alexia Mallory. Alexia Mallory was a good friend of mine during the time I spent at the College of Southern Idaho, she was also the fiancé of my teammate and is now a mother. I have never sexually assaulted or engaged in sexual activity with Alexia Mallory. Mallory's then best friend and roommate, Alysha Zephyr, has given a statement about the alleged sexual assault:

"The statement that Alexia Mallory has put out claiming that Patrick Swilling Jr. sexually assaulted her is a lie. I, at the time of the alleged assault, was one of her closest friends and roommate; I have physical evidence showing that what Alexia is claiming is in fact not the truth. Patrick throughout the semester was always over at our apartment with his teammates, Alexia and I; hanging out, having dinner, watching movies etc. Even in the days following the alleged night of the assault Alexia invited him over to hang out with us multiple times. I witnessed Alexia, while arguing with her fiancé at the time, telling him that she had sex with Patrick. She yelled, "that's right I fucked him" and "yeah, we had sex!" as she got back in her car and headed back to our apartment. It was then that I started to receive texts from her saying that she was going to "kill herself" and I immediately went back to our apartment to find her trying to take a handful of prescription pills. She told me that it only happened one time and she didn't want to tell me because she thought it would make things weird between the group of friends. It was days later that Alexia changed her story to the one she tells now, but Alexia's accusations came about as a desperate effort to first infuriate then get her fiancé, at the time, to

take her back. She came out with the story in mid February and alleged it happened before Christmas. As I stated before I have physical evidence and other witnesses to confirm this."

Paula Lavigne also interviewed Alysha Zephyr in the weeks following the sexual assault allegations by Abigail Ross and was previously confronted with all of this knowledge yet she continued to pursue a lie.

Throughout these allegations I have maintained a quiet approach and we have tried our best to keep private information about my accuser away from the public. While Abigail Ross has given a consistent effort to destroy my livelihood, I have made a conscious effort to not make this about my accuser but focus more on defending myself of these harsh allegations. I have learned countless lessons from these circumstances and I have continued to mature from this situation. I have proven my innocence and continue to persevere through these tough times. I have been verbally abused, harassed, constantly sent harsh things on social media and even received death threats on multiple occasions. While I understand the backlash, your opinions of myself have been created by reading material that portrays me in a negative light. Nothing written has been in my favor and nothing negating my accuser's stories has been written either.

While I do not condone Sexual Assault in any manner, after going through this experience I believe assumptions and public perception are made well before any factual information has been determined. It takes 3 words, "He raped me" to start an onward cycle of hate, discrimination and public disowning with almost always half of the story being told. It's become easy for a woman to use to sexual assault for a substitute when friends, family and most of the time their significant other frowns upon the truth of what she did. If allegations of Rape can put me in prison, why can't proven false allegations of Rape put an accuser in prison for the same amount of time? The allegation is just the beginning, what comes after is what's felt the most. I was suspended indefinitely from all athletic events before anyone even asked me what happened on the night of January 27<sup>th</sup>, 2014. Athletes are always targeted on both the college and pro level because of our popularity and how much we have to lose; we are not treated as regular students or citizens when it comes to these types of allegations. The news releases are usually tainted to make us look a certain way, more than likely in a bad perspective. The accusers names are never mentioned because it is detrimental to their well being, however it's ok for my name to be tarnished and for me to receive death threats, hate mail and suspensions while what's being reported is false? The accuser sexual history is never

spoken of but anything found or heard in my sexual history is printed? Yes, I am an athlete. Yes, I am the son of a former NFL player and I am also a regular young man continuing to mature and find my way in life. I have feelings, I have a social life, I have dreams, I have goals, and yes I've made mistakes, but no I have never sexually assaulted anyone. I have never been arrested, Police has only questioned me on one occasion during my life and that was voluntarily, I have never been charged with a crime and yet I have lost more in 6 months than I have in 22 years, my respect. I haven't sued anyone for defamation or spoken badly about anyone involved in the proceedings, I just want to move on. The same way people found guilty of Sexual Assault are often asked, "How could you live with yourself after doing that?" this question should be asked to the women who fabricate these stories with terrible intentions or when put under pressure.

Articles are written based on information they want to use; ESPN's Paula Lavigne interviewed three people from College of Southern Idaho who all told her Alexia Mallory's story was not factual at all, yet none of that was noted. I didn't expect it to be used because anything positive about me wouldn't be good for her career and wouldn't make good news. There never was an article written about me being cleared of any wrong doing or working with underprivileged kids in Tulsa this summer. What about an

article titled "Sexual Assault Accuser Caught In Multiple Lies and Inconsistencies", it probably won't get much media attention I guess. While I understand the job of being a journalist, I also believe writers should think about this before writing articles based on false or unproven claims: Put yourself in my shoes for one day, how do you think my mother and sister feel? What if I were your son or brother? How would you feel if she came out and said she lied about everything? Would you be ok with writing articles with the intent to ruin my life without knowing the truth?

My life has changed drastically since these allegations have been brought against me. I've lost friends, I've lost loved ones, my goals have changed, my image has change and I've lost Patrick Swilling Jr. in it all. I'm not the same person I was before the allegations, I can't be. I don't smile the same, I don't communicate the same and I don't have the same confidence that made me who I was. Most of you will never know how it feels to be isolated from regularity or have someone you love turn their back on when you need them the most. Most of you will never get the feeling of a parent telling your best friend to stay away from you or Women's basketball coach telling an entire team to go the other way if you're anywhere around them. Most of you all will never know how it feels to cry as your teammates live out the goal you set for them on national TV. Most of you will never get a



phone call from your younger brothers in tears because they've read death threats directed towards you on social media. Most of you will never know how it feels to have your dreams ruined and everything taken away from you because of something you didn't do. False Allegations can ruin a person's life by not only sending them to jail but putting them in a public box that usually can not be broken out of; and being stuck in that box is sometimes worse than being in jail because you feel free to not be free. While I also feel I have no reason to feel guilty or hold my head down it's also an instinctive reaction when you can't be comfortable around people you once looked at as friends or teammates. I am embarrassed and ashamed because regardless how much I fight to restore myself, this will always linger. I understand the seriousness of these allegations and I also understand the anger a reader or anyone can have after digesting the material you all have been given; all I ask is before you jump to a conclusion, threaten another college student's life, send hate mail or write an article about another young man who was falsely accused of rape with ill intent, remember this letter and remember how a stranger can affect someone's life he or she only knows through articles and interpretations, all developing from something I have never done.

Photo

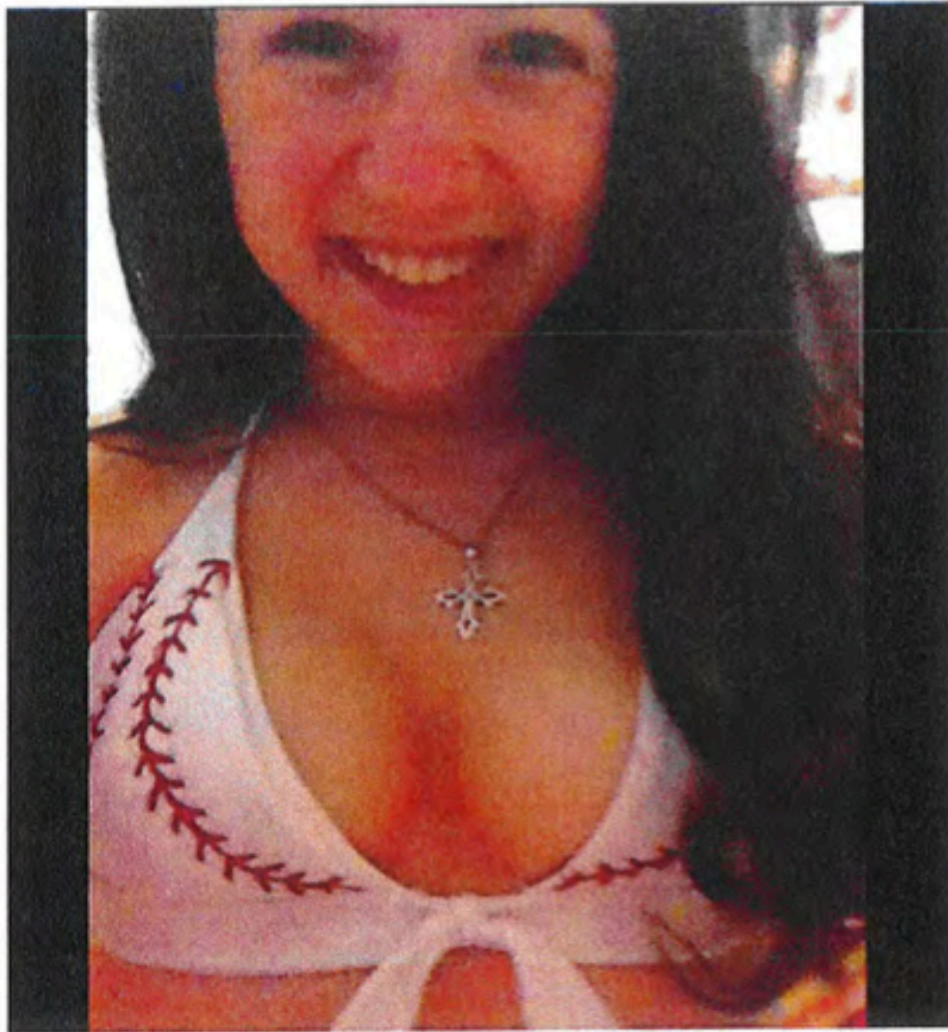
x



**Abby Ross**  @Abbz\_Ross 19 Jun 2012  
#cleatchaser pic.twitter.com/4Mwinyw

 Reply  Retweet  Favorite

[Flag media](#)



**Abby Ross**  @Abbz\_Ross 24 Jun 2012

America's favorite pastime  pic [twitter.com/V3h2z12e](https://twitter.com/V3h2z12e)

[↩ Reply](#) [↻ Retweet](#) [★ Favorite](#)

[Flag me](#) [Report](#)



Retweeted by Abby Ross



DEAN @DeanoHerz Jan 23

This left me speechless pic.twitter.com/fk2AnmAN1q



RETWEETS  
72

FAVORITES  
40



Kansas City

TWEETS  
2,970

FOLLOWING  
194

FOLLOWERS  
190

Follow



### Tweets



Abby Ross [@Abbz\\_Ross](#) 26m

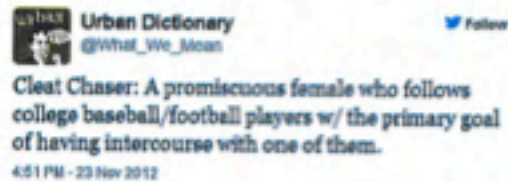
I don't think I've been more happy in my entire life

Expand

<p align="center"><b>The University Of Tulsa Department Of Security</b></p> <p align="center">Witness Statement</p> <p align="center"><a href="http://www.utulsa.edu/security">http://www.utulsa.edu/security</a> (918) 631-5555</p>		Page <u>1</u> of <u>1</u> Report # <u>13374</u> Date <u>11 Feb 14</u> Time _____
<p align="center">Reporting Party</p> Name <u>Abby Pass</u> DOB _____ Race <u>white</u> Address <u>14091 meadow lane</u> City <u>Leawood</u> State <u>KS</u> Zip <u>66224</u> SSN# _____ ID# _____ State _____ Phone # <u>(480) 747-4504</u>		
<p>I knew Patrick from friends on the basketball team. He started texting me asking to hangout but we never did until a week later when he asked me to come over. I told him before I went over there that I just want to hangout and that it wasn't going to be a hookup. And he said that was fine. I went to his apt in Union room 4022 and we went to his room and watched the old basketball game for a few min. He then hit me down and grabbed my butt but I just brushed it off and got up off the bed. He then came lower where I was standing and pulled down my pants and put his fingers inside of me. I kept telling him to stop but he told me to shut up. He then flipped me over and started to penetrate me vaginally. I kept crying and told him to stop but he wouldn't even listen. I would say something he told me to shut up when he finished he went to the bathroom and I got dressed and he came back and said "no one is going to know about this right?" I said no and left his apartment.</p>		
Signature <u>Abby Pass</u> Parent (if Minor) _____ Witness _____	Officer <u>Rouette</u> Badge # <u>26</u> Supervisor <u>Reint</u> Badge # <u>22</u>	



d. The Urban Dictionary twitter account defines cleat chaser as:



e. Four days before going over to Mr. Swilling's apartment, Ms. Ross retweeted a girl holding up a sign stating that "my rapist doesn't know he's a rapist." Ironically, just days later, Ms. Ross had adopted the persona of the girl in the picture by making her claims against Mr. Swilling. *Id*



15. Abby Ross has made false allegations of rape in the past.

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- a. A well-known rumor around campus is that last year Ms. Ross had sexual intercourse with several athletes at the same time, including football player, Darnell Walker, Jr. The sex was videoed. See Ex. "F".
- b. Sometime after the sex video, Ms. Ross approached Mr. Walker and told him that she was considering reporting her encounter with him as a rape unless he deleted the video. He refused to delete the video because he was concerned it may be the only evidence he had that the sexual encounter was consensual. Ms. Ross eventually apologized to Mr. Walker for threatening false allegations against him. See Narrative summary of interview with Darnell Walker, Jr., attached as Exhibit "O".

**16. Abby Ross attempted to improperly interfere with a witness.**

- a. On February 23, 2014 Abby Ross visited Darnell Walker, Jr.'s apartment on campus. She told him that she was concerned that she would be perceived as a "slut" if her allegations against Mr. Swilling were not believed. She was also concerned that Mr. Walker would come forward in Mr. Swilling's defense with evidence of her prior false allegations against him. Ms. Ross asked Mr. Walker to not cooperate in any investigation into her allegations against Mr. Swilling. She also asked Mr. Walker to assure her that the sex video had been destroyed. *Id.*

**14. Ms. Ross deleted 500 "tweets" from her Twitter account after February 20, 2014.**

- a. On February 20, 2014, the day Detectives from the Tulsa Police Department were on campus to conduct interviews, Abby Ross tweeted: "I don't think I've been more happy in my entire life." Abby Ross Tweets, attached as Exhibit "N". At that time she had 2,970 tweets.



*Id.*

- b. By February 26, 2014, Abby Ross deleted 500 tweets and made her account private.



*Id.*

- c. Previous tweets by Abby Ross included a self-declaration that she was a "clean chaser." *Id.*