

Criminal Division Office of Enforcement Operations Task Force on the FBI Laboratory 10th & Constitution Avenue, N.W. Keeney Building Washington, D.C. 20530

Telephone (202) 616-2505 Facsimile (202) 616-1012

6	883 BB
Case name: US v. Dennis Vern Wieneke	
District: Wisconsin, Eastern District Victim: Ramsey / Smith	
Court Number: FBI Case ID #: 7-17830(1of3)	
Offense: Kidnapping, ITSMV, WSTA Date:	
Conviction: Trial: 📋 Guilty Plea: 🔀 Sentence/ Date: Life 1/11/80	
FBI Lab Examiner: Malone Forensic Analysis: hair	
Did Examiner Malone testify at trial? Yes C No	
Did another examiner testify to this examiner's lab results? Yes $\square$ No	
Was the lab work presented by the defense? Yes $\Box$ No	Lander L
Were the lab results stipulated to? $Y_{es} \square N_{o}$	
Were the lab results considered in the plea negotiations? Yes $\square$ No	
Was Malone 's Lab Work Material to the Verdict/Plea? Yes 🗖 No	
(If no, please attach a memo with the reason(s) for this determination.) Disclosure:	Γ
Prosecutor: William Callahan / Elizabeth L. Adelman Telephone:	
Date:	
Prosecutor's Signature	
SR I M/O I NR I Added: SC I	AE 🗖

## CRM-29201



Criminal Division Office of Enforcement Operations Task Force on the FBI Laboratory 10th & Constitution Avenue, N.W. Keeney Building Washington, D.C. 20530

Telephone (202) 616-2505 Facsimile (202) 616-1012

	6883 BB
Case name: US v. George Ted Phillips	
District: Wisconsin, Eastern District Victim: Ramsey / Smith	
Court Number: FBI Case ID #: 7-17830(2	2of3)
Offense: Kidnapping, ITSMV, WSTA	Date:
Conviction: Trial: 🖂 Guilty Plea: 🔲 Sentence/ Date: Life plu	us Life, 1/16/80
FBI Lab Examiner: Malone Forensic Analysis: Ma	lone
Did Examiner Malone testify at trial?	Yes 🔽 No 🗖
Did another examiner testify to this examiner's lab results?	Yes 🗖 No 🗖
Was the lab work presented by the defense?	Yes 🔲 No 🗖
Were the lab results stipulated to?	Yes 🗖 No 🧖
Were the lab results considered in the plea negotiations?	Yes 🗖 No 🗖
Was Malone 's Lab Work Material to the Verdict/Plea?	Yes 🗖 No 🧖
(If no, please attach a memo with the reason(s) for this determination.)	Disclosure:
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Date:	
Prosecutor's Signature	
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Telephone (202) 616-2505 Facsimile (202) 616-1012

		6883
Case name: US v. Joey Dale Clenden	ny	
District: Wisconsin, Eastern District	Victim: Ramsey/ Smith	
Court Number:	FBI Case ID #: 7-178	330(3of3)
Offense: ITSMV,WSTA, Kidnapping		Date:
onviction: Trial: 🔲 Guilty Plea:	Sentence/ Date: 9/4	4/80 10 years/ 25 years
BI Lab Examiner: Malone	Forensic Analysis:	Malone
Did Examiner Malone	testify at trial?	
Did another examiner testify to th	is examiner's lab results?	Yes $\square$ No $\square$
Was the lab work presented by the	ne defense?	Yes $\[ \  \  \  \  \  \  \  \  \  \  \  \  \$
Were the lab results stipulated to	)?	Yes $\[ \  \  \  \  \  \  \  \  \  \  \  \  \$
Were the lab results considered in	n the plea negotiations?	Yes 🦵 No 🦵
Nas Malone 's Lab Work i	Material to the Verdict/Ple	a? Yes $r$ No $r$
(If no, please attach a memo with the re	ason(s) for this determination.)	Disclosure:
Prosecutor: William Callahan / Elizabe	th L. Adelman Telephone	:
	Dat	e:
Prosecutor's Signature	9	
	Added:	SC A



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### U.S. Department of Justice

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**IMPORTANT:** This facsimile is intended only for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this transmission or it's contents is strictly prohibited. If you have received this transmission in -error, please notify us by telephoning and return the original transmission to us at the address given below.

### **FACSIMILE**

TO: Mel Johnson, Esquire Assistant United States Attorney United States Attorney's Office 515 E. Wisconsin Ave. 530 Federal Building Milwaukee, Wisconsin 53202

FAX No: (414) 297-1738

VOICE No: (414) 297-1716

SENT BY: Ellis Gordon (11/5/02)

# NUMBER OF PAGES SENT (INCLUDING COVER PAGE): / 4

### **SPECIAL INSTRUCTIONS:**

As you requested, attached are the case review forms, case-related documents, as well as the FBI laboratory reports that contain the work of the relevant examiner in the *Wieneke et al.* case. Also, attached is the letter which was originally sent to you with these documents on February 19, 2002. If you require further assistance, please contact the Task Force at (202) 616-2505 as soon as possible. Thank you.

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• • • • • •	CASE REVIEW CHECKLIST	
•.	CASE REVIEW CHECKLIST FOR <b>BUREAU</b> CASES CDRU Record #: 6883 BB	
· · ·		
Examiner(s):	RQ Responsible FO: MW FBIHQ File #: 7-17830	
Field Office.Fil		•
Case Caption:		06 70
	- VICTIM; - VICTIM; KIDNAPPING, ITSMV; WSTA (A)	57C
00: MW	·	
	Year of Offense, if known: 8/24/79	
1. Name of Case	e Agent:	b6 b7C
2. Conviction		•
for each co	nvicted defendant or attach the FD-515(s) which reflects this information.)	
<b>i</b> .	Full name(s) of all known convicted defendant(s): Dennis Vern Wieneke,	
1.	George Ted Phillips, Joey Dale Clendenny	
ii.	Pursuant to a guilty plea? X Yes No (Clendenny, Wieneke)	
iii.	Pursuant to a trial? X Yes No (Phillips)	
iv.	Date of sentence and sentence imposed:	
v.	If the prosecutor is a United States Attorney identify district, and, if	
	known, the name of an AUSA or point of contact. If other than a United	
	-States-Attorney, list Prosecutor/point_of_contact, current mailing address, and phone #. Also include the Court # and USAO #, if known: EASTERN	
	DISTRICT OF WISCONSIN AT MILWAUKEE, PROSECUTED BY AUSAS WILLIAM CALLAHAN &	•
	ELIZABETH L. ADELMAN	•
3. Remarks:	SEE ATTACHED	
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4a. For those of	cases resulting in a conviction, attach all FBI laboratory reports. Lab	
reportș at		•
	ned to CDRU: REC'D FROM MW. 9/16/99, INFO ADDED BY CDRU 11/16/00	-1
· ·	<u>CRM-29186</u>	

# ATTACHMENT TO CHECKLIST # 6883 BB

## REMARKS

The following conviction information pertaining to this case was obtained from a review of the FBI Headquarters file, CJIS criminal history checks, and information provided from a review of FBI records of the Milwaukee Field Office. It should be noted that all 3 subjects were also charged and sentenced by the state of Wisconsin for crimes associated with this case. (See CDRU Checklist # 6883 LL for state conviction information.)

## **CONVICTIONS**

NAME: Dennis Vern Wieneke w/m, DOF POB Missouri, SSN FBI # 406953V4 <u>Arrested 9/12/79 by FBI Springfield</u> . Wieneke went to trial 12/17/79 in U.S.D.C., Eastern District of Wisconsin at Milwaukee. On 12/18/79, at trial, Wieneke entered a guilty plea to all four counts of the FGJ indictment. He was sentenced on 1/11/80 as follows: - Kidnaping = Life - ITSMV [2 counts] = 5 Years, each of 2 counts (concurrent) - WSTA = 5 Years (concurrent)	ь6 ь7с
NAME: George Ted Phillips w/m, DOE POB Illinois, FBI # 768852E <u>Arrested 9/14/79 FBI Chicago</u> . Phillips went to trial 2/17/79 (with Wieneke) in U.S.D.C., Eastern District of Wisconsin at Milwaukee. On 12/20/79, the jury returned a guilty verdict against Phillips on all counts. He was sentenced on 1/16/80 as follows: - Kidnaping [2 counts] = Life plus Life - ITSMV = 5 Years (consecutive) - WSTA = 5 Years (consecutive)	Ь6 Ь7С
NAME: Joev Dale Clendenny w/m, DOB POB Illinois, SSN FBI # 300281W3 <u>Arrested 6/5/80 by San Jose P.D.</u> and returned to Wisconsin to face charges in this matter. On 9/4/80, a guilty plea by Clendenny was accepted in U.S.D.C., Eastern District of Wisconsin at Milwaukee and he was sentenced the same day. He was sentenced on 9/4/80 as follows: - Kidnaping = 25 Years [A 2 <sup>nd</sup> count of Kidnaping was dismissed] - ITSMV = 5 Years (concurrent) - WSTA = 5 Years (concurrent)	Ъб Ь7С

**CRM-29187** 

0-94, (Rev. 9+27-79) Exec AD Inv Exec AD Adr Exec AD LE! UNITED STATES GOV RTMENT OF JUSTICE NITED STATE Ant Die. FEDERAL BUREAU OF INVESTIGATION Adm. Servis Memorandum Crim. Inv. \_ (Type or hand print.) Ident, latell. Section Chief MAA Laboratory DATE: /2-19-79 Legial Coon :: TO Plan. & Ins; Systems Development Section, Attn.: Room 1929 Rec. Mant. COMMITMENT REPORT Technical Services Division Tech. Servs Training \_ FROM SA Public Alfs. . Section <u>SAS</u> Telephone Ri Director's Sc SUBJECT: b6 b7C Examiner/s . Bufile # <u>Z-1783</u>() Symbol/s Court/Agency U.S. Man Workdays City & State Th. Sugar Date/s 🔲 Yes ץ Yes Testified Г 🗖 No No No 🗀 No Reason for Appearing in Court but not Testifying: (Circle one) 01. Guilty Plea 03. Case Dismissed 05. Testimony not Needed 02. Case Continued 04. Stipulation 06. Mistrial 07. Miscellaneous Commitments: (MC) (Other than Court Appearances - Circle One) 01. Lecture/Training (Others) 06. Research/Data Acquisition 07. 02. Training (Self) **08.** Investigative Support 03. Speech 09. Communication Support 04. Pretrial Conference 7-17830-05. Field Examination of Evidence 10. Conference/Meeting Results of Trial Contin Prosecuting Attorney Defense Attorney Details/Unusual or Interesting Circumstances: On is/18/2 q shortly of b6 b7C RECORDED 22 JAN 8 1980 66 JAN 1 4 1980 b6 b7C **CRM-29188** 65. ÷ .n. -

# Attachment to Independent Case Review Report For CDRU #6883 Case file #7-17830.

Material Examiner:

<u>Malone (RO)</u>

#### Remarks:

Case resulted in both guilty plea and trial, testimony transcript not provided.

CRM-29190

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macpondone reviso	w conducted l	by: Steve R	obertson .			
Area(s) of Expertis	se: Hair an	d Fiber	<u> </u>		<u> </u>	
Review commence		AM (Time	;), 12/04/03	(Date	2)	
File #: 7-17830	)					
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Federal Bureau of Investigation

Washington, D. C. 20535-0001

December 19, 2003

"HAND DELIVERED"

Amy B. Jabloner, Esq. Department of Justice Criminal Division Office of Enforcement Operations 10th & Constitution Avenue, N.W. Keeney Building Washington, D.C. 20530

Dear Ms. Jabloner:

In furtherance of the ongoing FBI Laboratory Review Project, we are pleased to provide you with the results of the completed scientific reviews conducted by two independent scientists with regard to seven cases. The Independent Case Review Reports completed by the independent scientists are enclosed for the following cases:

b6 b7С

<u>CRM-29192</u>

Amy B. Jabloner, Esq.

1.0

FBI HQ file United States v. 5. number 95-262250, CDRU number 6601; and

6. United States v. George Ted Phillips, Dennis Vern Wieneke, and Joseph Clendenny, FBI HQ file number 7-17830, CDRU number 6883 BB; and.

and State of South Carolina v. 7. FBI HQ file number 91-126015, CDRU number 7467.

It is our understanding that the Task Force will submit these results to the prosecutor responsible for each case for a determination of whether disclosure to defense counsel under <u>Brady v. Maryland</u> and its progeny is necessary. Please advise this office of the results of the Brady assessments and any resulting disclosures.

If you have any questions, please contact me at

Sincerely, bб b7C Enclosures (7)

bб

b7C

## **ATTACHMENT TO CHECKLIST # 6883 BB**

### **REMARKS**

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<ul> <li>NAME: Joey Dale Clendenny</li> <li>w/m, DOB POB Illinois, SSN , FBI # 300281W3</li> <li><u>Arrested 6/5/80 by San Jose P.D.</u> and returned to Wisconsin to face charges in this matter. On 9/4/80, a guilty plea by Clendenny was accepted in U.S.D.C., Eastern District of Wisconsin at Milwaukee and he was sentenced the same day. He was sentenced on 9/4/80 as follows:</li> <li>Kidnaping = 25 Years [A 2<sup>nd</sup> count of Kidnaping was dismissed]</li> <li>ITSMV = 5 Years (concurrent)</li> <li>WSTA = 5 Years (concurrent)</li> </ul>	bб b7С
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· · · ·		FEDERAL BUREA WASHINGTON				· ·	••
•	To: SAC, M	ilwaukee (7-755)			September	28, 1979	•
				FBI FILE NO	0.7-17830		
	Dennis Re: Joe (1	(3), aka (LNU), <u>NU);</u> VICTIM; - VICTIM; PPING; ITSMV (A)	b6 b7С	LAB. NO.	90830010 90831023 90904074	S RQ TR	
	Specimens reco COMMUI	eived August 30, 1979, nication dated August	from SAC, 27, 1979 (	Chicago, 90830010	under co S RQ TR)	ver of :	b6
		ITEMS FROM					b7C
	Ql	Trousers					
	Q2	Shirt					
	Q3	Head hair combings					
	Q4	Pubic hair combings					
	Q5	Anal swab					
е т., <b>н</b> азыны 1	QG	Oral swab					
	Q7	Vaginal swab					
	Q8	Anal smear slides					
	Q9	Oral smear slides					
•	Q10	Vaginal smear slides	5				
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К <b>3</b> . К4	Blood sample from
. K4	
	Saliva sample from
ALS	
	O SUBMITTED:
	Major case prints of
	Major case prints of
	Two Pabst beer cans
Spec	cimens received August 31, 1979, from SAC, Milwaukee, under er of communication dated August 29, 1979 (90831023 S RQ T
	ITEMS FROM
Q12	Trousers b6 b7C
Q13	Shirt
Q14	Head hair combings
К5	Head hair sample from
Spec	cimens received September 4, 1979, from SAC, Chicago, under er of communication dated August 31, 1979 (90904074 S RQ):
QIG	Strips of cloth and green twine
Q17	Yellow jacket
Q18	Pieces of blue, white and green thread
~~~~	Piece of blue Levi jacket
Q19	
Q19 Q20	Piece of jacket liner
	Piece of jacket liner White paper towel
Q20	1

Strips of cloth and green twine 724

ALSO SUBMITTED:

Malone's

Work

Pieces of "daily admission ticket"

One piece of "daily admission ticket"

Result of examination:

Blond pubic hairs of Caucasian origin were found on specimen Q12. One brown pubic hair of Caucasian origin was found on <u>specimen Ol</u>. These hairs are dissimilar to the pubic hairs of \_\_\_\_\_\_ and could not be associated with her. hairs of b6 One brown head hair fragment was found on specimen Q24. This b7C hair fragment is dissimilar to the head hairs of and and could not be associated with these sources. The above-mentioned hairs have been mounted on glass microscope slides for possible future comparison.

bб

F81/1

-TEG-LEO

b7C

No hairs dissimilar to the hairs of were found on or in specimens Q2, Q4 and Q11.

No hairs dissimilar to the head hairs of were found on or in specimens Q14 and Q16.

No hairs of value for comparison were found on or in specimens Q3, Q13 and Q17 through Q23.

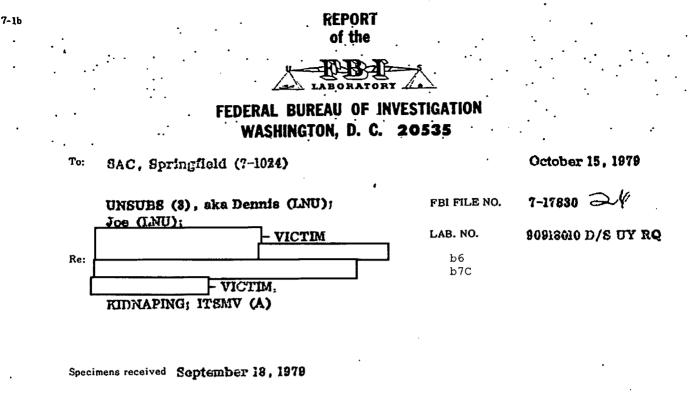
Foreign textile fibers of various types and colors were removed from specimens Q1, Q2, Q11, Q12, Q16, Q22 and Q24 and have been placed in pillboxes for possible future comparison.

The other requested examinations are continuing. You will be advised of the results of these examinations and the disposition of the evidence by a separate report.

Page 3 90830010 S RQ

-aboratory Transmittal Form 7-72			•
Han and a second	LABORATORY		l - Mr. Malone
To:	DERAL BUREAU OF INVEST WASHINGTON, D. C. 20		October 19, 1979
SAC, Milwaukee	g (7-755)	fbi file no.	
	VICTIM; b6 • VICTIM; b7C	LAB. NO.	7-17830 90830010 S RQ TR 90831023 S RQ TR 90904074 S RQ
00: Milwaukee		•	
Examination requested by:	Chicago, Milwaukee		
Reference: Examination requested:	Chicago airtels Augu August 31, 1979, Mil August 29, 1979	st 27, 1979 a waukee airtel	nd . dated .
Remarks:	Microscopic Analyses Fingerprint	- Chemical A	nalyses -
The	<u>Chemi</u> cal Analyses wer	e conducted b	<b>y SA</b> b6
or not	ts be developed, known	d the identit blood and sa	er b7C ies liva
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Laboratory Transmittal Form	b6
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K-EB-E-K	
LABORATORY /	
FEDERAL BUREAU OF INVESTIGAT	ION
WASHINGTON, D. C. 20535	
	· · ·
To: SAC, Springfield (T-1024)	October 15, 1979
From: Director, FBI	FILE NO. 7-17830
INSTITIS (3), aka Dennis (LNU);	
Jos (LNU);	B. NO. 90918010 D/S UY RQ
Re: VICTIM	
	b6 b7C
	B/C
VICTIM;	
KIDNAPING; ITSMV (A)	
	•
OO: Milwaukee Examination requested by: Springfield	
Examination requested by. Springhead	
Reference: Airtel dated September 11, 1979	
,	
Examination requested: Document - Microscopic Analyse	95 – Fingerprint
Remarks:	
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Enclosures (8) (2 Lab report, Q29A through Q29	sport)
2 - Milwaukee (7-755) Enclosures (2) (2 Leb re Pt Alm, usual #50 EX-125	· · · · · ·
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	b7C
$V$ PAL: $\overline{ksk}$ */(6) $V_{0}$	
$MAIL ROOM \square \delta^{\vee}$	. <sup>.</sup> . <mark>/</mark> 781/00J



**Result of examination:** 

This report supplements and completes FBI Laboratory report to you dated October 4, 1979. For a complete listing of the specimens, please refer to that report.

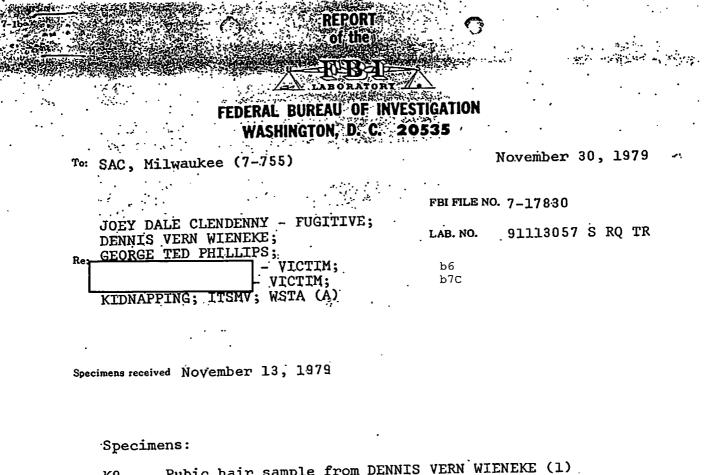
Blond to brown head hairs and brown pubic hairs were found in specimens Q29A through Q29D. These hairs are of Caucasian origin and have been mounted on glass microscope slides for possible future comparison.

Specimens Q29A through Q29D and two slides are returned herewith to the Springfield Office.

Malone's Work

CRM-29207

Laborator, 7-72	spnsmittal Form		-ر • •	 	
And States	- 1	AL BUREAU OF INVES			· · · · · ·
	To: SAC, Milwaukee (7	<b>ASHINGTON, D. C. 20</b> -755)	)535 	November 30,	1979
	From: Director, FBI		FBI FILE NO	<b>b.</b> 7-17830	
	JOEY DALE CLENDEN DENNIS VERN WIENE Re: GEORGE TED PHILLI KIDNAPPING; ITSMY OO: Milwaukee	KE; PS; - VICTIM; <sup>b6</sup> VICTIM; <sup>b7C</sup>	LAB. NO.	91113057 S	RQ TR
	Examination requested by: Mj	lwaukee			
	Reference: Ai	rtel dated Novembe			
,	by SA Michael P.	ir examinations in Malone. rological examinat			b6 b7C
	W Enclosures (2)	(2 Lab report)			
·	DO N P.	OT INCLUDE ADMINIS AGE (S) INFORMATION INVESTIGATIVE REPOR ADMINISTRATIVE PA CRM-29208	RT	7-755 EARCHED EAVAIZED TH DEC C	- 323 1979 1979 b6 b7c b7c



K9	Puble hair sample from binnib that with the (1)
К10	Head hair sample from DENNIS VERN WIENEKE (2)
кіі	Blood sample from DENNIS VERN WIENEKE (3)
K12	Saliya sample from DENNIS VERN WIENEKE (4)
кіз	Pubic hair sample from GEORGE TED PHILLIPS (5)
. К1,4	Head hair sample from GEORGE TED PHILLIPS (6)
K15	Blood sample from GEORGE TED PHILLIPS (7)
<b>К</b> 16	Saliya sample from GEORGE TED PHILLIPS (8)
ALSO	SUBMITTED:
	Piece of gauze (9)

Page 1

CRM-29209

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### sultroff examination

Malone's

Work

reponted in the FBI Laboratory reponted in the FBI Laboratory reponted in the FBI Laboratory . Numbers 90830010 S RO TR, 90831023 S RO TR, 90904074 S RO), blond puble hairs were found on the specimen Q12 trousers, one brown puble hair was found on the specimen Q1 trousers, and one brown head hair fragment was found on the specimen Q24 cloth and twine. These hairs were compared to the hairs of WIENEKE; specimens K9 and K10; and to the hairs of PHILLIPS, specimens K13 and K14. The above-mentioned pubic hairs are dissimilar to the pubic hairs of WIENEKE and PHILLIPS and could not be associated with these sources. The above-mentioned head hair fragment microscopically matches the head hairs of PHILLIPS. Accordingly, this hair either originated from PHILLIPS or from another Caucasian individual whose head hairs exhibit the same microscopic characteristics as the head hairs of PHILLIPS. This head hair is dissimilar to the head hairs of WIENEKE and could not be associated with WIENEKE.

It is pointed out that hair comparisons do not constitute a basis for positive personal identification.

Grouping tests conducted on specimens K15 and K16 disclosed that GEORGE TED PHILLIPS belongs to blood group "A" and is a secretor. Specimen Kll was grouped as "A." Saliva grouping tests conducted on K12 did not disclose the presence of any blood group substances.

Specimens K9 through K16, the ALSO SUBMITTED item, and the items listed in the above-mentioned report, specimens Q1 through Q24 and K1 through K5, are being returned to the Milwaukee Office under separate cover by registered mail.

Page 2 91113057 \$ RQ