

Iowa Parole Board
Jessie Parker
Building, 510 E. 12th Street,
Des Moines, Iowa 50319



RE: Parole Hearing for Alonzo Marvon Gibbs-Williams 6460838

Sirs:

Alonzo Gibbs has had a rough decade. I am not qualified to certify how fair our legal system has been to him, but I can say it has not always made sense to him.

Like when he filed a Motion to Dismiss the murder charge against him after the killer confessed, and after no witness other than the killer had associated Alonzo with even *having* a gun (according to the "Minutes" - the prosecutor's summary of what he expects the witnesses will say). Why was he still in jail, he asked the judge? But Polk County Attorney John Sarcone told the judge that insufficient evidence was an improper reason to set a prisoner free!

(See #4 of the attached page. Sarcone's actual words: "Sufficiency of the evidence is the sole claim of this motion. As such the motion must be denied." The "insufficiency of evidence" which Alonzo had noted was that Sarcone's *charge* that *Alonzo* murdered a man was contradicted by Sarcone's *witness testimony* that *someone else* murdered the man. The cases Sarcone cited agreed that the prosecutor shouldn't have to completely prove guilt even before the trial, but they do not support Sarcone's theory that Sarcone should keep a defendant in jail even when *he* expects witness testimony will *refute* the charges.)

God willing, our project can offer frustrated Americans like Alonzo's neighbors a more positive strategy for correcting a few chinks remaining in our legal system than tearing down statues. I expect Alonzo is highly motivated to help a movement of people studying American justice together, researching solutions, and building support for reform. We will treasure his help.

My own concerns about our legal system have been formed through lobbying, reporting for the Prayer & Action News, and being a candidate. American justice at its worst is better than in many countries, but I would like to help heal its worst.

A decade ago, Alonzo was arrested for 3rd Degree Robbery. The prosecutor got him to waive his juvenile rights. When the victim signed an affidavit saying the perp was someone else, not Alonzo, rather than send Alonzo home the prosecutor charged him for the small amount of drugs which he had when arrested, which the Juvenile Court had dismissed. The amount magically tripled, making Alonzo a felon. But he served his time and went home.

Several years later, he had the misfortune to be present at a murder. Prosecutors didn't charge him with murder then, but they thought they could prove he owned a gun, which is a 5 year sentence for a felon - the same sentence that Alonzo is in jail for now, besides his additional 10-year sentence for *shooting* a gun.

His trial for owning a gun was held in federal court. The jury found him innocent. But rather than send him home, Prosecutor Sarcone *then* charged him with the murder!

The killer confessed two or three months later, yet Alonzo remained in jail while his public defender delayed the trial over Alonzo's protests, and urged Alonzo to accept a "plea bargain" to escape a trial for murder! It was just one year after the federal jury found him innocent of even *owning* a gun, that Alonzo broke and accepted the "bargain": the 15 years before you; 5 years for owning a gun, and 10 years for shooting it around people.

I think Alonzo should have a break. I believe society will benefit from what Alonzo is able to contribute.

Dave Leach, The Partnership Machine Inc.
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- 6 (undated)** Police Interrogation of Alonzo Gibbs (police violated his right to an attorney. The court record is missing every other page.)
- 13 March 6, 2018** “Trial information” (Charges: prosecutor says Alonzo murdered Trey Lee)
- 15 March 6** Minutes of Testimony (prosecutor summary of what witnesses will say; Solomon Currie confessed to killing Trey Lee, and no other witness said Alonzo even HAD a gun) date?
- 33** Judge's Approval of trial information
- 34 March 14** Motion for discovery (what the Public Defender wants to find out) 35 Judge approves motion for discovery
- 39 April 6** Alonzo's mother tells judge the public defenders are doing nothing, there is no evidence, Alonzo should come home.
- 41 April 10** Public Defender tells judge Alonzo is in no hurry for a trial - ("Waiver of Speedy Trial") even though the day before, he promised Alonzo he would NOT delay the trial, and shook hands on it!
- 42 April 10** Patrick Young affidavit insisting Alonzo is innocent, but detectives insisted Alonzo was the murderer and tried to get Patrick to agree
- 44 April 11** Motion to Delay Filing Motions
- 45 April 11** Public Defender's motion to silence Alonzo's mother! Only lawyers get to help defendants. Besides, contrary to mom's claims, Alonzo LOVES his Public Defenders!
- 48 April 12** Judge's order delaying trial
- 49 April 12** Judge's order censoring Alonzo's mother (Clerk can't file her motions)
- 50 May 1** Alonzo's own handwritten motion to dismiss, which he filed out of frustration because his public defenders, whom he does NOT love, would not file it even though they promised they would. Alonzo asks why he is still in jail after the killer confessed and after no other witness (in the "Minutes") said Alonzo even HAD a gun.
- 55 May 7** Alonzo Motion for Bill of Particulars (the 6th Amendment to our U.S. Constitution says every accused person has a right to know the “nature and cause” of the accusation against him. That is, he should be told what the prosecutor wants to prove that he did, when, where, and how, and he should be told what laws the prosecutor thinks are violated by those actions. Alonzo, therefore, says the "trial information" (charges) and "minutes" (summary of what the witnesses will probably say) "fail to specify the particulars of the offense to fairly enable the defendant to prepare a defense." Is there SOME OTHER REASON that is keeping Alonzo in jail beyond what is in the record, which the prosecutor will spring on Alonzo as the trial begins in violation of the 6th Amendment? Because all the record has is the prosecutor saying "a gun he has (1) never seen, (2) never tested, (3) never handled, (4) never found, (5) never possessed, (6) never entered into evidence - is in fact A. the

weapon possessed by the defendant; B. the weapon fired by the defendant; C. the weapon that produced the fragment removed from the victim; and D. the weapon that caused the death of the victim." After that, Alonzo gets a little sarcastic. Then he says "In State v. White, 545 N.W. 552, 554 (Iowa 1996), the Court held: "State has to specify how it intends to prove specific elements of the charge. I.C.A. 813.2 R.2.11 (6)(c)(1)."

61 May 17 Alonzo asked for a different attorney. He titled this "2nd attempt to dismiss assigned attorneys". They "have visited me three times thus far. None of those times" did they give him any "confidence." "THEY asked ME what they should do; as if I am an attorney. What I HAVE asked them to do, they have not" done. I will be sending a letter of complaint to the Iowa Bar Association."

63 May 21 Prosecutor Sarcone's resistance (rebuttal) to Alonzo's request for "Particulars". Sarcone said Alonzo missed his deadline. The law gives him only 10 days after the March 12 "arraignment" (the hearing within a couple of days after his arrest when he was formally charged) to ask for "particulars", Although a judge can still order "particulars", the "Minutes" already say Alonzo shot a "gun in the direction of the victim and that ballistics evidence establishes that the bullet that killed the victim was fired from the defendant's gun." [Solomon Currie, who confessed to killing Trey Lee, said Alonzo was also shooting in his direction.] Well isn't that interesting, because the "Minutes" in the record say nothing about ballistics evidence, or about identifying a gun associated with Alonzo! Could that be in the missing pages, which were apparently missing and out of order when Alonzo saw them too? Sarcone ends with "The mere fact that the defendant is able to challenge this evidence in this motion suggests that he is fully apprised of the particulars of the offense with which he is charged." But what Alonzo challenged was the *contradiction* between the charge and the alleged evidence. He challenged the charge because the alleged evidence says the opposite. Except for this new claim about ballistics evidence, which was never in the record made available to Alonzo, and is not in the record available today! Who pulled it out of the record, and why? Shouldn't the judge have ordered Sarcone to produce those missing pages?

66 May 22 Prosecutor Sarcone's "resistance" to Alonzo's Motion to Dismiss the charges Sarcone wrote, "Sufficiency of the evidence is the sole claim of this motion. As such the motion must be denied."

68 Analysis (not in the record) of the prosecutor's "resistance" to Alonzo's "Motion to Dismiss"

71 May 30 order: no new counsel "There does not exist good cause for a change of defense counsel" (no explanation given)
(at conclusion of hearing May 30)

72 June 20 Alonzo letter to judge presenting Patrick's affidavit, and once again complaining of counsel who hadn't visited, hadn't returned calls

73 August 24 Public Defender's "Continuance" (asking the judge to delay the trial.) It says depositions of witnesses concluded only 8 days before, and the trial is

scheduled for 3 weeks later. It says "Two...exculpatory witnesses [witnesses supporting Alonzo's innocence] have been brought to the Defendant's attention by the State in the past few weeks requiring further investigation and confirmation." Oh really? The record never reveals their names, and since the only two witnesses who said Alonzo even HAD a gun said definitely that it was Solomon Currie who shot Trey Lee, we may reasonably suspect these are the same two "exculpatory witnesses" whom the Public Defender now notices are actually on Alonzo's side. Not because Sarcone pointed it out, but because Alonzo, the REAL defendant, pointed it out to these Public Defenders who are calling THEMSELVES "the defendant". Point #3, through tortured grammar, says something about "firearms and toolmark examiners" and "things learned from the depositions that provide answers to several of the unknowns". Like, for example, the absence of a gun? Or how about the match between bullets taken out of Patrick Young and bullets taken out of Trey Lee, proving there was only one shooter, which witnesses identified as Solomon Currie?

76 September 10 Judge's order delaying trial until January 14. The order says "defendant waived speedy trial".

77 Sept 18 Alonzo's letter to Michael Adams, head of the Public Defender's office. He complains that on September 9, 9 days earlier, his public defenders came and asked him "to consider to file a motion to change the trial date. [Two weeks after the PD had already petitioned the judge to delay the trial!] I was very clear with Trevor and Amy and told them [I] did not want to schedule the trial to a different date. [I] requested to move forward with the initial date of September 17. Trevor shook my hand, stated he will move forward with the initial scheduled trial date....The next day Trevor Anderson filed a motion with the court to change the date of the trial to 120 days out." (Alonzo did not know then that the unapproved motion had been filed two weeks earlier, or that the January 14 date, 4 months later, was the judge's idea.) Alonzo's complaint continues: "Numerous times I, Alonzo Gibbs, as well as my mother, have requested Trevor Anderson to file a Motion to Dismiss this case against [me]. On August 16 at depositions, which took place at the Justice Center in Des Moines, IA, my mother spoke to Trevor and Amy. They told my mother that the state's main witness, who initially lied on [me], has recanted his story, which [he has done] twice and the state will be doing a [re]assessment....My mother asked them: 'with the two main witnesses stating that I had not committed a crime of first degree murder OR ANY OTHER ACT OF VIOLENCE, will they move forward to file a motion to dismiss?' "It has been over four weeks counting today....They told my mother they will do so per receiving notification from the prosecuting attorneys." [Huh? What does THAT even mean?] "On March 12, 2018 (per...Trevor Anderson telling me that the main material witness [said] HE killed Trey Lee) Mr. Anderson was asked if he was going to file a Motion to Dismiss? Anderson told me that was his intention." (That was *six* months ago.) Alonzo follows his complaint with professional standards for lawyers from the Iowa Rules of Professional Conduct.

85 October 30 Judge's order forcing Alonzo to remain "represented" by the same Public Defender

86 Dec 27, Christmas Present for Sarcone Amended Trial Information (Alonzo broke, and accepted the "plea bargain", which was 5 years for owning a weapon, of which a federal jury had found him innocent just one year before, and 10 years for firing it in the direction of people.) The "Trial Information" - ie. the charges, were reduced from murder to owning and firing a gun.

88 December 27 Judge's order accepting the plea "bargain".

90 January 11, 2019 Judge's Sentence: 15 years

93 January 14 Warden note

94 May 1 2020 Restitution plan \$563



Alonzo Gibbs: I don't know nothing. I just want to talk to my lawyer.

SPO Towers: You were there with Solomon, man.

Alonzo Gibbs: I don't know nothing about anything, sir.

SPO Towers: You do.

Alonzo Gibbs: I don't. I wish I did, but I don't.

SPO Towers: How could you not know something when you was standing right there, man?

Alonzo Gibbs: Who's to say that I was standing right there?

SPO Towers: Who's to say that you weren't standing right there?

Alonzo Gibbs: No one now.

SPO Towers: What do you mean no one now?

Alonzo Gibbs: No one's telling you that. I just want a lawyer.

SPO Towers: But they are telling us that.

Alonzo Gibbs: That's their business.

SPO Towers: But it's your business because they're placing you there. You want somebody else to speak on your name?

Alonzo Gibbs: It's a lot of people speaking on my name, sir. This problem, this situation right here is because somebody was speaking on my name.

SPO Towers: Patrick?

Alonzo Gibbs: I know of him. I knew him since I was a kid.

SPO Towers: Uh-huh.

Alonzo Gibbs: Good friend of mine.

SPO Towers: Is he speaking on your name?

Alonzo Gibbs: You tell me. I wouldn't know. Is he? I don't know.

SPO Towers: Is that what caused the altercation?

Alonzo Gibbs: What altercation? What altercation?

SPO Towers: Is that why Trey was over there?

Alonzo Gibbs: Trey? The dude though -



SPO Towers: But you're still gonna go out and run them so?

Alonzo Gibbs: No, actually I'm making music, man. I'm doing a good thing, trying to anyway.

SPO Towers: Uh-huh. So, what happened over there at Sol's house?

Alonzo Gibbs: I don't know, man. Shit, from what I hear, it's some bullshit that happened; right? But other than that, I don't know. Sorry.

SPO Towers: Did Patrick have a gun over there?

Alonzo Gibbs: I don't know, man.

SPO Towers: Did he threaten Sol?

Alonzo Gibbs: I don't know. I know you guys talked to Pat, haven't you? Didn't he get arrested for something? He put it on Facebook that he got arrested.

SPO Towers: I don't know.

Alonzo Gibbs: Yeah. Word around the street says he did get arrested for something so I'm sure you guys talked about it to him for a while. I mean, I've been here for --

SPO Towers: Yeah, but we just started though.

Alonzo Gibbs: I know but you talked to DC and Sol before me.

SPO Towers: Uh-huh.

Alonzo Gibbs: I don't know.

SPO Towers: They know.

Alonzo Gibbs: Do they? Well, that's their business because I don't.

SPO Towers: Do you want -- do you trust them to speak on your name?

Alonzo Gibbs: No, I don't know. Maybe they will. Maybe they won't.

SPO Towers: No, I said, do you trust them?

Alonzo Gibbs: Do I trust them?

SPO Towers: Uh-huh. Would you trust them with your life?

Alonzo Gibbs: I don't know. I trust me. Do you trust them?

SPO Towers: They're not speaking on my life.

Alonzo Gibbs: Oh. I don't know, man. I just want to continue my day, bro. This shit is just fucking dumb. It is. This whole situation.

SPO Towers: What's dumb about it? Explain that to me.



SPO Towers: Yeah. How is it you don't know anything?

Alonzo Gibbs: I don't know, man.

SPO Towers: You don't know? You just don't know that you don't know?

Alonzo Gibbs: My friend's dead by the way.

SPO Towers: I'm sorry about that. How'd he die?

Alonzo Gibbs: You know how he died. He got shot; right?

SPO Towers: Who shot him?

Alonzo Gibbs: That's your job to find out.

SPO Towers: Did you shoot him?

Alonzo Gibbs: That is your job to find out, sir. I do not know about nothing.

SPO Towers: You don't know if you shot him or not?

Alonzo Gibbs: I don't know nothing that happened that day. I don't know nothing about what happened that day.

SPO Towers: Did you shoot him?

Alonzo Gibbs: I don't know nothing about what happened --

SPO Towers: That's a simple question.

Alonzo Gibbs: -- that day.

SPO Towers: Ask me. I didn't shoot him.

Alonzo Gibbs: I don't know.

SPO Towers: That guy didn't shoot him. Did you shoot him?

Alonzo Gibbs: I don't know nothing about what happened that day, sir, nothing.

SPO Towers: Did Sol shoot him?

Alonzo Gibbs: I do not know nothing about what happened that day.

SPO Towers: Did Patrick have a gun that day?

Alonzo Gibbs: I don't know nothing about what happened. I'm sorry.

SPO Towers: You're not sorry.

Alonzo Gibbs: I just know a life is gone. That's all.



SPO Towers: More life what?

Alonzo Gibbs: Just more life.

SPO Wilson: Go ahead. Lay it away.

Alonzo Gibbs: Dear Father God, I ask that you, uh – first I want to thank you for allowing us this day and this time to, um, congregate in your name, to get – toward a goal, toward, um, conclusion. Dear Father God, I want to, um, thank you for being able to decipher the differences between what's real and what's fake. Um, I ask that you shed light on the path that we were made to pursue on a daily basis. Shed light on the truth that these gentlemen are trying to find. Shed light on justice. We want to ax you for, uh, another chance to praise you tomorrow. We want to ask for another chance to say thank you and ax you for something tomorrow. Thank you for all the blessings that you continue to bestow on us although we just do not deserve them. We're sinners. We are your children. Allow your will to be done and allow us the strength to accept true will. In Jesus precious name, we pray, amen.

SPO Wilson: Amen.

SPO Towers: Amen. So, let's talk about this, Alonzo.

Alonzo Gibbs: I talked about it, bro. I have. It sucks. I'm sweating a little bit.

SPO Towers: Yeah, it's hot in here.

Alonzo Gibbs: It is. It's just uncomfortable.

SPO Towers: Yeah.

Alonzo Gibbs: As far as like – you know? Two guys staring at ya, telling you to say some shit you've said twenty times.

SPO Towers: But you haven't though. All you said is I don't know.

Alonzo Gibbs: I don't know. I just don't and that's all I'm gonna say.

SPO Towers: But you do know.

Alonzo Gibbs: I don't know. And you can't make me know.

SPO Towers: No, I don't have to make you know because you already know.

Alonzo Gibbs: I don't and I've told you that multiple times, sir. Matt Towers, is it?

SPO Towers: Uh-huh.

Alonzo Gibbs: Nice to meet you. What's your name?

SPO Wilson: Wilson.

Alonzo Gibbs: Nice to meet you too.



Alonzo Gibbs: I don't know nothing. I don't know.

SPO Towers: You were standing right there, man.

Alonzo Gibbs: I don't know that. And if you knew that for a fact, you wouldn't be sitting here axing me questions.

SPO Towers: Why?

Alonzo Gibbs: Just cause you wouldn't.

SPO Towers: Have you ever interviewed anybody?

Alonzo Gibbs: That's not my job to do so.

SPO Towers: Okay. See that's part of it. That's part of figuring stuff out, man. You gotta interview both sides. You gotta give everybody a chance.

Alonzo Gibbs: You did talk to Pat? So, you're admitting that now, talking to Pat.

SPO Towers: I've talked to everybody.

Alonzo Gibbs: Oh, okay.

SPO Towers: That's why you guys are here.

Alonzo Gibbs: Oh. Who is everybody, man? Let me know who everyone is.

SPO Towers: Who was you with tonight?

Alonzo Gibbs: Who was I with?

SPO Towers: Yeah.

Alonzo Gibbs: Couple people.

SPO Towers: Roman?

Alonzo Gibbs: Uh-huh.

SPO Towers: DC?

Alonzo Gibbs: Uh-huh.

SPO Towers: Sol?

Alonzo Gibbs: Uh-huh.

SPO Towers: Okay. So, now, I've been talking to everybody.

Alonzo Gibbs: Well, I don't know. And if everybody told you something, then that's what they told you.



SPO Towers: So, why don't you help me out?

Alonzo Gibbs: I did all I can do.

SPO Towers: Tell me what you know, man.

Alonzo Gibbs: I don't know nothing, bro. If Sol knew something, then you shouldn't be asking me. If DC knew some shit, then you shouldn't be asking Sol.

SPO Towers: Well – so, you don't want me to get the full story from everybody?

Alonzo Gibbs: Oh, if that's what you're doing.

SPO Towers: What do you think I'm doing?

Alonzo Gibbs: Here's my story, Towers, I don't know what happened. All I know is I heard about somebody getting killed, somebody getting shot over on a dead end at my aunt's house. That's all I know. I don't know where the dots connect. I don't know where the plot ends or starts.

SPO Towers: And you were there?

Alonzo Gibbs: I can't tell you if I was there or not.

SPO Towers: Why can you not tell me if you were there?

Alonzo Gibbs: Because I don't know what that does to this case.

SPO Towers: That blows my mind, man.

Alonzo Gibbs: I don't know what that – what that does, I don't know.

SPO Towers: What do you mean what that does?

Alonzo Gibbs: I just don't know what that does to this case if I tell you if I was there or not. So, I'd rather just say I don't know.

SPO Towers: So, you'd rather be uncooperative and let somebody else speak out your name and–

Alonzo Gibbs: If that's them then that's them. God is gonna – the truth's gonna come to light at the end of the day. I don't care. I don't – I don't know nothing. I love the dude that, uh, got killed. I love him.

SPO Towers: So, maybe it was an accident?

Alonzo Gibbs: Genuinely love him.

SPO Towers: Maybe it was an accident.

Alonzo Gibbs: I don't know nothing about nothing. I don't. I just don't know nothing.

SPO Towers: Maybe that bullet was meant for somebody else?



Alonzo Gibbs: I just didn't have that phone that day.

SPO Towers: Oh, okay. You don't have a phone on ya right now?

Alonzo Gibbs: I wouldn't be asking you to call my girl, would I? "No, sir," I don't.

SPO Towers: Actually somebody else that we had in here today asked me to call.

Alonzo Gibbs: While they had a phone on them?

SPO Towers: Uh-huh.

Alonzo Gibbs: No, sir, I don't have a phone.

SPO Towers: It's odd but it happened just today.

Alonzo Gibbs: Yeah, yeah. That's weird.

SPO Towers: Yeah.

Alonzo Gibbs: But I don't have a phone. I need one. It should be here tomorrow.

SPO Towers: What are you getting?

Alonzo Gibbs: iPhone.

SPO Towers: Just iPhone?

Alonzo Gibbs: 7.

SPO Towers: Do you got anything?

Alonzo Gibbs: Well?

SPO Towers: Let's go ahead and end this interview at, uh, 2246.

Transcribed by Mindy Herink.

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,
Plaintiff,

CRIMINAL NO. FECR313038

v.
ALONZO MARVON GIBBS,
Defendant.

TRIAL INFORMATION

March 6, 2018

COMES NOW John P. Sarcone, as County Attorney of Polk County, Iowa, and in the name of and by the authority of the State of Iowa, accuses ALONZO MARVON GIBBS of the crime of:

COUNT 1 **MURDER IN THE FIRST DEGREE**, in violation of Iowa Code Sections 707.1 and 707.2, and charges that the above-named defendant, on or about March 17, 2017, in the County of Polk, State of Iowa, committed Murder In The First Degree by willfully, deliberately, and with premeditation and malice aforethought, killing Trey Leon Lee. (CLASS A FELONY)

It is further alleged that during the commission of said offense, the defendant represented that he was in the immediate possession and control of a dangerous weapon, displayed a dangerous weapon in a threatening manner, or was armed with a dangerous weapon within the meaning of Section 902.7 of the Code of Iowa.

WITNESS LIST

Officer N. Carrington #4999, DMPD
Officer J. George #5127, DMPD
Officer Chapline #5119, DMPD
Officer R. Chareunsab #5152, DMPD
Officer R. Garrett #5138, DMPD
Officer S. Becirovic #5097, DMPD
Officer M. Goergen #5164, DMPD
Officer L. Harden #5102, DMPD
Officer G. Hays #5030, DMPD
Officer B. Pratt #5163, DMPD
Officer T. Roland #5060, DMPD
Officer B. Wickett #5144, DMPD
Officer A. Leo #5004, DMPD
Officer M. Towers #4941, DMPD
Officer P. Wilson #5100, DMPD
Officer G. Morse #4800, DMPD
Crime Scene Investigator C. Brigman #8630, DMPD
Crime Scene Investigator K. Kriegshauser #8627, DMPD
Crime Scene Investigator C. Wycoff #8615, DMPD
Crime Scene Investigator T. Hyunh #8624, DMPD
Crime Scene Investigator A. Rankin #8629, DMPD
Crime Scene Investigator A. Leo #5004, DMPD
Dr. Gregory Schmunk, Polk County Medical Examiner
Michael Schmit, DCI

Victor Murillo, DCI
Michelle Curry
Mary Wilson
Tamickia Vaughan
Linda Butts
Angie Wright
Jesse Smith
Noella Windsor
Andre Handley
Patrick Young
Solomon Currie

THIS IS A TRUE INFORMATION.
JOHN P. SARCONI, POLK COUNTY ATTORNEY

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IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA, <i>Plaintiff,</i> v. ALONZO MARVON GIBBS, <i>Defendant.</i>	CRIMINAL NO. FECR313038 MINUTES OF TESTIMONY
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WITNESS LIST

Officer N. Carrington #4999, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer J. George #5127, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer Chapline #5119, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer R. Chareunsab #5152, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer R. Garrett #5138, DMPD, 25 East 1st Street, Des Moines, IA 50309
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Officer A. Leo #5004, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer M. Towers #4941, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer P. Wilson #5100, DMPD, 25 East 1st Street, Des Moines, IA 50309
Officer G. Morse #4800, DMPD, 25 East 1st Street, Des Moines, IA 50309

if called as a witness on behalf of the state of Iowa will testify in detail to the following:

These witnesses are all law enforcement officers with the Des Moines Police Department and were so acting at all times material hereto. They will testify to that part of their education, training, duties, and responsibilities which pertain to this case.

These officers will testify that on March 17, 2017 at approximately 4:00 p.m., an individual ultimately identified as Trey Lee was shot and killed in the 1200 block of 15th Place in Des Moines, Polk County, Iowa. These witnesses had various duties in investigating the homicide and will testify in detail to their particular roles in this investigation. They will testify to making contact with potential witnesses and/or suspects and will testify to the observations made and statements provided by those individuals.

These witnesses will testify that the Des Moines Police Department Crime Scene Investigation Unit personnel were dispatched and processed the crime scenes and items of evidence.

Crime Scene Investigator C. Brigman #8630, DMPD, 25 East 1st Street, Des Moines, IA 50309

Crime Scene Investigator K. Kriegshauser #8627, DMPD, 25 East 1st Street, Des Moines, IA 50309

Crime Scene Investigator C. Wycoff #8615, DMPD, 25 East 1st Street, Des Moines, IA 50309

Crime Scene Investigator T. Hyunh #8624, DMPD, 25 East 1st Street, Des Moines, IA 50309

Crime Scene Investigator A. Rankin #8629, DMPD, 25 East 1st Street, Des Moines, IA 50309

Officer A. Leo #5004, DMPD, 25 East 1st Street, Des Moines, IA 50309

if called as a witness on behalf of the state of Iowa will testify in detail to the following:

Leo These witnesses are all Crime Scene Investigators with the Des Moines Police Department and Officer Leo is a police officer with the Des Moines Police Department and were so acting at all times material hereto. They will testify to that part of their education, training, duties, and responsibilities which pertain to this case.

These witnesses will testify that they were involved in the investigation of a murder of a person ultimately identified as Trey Lee which occurred at approximately 4:00 p.m. on March 17, 2017 in the 1200 block of 115th Place in Des Moines, Polk County, Iowa. These witnesses will testify that they processed a number of crime scenes as well as items of evidence recovered in this investigation and will testify in detail to their particular roles in this investigation.

These witnesses will testify to the manner, method and procedures used in processing and analyzing the various scenes, the items of evidence and will testify to the results of their analysis and the processing of said scenes and evidence.

2 Among other things, CSI's Brigman, Kriegshauser, Wycoff and Rankin will testify that they were requested to go to 1218 15th Place where a shooting had occurred to conduct an investigation. At that scene CSI's Rankin and Kriegshauser placed yellow and white placards marking various items of evidence which were located including areas of suspected blood, a number of spent casings, lead and copper fragments, clothing and bullet holes. CSI Wycoff took digital images of the scene and CSI Rankin took digital video recordings. These crime scene investigation personnel also utilized the FARO equipment to measure the scene. These witnesses will testify that they collected a number of items at this crime scene to include those already mentioned and assisted in processing the scene and taking photographs as well.

Hyunh CSI Hyunh will testify that he went to Mercy Hospital on March 17, 1027 and took overall photographs of Patrick Young and his injuries and collected items belonging to Patrick Young. On that same date he went to Methodist Hospital where he photographed Trey Lee and also collected the items belonging to Trey Lee at the

There is at least one page missing from the court record at this point. The pages of this document are not numbered, and even the pages whose content led from one to another were out of order.

Goergen

Officer Goergen was requested to respond to the scene and made contact with Patrick Young. He noticed that Young had a through and through bullet hole through his sweatshirt and t-shirt and no injuries were noted to his chest. He did have an injury to his right elbow and was transported to Mercy Medical Center by Medics. Officer Goergen was then requested to go to Iowa Methodist Medical Center to talk to the other victim. Upon arrival he was advised by staff that the victim was deceased. He was taken to Room 510D to observe the condition of the victim. The victim had a gunshot wound to his left arm and the left side of his abdomen. He then spoke with the victim's girlfriend and stood by until Detective Costanzo arrived to speak with the family and identify the victim.

Harden

Officer Harden was also advised of the shooting at 1212 15th Place and was given a description of a black male in a white hoodie and black pants running from the area while limping. Officer Harden along with Officer Garrett located Patrick Young and stopped him in front of 1242 15th Place. While speaking with Young, Young advised that he and a male named Trey were together near the intersection of 15th Place and Carpenter when they were shot at by four or five black males wearing black. He stated he did not know the shooters. [Another wild story by Patrick Young.](#)

Officer Harden then spoke with Noella Windsor who lives in the area and stated that she had heard many shots and then went outside and observed Patrick Young running back towards her front door and then away again. Officer Harden observed blood drops on the ground of the walkway leading to the front door consistent with Windsor's account. He advised Crime Scene Investigators of the evidence and also walked much of the area between the 1200 block of 15th Place and 15th Street looking for additional evidence, but did not locate anything. He was further given the name Solomon and believed that it referenced Solomon Currie who frequents 1218 15th Place where his mother Michelle Curry lives. This was extremely close to the area of the shooting.

Hays

Officer Hays was also tripped to 1218 15th Place and ran to the back of the house where witnesses were yelling for him. He observed Trey Lee lying on his back on the ground and observed a small plastic bag which appeared to contain a green leafy substance and some small green pills. Lee did not have a pulse and did not appear to be breathing and medics then arrived and began working on Lee. Officer Hays canvassed the area but was unable to find anyone who had any information about the shooting. His body camera was operating at the time.

Roland Pratt

Officer Pratt arrived with Officer Hays and ran to the back yard and observed Trey Lee. Officer Pratt assisted in securing the scene and finding shell casings. Officers observed bullet holes in an SUV with Iowa license plate BEV530. They also located three shell casings north of that vehicle as well as shell casings near the street in front of 1218 15th Place.

Officer Roland was dispatched to Mercy Hospital to check on the welfare of Patrick Young. Doctors were giving him medical care and he appeared to have been shot in

his right heel and under his right arm. The clothing he was wearing had been placed in paper bags and was turned over to Officer Roland. The staff further gave him a bullet that had been removed from Young's heel which was contained in a bullet box. He turned this item over to the Crime Scene Investigators for processing. Young asked a nurse if he could speak with Officer Roland and Officer Roland did speak with him. Young was hard to understand but did offer a few details of what had happened and this conversation was captured by Officer Roland's body camera.

Wickett

Officer Wickett was assigned to the 1200 block of 15th Place to relieve other officers who had already secured the scene. Upon arrival he was given the bag of marijuana to be placed into property. Also present on the scene was a vehicle with Iowa license plate BEV530 that had sustained damage from bullet penetrations. This vehicle was impounded to be held at a secured indoor location for detectives. Once the vehicle had been placed on the flatbed, Officer Wickett observed a partial bullet fragment where the vehicle had been sitting. He notified the Crime Scene Investigators who photographed and collected the fragment. Officer Wickett traveled to the Des Moines Police Department and placed the suspected marijuana and two oval green pills into an evidence bag the same way it was collected from the scene and placed it into the drug locker.

Chareunsab

Officer Chareunsab will testify that on March 21, 2017, he was on routine patrol observing the residence of Darren Coleman who was a person of interest with regard to this homicide investigation. He observed a silver Chevrolet Malibu with Iowa license plate FCU113 leave the residence at 4137 SE 23rd Street in Des Moines. Officer Chareunsab followed the vehicle and conducted a traffic stop at SE 20th Street and King Avenue. He made contact with the driver Darren Coleman and he was accompanied by a person he will identify as Alonzo Gibbs, the above named defendant, Solomon Currie and Roman Hellemms as passengers. These officers contacted Detective Towers in reference to locating these individuals and Detective Towers advised them to accompany them to the Des Moines Police Department. Officers Chareunsab and Ruroden followed the subjects to the station where they were held for detectives to be interviewed.



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Towers, Wilson

Officers Towers and Wilson will testify that they were assigned to the Des Moines Police Department Criminal Investigation Division, Robbery Homicide Bureau and were involved in this homicide and will testify to those steps taken to familiarize themselves with the investigation. They will testify to their observations of the crime scene as well as to their contact with any victims, witnesses or suspects.

These witnesses also interviewed a number of individuals in relation to this homicide including Michelle Curry, Mary Wilson, Tamickia Vaughan, Linda Butts, Angie Wright, Jesse Smith, Noella Windsor, Andre Handley, Patrick Young and Solomon Currie.

Detective Towers will testify that he was at the Des Moines Police Department in his office when he heard about a shooting in the 1200 block of 15th Place. He contacted

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Sgt. Rhamy and let him know that he was nearby and could respond and Sgt. Rhamy did request that he respond to the scene. While en route, he heard that one of the victims was deceased. Upon arrival at the scene he spoke with other officers who walked him through what information had been received so far. At that point Patrick Young had been transported to Mercy Hospital and Trey Lee had been declared dead. Officer Towers then walked to 15th Place and headed south from Carpenter. He noted several shell casings lying in the street at approximately 1227 15th Place and observed that between 1227 and 1223 there was a grassy driveway that leads to the back yard. In front of 1223 there was a dark colored vehicle with two holes in the windshield which appeared to be from bullets. There was also a hole in the portion of the grill that he noticed and casings laid out all around the street in that area.

He next spoke with Michelle Currie who is the homeowner of 1218 15th Place. She advised that she was not home when the incident took place and did give officers consent to search her residence. Officers located a large amount of clothing and when searching the basement located two gun boxes, both of which were empty. These were photographed by the Crime Scene Investigation Unit. Ms. Currie stated that she knew of one of them but not the other. She was then transported to the Des Moines Police Department and a recorded interview was conducted with her. During the recorded interview, Michelle Currie advised that her daughter had come to pick her up from work and they stopped at Kum & Go on Keo Way. Upon returning to the area of her residence and heading north on 15th Street, she observed "Little Pat." She identified him as Patrick Young and stated that he was wearing a white hoodie or a light grey hoodie along with blue jeans. He appeared to be running or hiding from someone when she saw him. She also observed several people in her driveway when she was dropped off there. As she went up her driveway there was an individual lying on his back who was later identified as Trey Lee, not moving in her backyard, and two other individuals standing with him. She then began to feel ill and went inside. She came back out and spoke with a black female who was in her driveway and when looking to the north straight up 15th she observed Patrick Young standing at the end of the block. Patrick Young then walked away back toward the east. Officers and medics then arrived and treated the victim. She sat on the curb by her residence and then met with officers.

Officer Towers next interviewed Angie Wright who was with her fiancé Jesse Smith in the backyard of their residence with their children at 1212 15th Place. They observed four to five people in the backyard of the residence at 1218 15th Place just to the north of them. As they were playing outside she began to hear shots being fired. She looked toward the street and noticed a black male wearing a white hoodie or sweatshirt going in a northern direction down the sidewalk in dark blue jeans and believed that he was firing a gun in their direction. She ran toward her residence with her fiancé and kids and made it inside. When the shots stopped, she and her fiancé stepped onto the deck and noticed two individuals come from 1218 15th Place out the front door. One had a brief discussion with her fiancé, Jesse Smith, and the other one spoke with her. This consisted of she and her fiancé asking if they needed medics and the individuals stating they probably did. Angie Wright stated that she then

began to walk back in the direction of the backyard to see if she could assist the individual who was lying down. She has medical training and is a CNA so she checked Trey Lee when she found him in the back yard. She told officers that he took a few shallow breaths with a large amount of time in between and then it appeared he took his last breath. She rolled him to his back and began doing chest compressions. She did six sets of chest compressions with fourteen per set before the medics arrived. Once the medics arrived she backed off and allowed them to do their work. She stayed with Trey Lee and did not see what happened to the other people who had come out of the house who were on the porch. She also called 911 after the shots had stopped.

Tamickia Vaughan

Officer Towers then interviewed Tamickia Vaughan who lives at 1219 16th Street with her mother, Linda Butts. She was watching TV in the residence when she heard three shots and got up and began moving towards the rear/east of the residence. The shots continued and she believes she heard approximately ten to thirteen shots fired. She looked out the bedroom window and could see in the northeast direction to an open field between the lots of 1218 and 1222 15th. She observed a black male with short hair wearing a white hoodie, dark blue jeans and either dark red or maroon shoes standing in the street in front of a black vehicle. He was facing south and firing a handgun. She had difficulty in describing which hand he was firing with but stated that after the shots had ceased the individual took off running through the driveway of 1227 and 1223 15th Place in an east direction and then cut in a northeast direction back towards an alleyway. She then lost sight of him and did not realize there was anyone lying in her backyard until later. She walked back and noticed the individual lying there and then walked out to the driveway portion of 1218 and waited for medics and police to show up. She then went to the Des Moines Police Department for a recorded interview.

Patrick Young

Officer Towers then made his way to Mercy Hospital, room 548, and made contact with Patrick Young at approximately 10:00 p.m. Patrick Young stated that he and Trey were riding together around the 15th Place and 15th Street area on Carpenter because he has two women that live in that area with whom he has children. He stated that he was picking up one set of kids and dropping off another. As he was walking down Carpenter Street, he saw who he believed was the mother of one of his children drive by. He then turned west and continued to go with Trey towards 16th Street. He then heard a whistle and observed a large black male dressed in black standing in the middle of the road on 15th Place about three quarters of the way down. Patrick and Trey walked down the street towards this individual who they did not recognize. Two other people were also with this black male and all of a sudden they began shooting at him and Trey. He then retreated and took off running as a bullet hit him in the arm. He then bumped into Trey shoulder to shoulder and they begin to run. He came out on Carpenter and then went over to 15th, making a phone call to Trey to find out where he is, going back to Carpenter, walking down the street and then being picked up by police. He advised that neither he nor Trey had a gun. He then asked Detective Wilson about Trey's status and condition.

This initial alibi by Patrick Young is wildly different than what any other witness said, or than what he said later.

Officer Towers will testify that on March 18, 2017, he went back to the scene to canvass a little more and did return to 1218 and 1212 15th Place. He then went to 1223 and observed what appeared to be a bullet hole in the front of the house. He requested that Crime Scene Investigations respond and they did. They were unable to get anything from the hole in the house.

Mary
Wilson

Officer Towers then spoke with Mary Wilson who resides at 1520 Carpenter and who was in her residence when she heard gunshots. She went to the rear of her residence and looked out the kitchen window to the south and noticed what appeared to be a red or maroon Taurus older than the 2000 model driving north on 15th Place. She noticed a black male sitting in the back seat but that was all she could describe. She did not see anybody get in the car nor see anybody running or flashing a gun.

Patrick
Young

Officer Towers will testify that Patrick Young had advised that he and Trey went to Chester's Chicken on University and he did go to Chester's Chicken to retrieve video surveillance. Upon reviewing the video surveillance on March 18th he did not see Patrick at the Chester's Chicken as stated by him initially. That video was then placed into evidence.

Another initial Patrick alibi.

Janie
Jones

Officer Towers next interviewed Janae Jones who did not know anything about the investigation. On March 21, 2017, he conducted an interview with Andre Handley who lives at 1312 16th Street. Handley advised that he was on his way home from his doctor's appointment, riding his bike on Carpenter near 15th Place at approximately 4:00 p.m. Andre Handley observed figures down the street and then heard shots. He saw one individual on the porch shooting and he was shooting down at another individual. He then saw one figure racing down the street leaving the area and the shooting continued. He stated there were at least four people that he knew of up around the porch area.

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Patrick
Young

On March 21, 2017, Officer Towers again spoke with Patrick Young who identified Solomon as being on the porch and who stated that Alonzo had come out of the house just prior to the shooting. During that conversation he stated that Sol shot him and that is why he ran down the street. He continued to give bits and pieces of information about what happened.



Chelse
Talton
Alonzo
Gibbs

On March 21, 2017 Officer Towers interviewed Chelse Talton who was very uncooperative. Later that day, he was advised that a traffic stop had been conducted by patrol officers who had located Darren Coleman, Solomon Currie and Alonzo Gibbs. All three were very uncooperative when officers spoke with them. Alonzo Gibbs stated that he was not at the scene of the shooting, did not know who was there and would not give any other information.



Officer Towers will testify that on May 25, 2017, he was conducting follow-up on another investigation and ended up going back to the area of 1218 15th Place. He noticed a maroon Taurus facing south in a northbound lane as he turned south onto 15th Place. He observed that it was occupied by a white female and began to follow

Patrick said Alonzo came out of the house, onto the porch, just prior to the shooting. No mention of a gun. Officers said Alonzo was "very uncooperative" when officers interviewed him. A statement like that to a

the vehicle as he learned that it had the license plate of EZJ774. Officer Nemmers assisted and they conducted a traffic stop behind Gusto Pizza in the 1800 block of Ingersoll. The driver was identified as Isaaca Carter and she was driving Chelse Talton's vehicle. She was asked if the officers could search the vehicle and she refused. She was allowed to contact Chelse Talton who also refused to consent to the search. Officer Towers then contacted Crow Tow to impound the vehicle and a week later completed a search warrant for it and it was processed at that time.

Officers Towers and Wilson will testify that on September 13, 2017, they conducted a proffer interview with Solomon Currie. In interviewing Currie he advised that he was sitting at the address where his mother lives, 1218 15th Place on March 17, 2017. While sitting there he saw Patrick Young walking towards him. Trey Lee was with Patrick Young and they were coming down the street toward the house. Solomon was not afraid because he grew up with these individuals and watched them come down the street. He also had his Glock in his front pocket and referred to it as a 9 Glock. He greeted the two with a shake of a hand and Alonzo Gibbs then walked out of the house. Kamaury Watson came out or was in the driveway after arriving with Solomon's sister, Chelse Talton. As the conversation began Patrick Young stood there and pulled out a gun and stated that he was looking for Darren Coleman, known as DC. Solomon and Alonzo Gibbs told Patrick Young that there were kids in the house and that he could not shoot it and Young continued to point the gun and argue with Currie and Gibbs. At one point, Currie told the officers that he ended up putting Darren Coleman on the phone through FaceTime and they conversed. Solomon Currie advised that he did not believe that Trey had a gun and was just standing there. They attempted to get Trey to try and stop Patrick from doing anything and Trey just shrugged. Solomon told officers that he told Patrick Young to put the gun down and when he did not, Currie pulled a gun out and began to shoot. He shot Patrick Young and then shot over by Trey Lee. As he shot at Trey, Patrick Young turned, took off running and began shooting back. Currie told officers that Alonzo Gibbs had a gun and began to shoot at Trey and also at Pat. He then stated that as Patrick was running down the street, he got in front of a car and began shooting back at them again. Currie told the officers that as Patrick was running, they knew that Trey was running but did not know where he ran to. Alonzo Gibbs then ran after Patrick Young, but Currie told him to stop and he did and they both went to the back of the house to look for Trey. They located Trey in the backyard surrounded by neighbors trying to keep him alive. Solomon Currie then took the guns and hid them in a small hole in the wall crawl space area in the basement of his mother's residence. Currie and Alonzo Gibbs waited until Currie's mother arrived from the store and then jumped into the car and went to the south side of town. A day or so later they returned and Currie retrieved the guns and went to the walking bridge at the Center Street dam. He went to the southernmost portion of that and threw the guns into the river south of the dam. Solomon Currie admitted that he shot and stated that he also knows that Alonzo Gibbs shot as well. He stated that he knew Alonzo Gibbs had the gun when they came outside and thinks that Alonzo Gibbs shot Patrick but does not believe he shot Trey Lee. He continued to state that he believed that he was the one who shot Trey in the whole mix of things.

Currie, who confesses here to the murder, is the only witness who said Alonzo even *had* a gun, much less *shot* a gun.

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Jesse Smith Noella Windsor

such as a .40 caliber gun. Shell casings from a 9 mm handgun were found near the area from where Young was identified as shooting.

Officer Wilson will testify that he also responded to the scene at 1212 15th Place at approximately 4:00 p.m. He observed multiple shell casings in the street and spoke with a number of witnesses including Noella Windsor who lives at 1539 15th Street. Noella Windsor advised that she was sitting in the living room of her residence when she heard gunshots. A few minutes later she got up and went outside and saw Patrick Young running up towards her house. She knew Patrick Young because he is the father of her granddaughter's children. She stated that Patrick did not even get to the porch before he turned around and ran back to the northwest. Patrick did not say anything to her, had nothing in his hands, and she did not see anyone else.

Officer Wilson then interviewed Jesse Smith who confirmed what officers had been told by Angie Wright. He was in his backyard playing with the kids when he heard multiple gunshots and had observed three males in the back yard of 1218 15th Place smoking marijuana prior to the shooting. As he was taking his daughter inside for safety he observed a black male wearing a grey hooded sweatshirt, jeans and red shoes standing in front of the houses on 15th Place shooting a handgun. The male then ran north towards the park. He then heard an exchange of gunfire and exited through the front to see what had happened when the firing stopped. He observed two females and a male getting into a maroon Ford Taurus parked on 15th Place facing north. One of the females was driving but he could not give a description of the three. He also saw another male running from the front of the house to the back and when Jessie asked him what was going on the male told him to "Mind your fucking business." Jessie then saw a male laying in the back yard so he ran back there to help him. He recognized the male lying in the back yard as one of the three who had been smoking marijuana prior to the shooting.

Linda Butts

Officer Wilson then interviewed Linda Butts who resides at 1219 16th Street in Des Moines, Polk County, Iowa. She stated that she was sitting in her bedroom when the shooting began. She heard gunshots and then a pause and then heard more shots and her daughter came into the bedroom. She looked out the bedroom window and saw a male running northeast on 15th Place wearing a white hoodie and black pants. She then saw multiple people running from the front of 1218 15th Place to the rear. She came outside and someone told her that someone had been shot.

Patrick Young

Officer Wilson also accompanied Detective Towers to Mercy Hospital to interview Patrick Young and also observed the footage of Chester's Chicken where Patrick Young and Trey Lee were not observed between 3:00 p.m. and 4:15 p.m. on March 17, 2017.

Officer Wilson will testify that he prepared a search warrant for Patrick Young's vehicle and cell phone and did not locate anything of value or significance in the vehicle. He did obtain Patrick Young's cell phone which he initially observed. He saw several messages one of which was from him to DeShay Bell who has a child

with Trey Lee. He also noted that Patrick Young had called "Slim Bruva" at 515-525-1505 at 3:58 p.m. as well as 4:00 p.m. and two time at 4:03 p.m. None of these calls were answered. Officer Wilson will testify that the phone number 515-525-1505 was confirmed as Trey Lee's phone number and Trey Lee had the nickname "Slim".

Detective Morse will testify that he conducted a cellular extraction on all the phones that were seized and turned over to him in this case including that belonging to Patrick Young.

Officer Wilson also interviewed Janae Jones and DeShay Bell who were not present at the residence and did not provide any additional information regarding the events based on personal knowledge.

Officer Wilson next interviewed Andre Handley who stated that he was riding his bike west on Carpenter approaching 15th Place. He got to the intersection and heard shots being fired. He looked south on 15th Place and saw multiple figures about halfway down the block. He observed a male on the porch of the residence shooting a gun. He said there were multiple people on or around the porch, at least four. He could also hear the group talking to each other before the shots were fired. Once the shots were fired he saw a male run and duck behind a vehicle. This male also had a gun and returned fire back towards the residence where the group of people were before running east from the area. The male fled and then returned a short time later walking west on Carpenter. At that point the male was walking with a limp as if he had been shot. Another male also fled the scene on foot and was wearing a light colored jacket. One male came out onto the porch and appeared to be holding a bottle of some sort and shooting a gun with the other. Andre Handley was unable to pick out any of the people involved in the incident through a photo array.

* Officer Wilson also assisted in an interview with Chelse Talton, Solomon Currie, Alonzo Gibbs and Darren Coleman. He requested surveillance video from the Waveland Café from March 17, 2017 in reference to statements DeShay Bell had given about her location at the time of the shooting.

Officer Wilson also requested a subpoena for Solomon Currie's cellphone records after receiving a cell phone number of 515-525-1012 from Solomon Currie and also a search warrant for a maroon 1998 Ford Taurus which was observed leaving the scene of the shooting shortly after the incident occurred.

These witnesses will testify to all these matter in detail and in addition will testify to all facts and circumstances disclosed to the defendant through any preliminary hearing, discover or depositions in this case.

These witnesses are both Criminalists for the DCI Laboratory and were so acting at all times material hereto. They will testify to that part of their education, training, duties, and responsibilities which pertain to this case.

Murillo

Victor Murillo will testify regarding the examination and analysis of casings, firearms and/or ballistic evidence submitted to the DCL Laboratory in conjunction with the Des Moines Police Department case #17-8126. He will testify in detail regarding the method of procedure used in the analysis and will testify regarding the results of the analysis as documented in the DCI Laboratory report he prepared in connection with this case. He will testify and demonstrate the manner in which firearms of the type used in the commission of this homicide operate and function.

Schmit

Michael Schmit will testify regarding the examination and analysis of DNA evidence and items submitted for DNA analysis to the DCI Laboratory in conjunction with Des Moines Police Department case #17-8126. He will testify regarding the method and procedure used in the analysis of DNA evidence and will testify regarding the results of the analysis as documented in the DCI Laboratory report he prepared in connection with this case. Notice that there is NO expectation expressed that Murillo will be able to associate any gun with Alonzo

These witnesses will testify to all of these matters in detail and, in addition, will testify to all facts and circumstances disclosed to the defendant through discovery, or depositions in this case.

Michelle Curry, 1218 15th Place, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

Michelle Currie is the homeowner of 1218 15th Place. She will testify that she was not home when this incident took place on March 17, 2017, but did give officers consent to search her residence. Michelle Currie will testify that her daughter had come to pick her up from work and they stopped at Kum & Go on Keo Way. Upon returning to the area of her residence and heading north on 15th Street, she observed "Little Pat." She will identify him as Patrick Young and will testify that he was wearing a white hoodie or a light grey hoodie along with blue jeans. He appeared to be running or hiding from someone when she saw him. She also observed several people in her driveway when she was dropped off there. As she went up her driveway there was an individual lying on his back who was later identified as Trey Lee, not moving in her backyard, and two other individuals standing with him. She then began to feel ill and went inside. She came back out and spoke with a black female who was in her driveway and when looking to the north straight up 15th she observed Patrick Young standing at the end of the block. Patrick Young then walked away back toward the east. Officers and medics then arrived and treated the victim. She sat on the curb by her residence and then met with officers.

This witness will testify to any statements made to law enforcement regarding these events.

She said
Michelle Currie More
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This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Mary Wilson, 1520 Carpenter, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

She resides at 1520 Carpenter and was in her residence on March 17, 2017 when she heard gunshots. She went to the rear of her residence and looked out the kitchen window to the south and noticed what appeared to be a red or maroon Taurus older than the 2000 model driving north on 15th Place. She noticed a black male sitting in the back seat but that was all she could describe. She did not see anybody get in the car nor see anybody running or flashing a gun.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Tamickia Vaughan, 1219 16th Street, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

She lives at 1219 16th Street with her mother, Linda Butts. She was watching TV in the residence on March 17, 2017 when she heard three shots and got up and began moving towards the rear/east of the residence. The shots continued and she believes she heard approximately ten to thirteen shots fired. She looked out the bedroom window and could see in the northeast direction to an open field between the lots of 1218 and 1222 15th. She observed a black male with short hair wearing a white hoodie, dark blue jeans and either dark red or maroon shoes standing in the street in front of a black vehicle. He was facing south and firing a handgun. After the shots had ceased the individual took off running through the driveway of 1227 and 1223 15th Place in an east direction and then cut in a northeast direction back towards an alleyway. She then lost sight of him and did not realize there was anyone lying in her backyard until later. She walked back and noticed the individual lying there and then walked out to the driveway portion of 1218 and waited for medics and police to show up.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Linda Butts

Linda Butts, 1219 16th Street, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

She resides at 1219 16th Street in Des Moines, Polk County, Iowa. She was sitting in her bedroom when the shooting began on March 17, 2017. She heard gunshots and then a pause and then heard more shots and her daughter came into the bedroom. She looked out the bedroom window and saw a male running northeast on 15th Place wearing a white hoodie and black pants. She then saw multiple people running from the front of 1218 15th Place to the rear. She came outside and someone told her that someone had been shot.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Angie Wright

Angie Wright, 1212 15th Place, Des Moines, IA if called as a witness on behalf of the state of Iowa will testify in detail to the following:

She was with her fiancé Jesse Smith in the backyard of their residence with their children at 1212 15th Place on March 17, 2017. They observed four to five people in the backyard of the residence at 1218 15th Place just to the north of them. As they were playing outside she began to hear shots being fired. She looked toward the street and noticed a black male wearing a white hoodie or sweatshirt going in a northern direction down the sidewalk in dark blue jeans and believed that he was firing a gun in their direction. She ran toward her residence with her fiancé and kids and made it inside. When the shots stopped, she and her fiancé stepped onto the deck and noticed two individuals come from 1218 15th Place out the front door. One had a brief discussion with her fiancé, Jesse Smith, and the other one spoke with her. This consisted of she and her fiancé asking if they needed medics and the individuals stating they probably did. She then began to walk back in the direction of the backyard to see if she could assist the individual who was lying down. She has medical training and is a CNA so she checked Trey Lee when she found him in the back yard. She told officers that he took a few shallow breaths with a large amount of time in between and then it appeared he took his last breath. She rolled him to his back and began doing chest compressions. She did six sets of chest compressions with fourteen per set before the medics arrived. Once the medics arrived she backed off and allowed them to do their work. She stayed with Trey Lee and did not see what happened to the other people who had come out of the house who were on the porch. She also called 911 after the shots had stopped.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Jesse Smith, 1212 15th Place, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

On March 17, 2017, he was in his backyard playing with the kids when he heard multiple gunshots and had observed three males in the back yard of 1218 15th Place smoking marijuana prior to the shooting. As he was taking his daughter inside for safety he observed a black male wearing a grey hooded sweatshirt, jeans and red shoes standing in front of the houses on 15th Place shooting a handgun. The male then ran north towards the park. He then heard an exchange of gunfire and exited through the front to see what had happened when the firing stopped. He observed two females and a male getting into a maroon Ford Taurus parked on 15th Place facing north. One of the females was driving but he could not give a description of the three. He also saw another male running from the front of the house to the back and when Jessie asked him what was going on the male told him to "Mind your fucking business." Jessie then saw a male laying in the back yard so he ran back there to help him. He recognized the male lying in the back yard as one of the three who had been smoking marijuana prior to the shooting.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Noella Windsor, 1239 15th Street, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

She lives at 1539 15th Street. Noella Windsor was sitting in the living room of her residence when she heard gunshots on March 17, 2017. A few minutes later she got up and went outside and saw Patrick Young running up towards her house. She knew Patrick Young because he is the father of her granddaughter's children. She stated that Patrick did not even get to the porch before he turned around and ran back to the northwest. Patrick did not say anything to her, had nothing in his hands and she did not see anyone else.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Diana's Dad

Andre Handley

Andre Handley, 1312 16th Street, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

He was riding his bike west on Carpenter approaching 15th Place on March 17, 2017. He got to the intersection and heard shots being fired. He looked south on 15th Place and saw multiple figures about halfway down the block. He observed a male on the porch of the residence shooting a gun. He saw multiple people on or around the porch, at least four. He could also hear the group talking to each other before the shots were fired. Once the shots were fired he saw a male run and duck behind a vehicle. This male also had a gun and returned fire back towards the residence where the group of people were before running east from the area. The male fled and then returned a short time later walking west on Carpenter. At that point the male was walking with a limp as if he had been shot. Another male also fled the scene on foot and was wearing a light colored jacket. One male came out onto the porch and appeared to be holding a bottle of some sort and shooting a gun with the other. Andre Handley was unable to pick out any of the people involved in the incident through a photo array.

This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

Solomon Currie, 1218 15th Place, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

He provided a statement pursuant to a proffer agreement on September 13, 2017. He will testify that he was sitting at the address where his mother lives, 1218 15th Place on March 17, 2017. While sitting there he saw Patrick Young walking towards him. Trey Lee was with Patrick Young and they were coming down the street towards the house. Currie was not afraid because he grew up with these individuals and watched them come down the street. He also had his Glock in his front pocket and refers to it as a 9 Glock. He greeted the two with a shake of a hand and defendant Alonzo Gibbs then walked out of the house. Kamaury Watson came out or was in the driveway after arriving with Currie's sister, Chelse Talton. As the conversation began Patrick Young stood there and pulled out a gun and stated that he was looking for Darren Coleman, known as DC. Currie and Alonzo Gibbs told Patrick Young that there were kids in the house and that he could not shoot it and Young continued to point the gun and argue with Currie and Gibbs. At one point, Currie ended up putting Darren Coleman on the phone through FaceTime and they conversed. Solomon Currie will testify that he did not believe that Trey had a gun and was just standing there. They attempted to get Trey to try and stop Patrick from doing anything and Trey just shrugged. Currie told Patrick Young to put the gun down and when he did not, Currie

let
get story
Knoo

Currie

Solomon Currie

17

Notice the handwritten word "speculation" on the right, after Solomon's confession that he was the one who shot and killed Trey Lee. These hand-written notes could

E-FILED 2018 MAR 06 3:05 PM POLK - CLERK OF DISTRICT COURT

have been written by either the prosecutor or the public defender; either are allowed to take the entire court record home with them; neither are held accountable if they "lose" pages or get them out of order. By calling it "speculation",

SAI
pulled a gun out and began to shoot. He shot Patrick Young and then shot over by Trey Lee. As he shot at Trey, Patrick Young turned, took off running and began shooting back. Alonzo Gibbs had a gun and began to shoot at Trey and also at Pat. As Patrick was running down the street, he got in front of a car and began shooting back at them again. As Patrick was running, they knew that Trey was running but did not know where he ran to. Alonzo Gibbs then ran after Patrick Young, but Currie told him to stop and he did and they both went to the back of the house to look for Trey. They located Trey in the backyard surrounded by neighbors trying to keep him alive. Solomon Currie then took the guns and hid them in a small hole in the wall crawl space area in the basement of his mother's residence. Currie and Alonzo Gibbs waited until Currie's mother arrived from the store and then jumped into the car and went to the south side of town. A day or so later they returned and Currie retrieved the guns and went to the walking bridge at the Center Street dam. He went to the southernmost portion of that and threw the guns into the river south of the dam. Solomon Currie will testify that he shot and stated that he also knows that Alonzo Gibbs shot as well. He stated that he knew Alonzo Gibbs had the gun when they came outside and thinks that Alonzo Gibbs shot Patrick but does not believe Gibbs shot Trey Lee. He believes that he was the one who shot Trey in the whole mix of things.

the confession is discounted so Alonzo can still be accused. But people are not likely to "speculate" on the record that they are murderers, without being pretty sure!

speculation

COOPER ADMITTED
This witness will testify to any statements made to law enforcement regarding these events.

This witness will testify to all of these matters in detail and, in addition, will testify to all facts and information disclosed to the defendant through any preliminary hearing, discovery, or depositions in this case.

SAI
Patrick Young
Patrick Young, 1804 Franklin, Des Moines, IA, if called as a witness on behalf of the state of Iowa will testify in detail to the following:

He will testify that on March 17, 2017, he was with Trey Lee in the area of 15th Street in Des Moines, Iowa. He and Trey Lee walked down the street toward 16th and Carpenter and observed Solomon "Seize" Currie on the porch. A person he will identify as defendant, Alonzo Gibbs, came out of the house. Solomon Currie shot him and he then ran down the street. He observed Trey Lee running and bumped shoulders with him. He did not know where Trey Lee ran after that. Young was shot in the foot and was not aware of what happened to Trey Lee. He will testify that two guns were going off at the same time and neither he nor Trey Lee had guns.

He will testify that prior to the date of the shooting, he was in a car with Roman Hellems when they were stopped by police and a gun was located in the car. Young will testify that people began calling him a snitch, suggesting he had given information about Roman Hellems in connection with that case. He will testify that this caused problems between Young and his friends and Hellem and his friends. He believes this to be the reason for the altercation on March 17, 2017.

March 6, 2018



State of Iowa Courts

Type: Approval of Trial Information

Case Number	Case Title
FECR313038	STATE VS ALONZO MARVON GIBBS

On this date, I have reviewed the attached Trial Information and the accompanying Minutes of Testimony and find that they contain evidence which, if unexplained, is sufficient to warrant a conviction by a trial jury. Being satisfied from the showing made that the case should be prosecuted, I approve the Trial Information.

Release conditions are set by separate Order of the Court.

So Ordered

A handwritten signature in dark ink, appearing to read "Heather Lauber", written in a cursive style.

Heather Lauber, District Judge,
Fifth Judicial District of Iowa

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,

Plaintiff,

vs.

ALONZO M. GIBBS

Defendant.

CRIMINAL NO. FECR313038

MOTION TO PRODUCE DISCOVERY
AND NOTICE OF DEFENSES

March 13, 2018

COMES NOW the Defendant, pursuant to Rule 2.14 of the Iowa Rules of Criminal Procedure, Iowa Constitution, Article I, Sections 9 and 10, and United States Constitution Amendments VI and XIV, and for this Motion to Produce respectfully states:

1. Defendant demands production of each of the following in relation to the above-captioned case:
 - A. A copy of the prior criminal records, if any, of each of the State's witnesses, other than law enforcement personnel, listed in the State's Trial Information.
 - B. Any and all photographs taken in conjunction with this case or intended to be used by the State at trial hereof.
 - C. Copies of any and all audio or video tapes obtained.
 - D. A list of all physical evidence gathered.
 - E. A list of any and all tangible evidence which bears the fingerprints of the Defendant.
 - F. Any and all written statements and reports, true and correct copies, signed or unsigned, including report by any police officer or investigative agent of the State, or voice recordings of the witnesses listed in the State's Trial Information, shown to be material witnesses for the State.
 - G. Written reports of any arresting or investigating law enforcement officers.
 - H. The identity of and statements or written memoranda of conversations with any and all confidential informants who contributed to the obtaining of any search warrant.
 - I. A list of any and all witnesses who have any affiliation with law enforcement officers of their offices, together with any written documents which evidence this affiliation.
 - J. Any and all tapes of witness conversations or statements and any and all transcriptions of the same.

- K. Any and all tapes and transactions of tapes which evidence any alleged transaction or occurrences which form the basis of this prosecution.
- L. Any statements of the Defendant, by the written, oral or electronically transcribed, in the possession, custody or control of the State, and the substance of any oral statement made by the Defendant which the State intends to offer in evidence at the trial of this case, including any voice recording of same.
- M. Results and reports of any scientific tests, measurements, or experiments which are intended to be introduced as evidence.
- N. Contents of any and all press releases made in conjunction with this case.
- O. Copies of any and all writings which the State intends to introduce as evidence
- P. Copies of all written statements of or recordings of statements of persons interviewed by a law enforcement agency or officer.
- Q. Names, addresses, and telephone numbers of any and all persons who have or are believed to have knowledge germane to the crime(s) charged and related events.
- R. Names, addresses, and phone numbers of any person present or believed to be present during the alleged commission of the crime.
- S. All notes and reports of investigators who expect to be called as witnesses.
- T. Written and oral statements of person not to be called as witnesses, but who possess knowledge of facts germane to the case or trial.
- U. The results of any physical or mental examinations, test, or comparisons, made in connection with this case, conducted by identification technicians, criminalistic, or other persons, whether or not completed, regardless of the outcome of same; and if they are reduced to writing, providing copies of all laboratory reports or investigative summaries of the examinations, test or comparisons.
- V. A scheduled time as soon as possible to examine any and all tangible or physical evidence and to conduct appropriate tests.
- W. Any prior criminal record of the Defendant to be used for impeachment or other purposes.
- X. The complete files of any search warrant related to this case, including but not limited to: application(s), affidavit(s), endorsement(s), the warrant(s), inventories, return(s), and related materials.
- Y. Unless already provided pursuant to the above requests, all documents, books, papers, photographs, reports or tangible objects or portions or copies thereof with the possession, custody or control of the Plaintiff which:
 - (1) Are to be offered as evidence at the trial;
 - (2) Are relevant to, or alleged to arise out of, or pursuant to, or describe in any fashion the criminal activity alleged,
 - (3) Belong to or were obtained from the Defendant or are material to preparation of his/her defense.

2. Any and all materials now known to the State, that may become known or that through the diligence may be discovered from the State or the investigating officers or witnesses in this

case, that is exculpatory in nature or favorable to the accused, or that may lead to exculpatory material, including but not limited to evidence which would reasonably be encompassed in the decision of Brady v. Maryland, 373 U.S. 83, 87 (1963); United States v. Agurs, 427 U.S. 97 (1976), and State v. Johnson, 272 N.W. 2d 480, 485 (1978).

3. The disclosure of any evidence or information known to the State, that may become known or that through due diligence may be discovered by the State, which is material to the credibility and reliability of any of the State's witnesses, and promises made to them or benefits received by them for their testimony, including but not limited to decisions not to prosecute for known violations of the law. Whether tangible or intangible, concerning any understanding, promise, promise of leniency, assurance or agreement as to a past, present or future prosecution between a witness and the State. Giles v. Maryland, 386 U.S. 66 (1967); Giglio v. United States, 405 U.S. 150, 92 S. Ct. 763, 31 L.Ed. 2d. 104 (1972); and State v. King, 256 N.W. 2d 1 (Iowa 1977).

4. Any and all information, tangible, or intangible, concerning any information concerning promises or assurances made to witnesses in order to secure their testimony State v. Brewer, 247 N.W. 2d 205 (Iowa 1976).

5. These requests are deemed to be continuing in nature by the defendant pursuant to the Iowa Rules of Criminal Procedure.

6. Any requests for discretionary discovery that appear to have no specific grounds at this time will be supplemented by future requests and if necessary a hearing.

WHEREFORE, the Defendant respectfully requests that this Motion to Produce be granted in its entirety and for such other relief deemed appropriate.

NOTICE OF DEFENSES

COMES NOW the above-named Defendant, Alonzo Gibbs by and through his attorney of record, Trevor Andersen, and hereby gives notice of his intent to potentially rely on self-defense/defense of others pursuant to Iowa Rules of Criminal Procedure 2.11, and of mistake pursuant to State v. Freeman, 267 N.W.2d 69 (Iowa 1978) and its progeny or related rules.

/s/ Trevor J. Andersen

Trevor Andersen AT0009474
Special Defense Unit
401 East Court Ave. Suite 150
Des Moines, Iowa 50309
Telephone: (515) 288-0578
Facsimile: (515) 288-2020
Email: tandersen@spd.state.ia.us

March 14, 2018

IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA
Plaintiff

vs

ALONZO MARVON GIBBS ,
Defendant.

CASE NO: 05771 FECR313038

RULING ON DISCOVERY MOTION

The Court has Defendant's motion to produce, filed on March 13, 2018. The Court finds the State shall provide the Defendant with those items required to be produced by the State as provided in Iowa R. Crim. P. 2.14(2)(a). In addition, the State shall also provide the Defendant with any exculpatory or impeachment evidence in its possession, custody or control, as otherwise required by Brady v. Maryland, 373 U.S. 83, 83, S. Ct.1194(1963) and its progeny.

To the degree the Defendant is requesting discretionary discovery of materials not authorized by this order, as otherwise provided for in Iowa R. Crim. P. 2.14(2)(b), the Court finds that the Defendant has not made any showing upon which this Court can order the State to provide the Defendant with such discovery. Accordingly, those portions of the Defendant's motion requesting discretionary discovery are denied at this time. The Court will take no further action on this request, unless the Defendant requests a formal hearing on this issue.

Any obligations to disclose or produce created by this order shall be continuing in nature pursuant to Iowa R. Crim. P. 2.14(5), and may be enforced pursuant to Iowa R. Crim P. 2.14(6)(c).

SO ORDERED this 14th day of March, 2018

5CR205

Wisdom S. Williams
C/O Alonzo M. Gibbs
7800 Ittis Drive, Bldg d-46
Urbandale, Iowa 50322

April 6, 2018

Polk County Iowa Courts
Attn: Judge
Room ~~204~~
222 5th Avenue
Des Moines, Iowa 50309

FILED
POLK COUNTY, IA
2018 APR -6 AM 2:44
CLERK DISTRICT COURT

Dear: Judge

I'm writing this letter behalf of my son Alonzo M. Gibbs whom I have full Power of Attorney. Alonzo Gibbs and myself have no confidence of the attorneys Trevor Anderson, or Amy Keeps, nor do they have confidence in me (Alonzo Gibbs) or in this case. On my son's behalf I have made calls, and either attorneys have return calls. They have visited my son twice. None of those time have they seemed knowledgeable of what to do. The first visit the attorneys stated that their backs are up against the wall with no clarification of what they meant and asked me what it is they should do as if I am an attorney. The second time the attorney Trevor Anderson came to visit me they mentioned I should that I take a plea of manslaughter, if the prosecutors offer it. I have requested that motions to be filed on my behalf and it has not been done, instead overlook. I will be filing a complaint with the Iowa Bar Association against both attorneys.

I'm writing to you to ask of you to appoint another public defender or appoint a private attorney; such as Jerome Dickey or Angela Campbell to name a few.

I too believe that there may be some lines of conflict of interest within this case. In which should be brought before the court.

We believe the state of Iowa has violated Alonzo Marvon Gibbs's constitutional rights. On 02/23/2018 the state of Iowa accused Alonzo Marvon Gibbs with first degree murder; in which Alonzo Marvon Gibbs has remain to claim his innocence. As of 03/12/2018 the guilty party Sal Curry, gave a proffer, which states he killed the young man Trey Lee. Alonzo Marvon Gibbs has spoken with his Public Defender Attorneys that are currently on the case, and they have not done, as their client Alonzo Marvon Gibbs has requested. (Motion to deliver evidence/ dismissal, NAACP has also made numerous attempts contact the Attorney's Trevor Anderson & Amy Keeps. The indictment given/or pertaining to Alonzo Marvon Gibbs is insufficient.

The state is required to furnish the defendant with a Bill of Particulus- containing such particulus as are necessary for proper preparation of the defense, including specifics as to any and all evidence of the allege crime, "Murder of the First".

The trial information and attached minutes of testimony filed herein fails to specify the particulars of the allege offense of murder of the first degree to substantially enable the defendant to prepare a proper defense.

Specifically, certain sentences in the Attached Minutes of Testimony clearly states:

Admission of the allege crime against the wrongfully charged. Other than this self-serving report conducted by the state officials (DMPD Detectives), there is nothing else in the entire trial information or Attached Minutes connect the defendant to a crime or violation of first degree murder.

Ar

That or any statement made does **Not** connect the defendant with the essential elements of the charge. The actual "**Malice of Fore Thought**", or **Willing or Deliberately** committed murder in the first degree.

If state cannot furnish such particulars, then the court should order an immediate dismissal of the charge.

Currently Alonzo Gibbs is being falsely imprisoned at the Polk County Jail.

I'm hoping to hear from you soon. I may be reached at 954 826 4759, or by email wisdomwilliams@rocketmail.com. I have attached copies of the Power of Attorney I.

Sincerely,

W.S. Williams (Alonzo M. Gibbs)

Wisdom S. Williams Behalf of Alonzo Gibbs
Alonzo M. Gibbs

FILED
POLK COUNTY, IA
2018 APR -6 AM 2:40
CLERK DISTRICT COURT

April 10, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA Plaintiff, vs. ALONZO MARVON GIBBS, Defendant.	CRIMINAL NO. FECR313038 WAIVER OF SPEEDY TRIAL
--	---

COMES NOW the undersigned respondent and hereby waives his right to a speedy trial within 90 days of indictment pursuant to I.R.Crim.P.2.33(b).

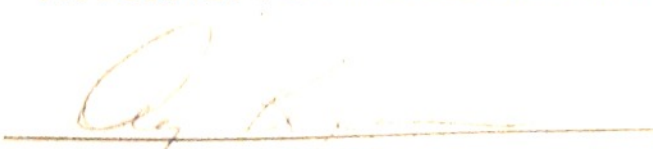
Dated this 10th day of April, 2018.


ALONZO GIBBS

VERIFICATION

I have discussed the above matters with my client and I acknowledge that he has executed this waiver knowingly, intelligently, and voluntarily.


TREVOR ANDERSON AT0009474
ATTORNEY FOR THE DEFENDANT


Amy Kepes AT0004179


April 10, 2018

AFFIDAVIT OF VICTIM PATRICK YOUNG JR. 04/10/2018

1. PATRICK F. YOUNG BORN 01/27/1993 Solemy swear that I am in my right frame of mind, state that on March 17,2017 I witness with my own eyes Salmon Currie shot Trey lee 2 or 3 times while Trey Lee was holding his hands up after shooting me in the bicep. After I seen Salmon Currie shoot Trey Lee I took off running and I was shot in the foot. There were several individuals there at that time I cannot identify who shot me in the foot.

2.I spoke to Detectives Wilson and Towers and I told them who shot Trey Lee and they told me that I was lying, and they forcefully stated Alonzo M. Gibbs shot Trey Lee. I told them that was not true, and that Salmon Currie shot me and shot and killed Trey Lee.

3. Trey Lee was my friend and I want justice. I swear that this statement is true I have not been coerced or threaten to state the truth. On March 17, 2017 I was scared and afraid of my life when I seen Salmon Currie kill Trey Lee right before my eyes. I still felt threatened by Salmon Currie because he called me with threats.

 04'11'2018
Patrick Fitzgerald Young Jr.

Patrick is the only witness besides Solomon Currie's own confession that Currie was the murderer. Patrick never said Alonzo even had a gun; the only one who said that was Solomon, who said Alonzo was shooting at just about everybody, and yet Solomon said he was the one who killed Trey Lee. His willingness to admit to the murder himself contradicts his testimony that Alonzo was shooting, since if he really believed that, how could he know it was his bullet that killed Trey, and not Alonzo's?

This written statement is significant not only in corroborating Solomon's testimony, but in establishing the prejudice of the policemen against Alonzo, to keep accusing Alonzo even after their only two witnesses with an opinion about who shot Trey said Solomon did it, no witness said Alonzo did it, and the only witness who said Alonzo even had a gun was the confessed murderer.

All-purpose Acknowledgment

STATE OF Iowa, COUNTY OF Polk
On 04/11/2018 before me, the undersigned, a Notary Public
in and for said State, personally appeared
Patrick F. Young Jr.

☐ personally known to me **-OR-** ☐ proved to me on the basis of satisfactory evidence/ to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

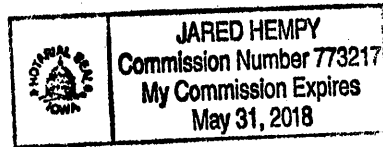
WITNESS my hand and official seal.

Signature

Name (type or printed)

My commission expires:

Jared Hempy
May 31, 2018



(Seal)

April 11, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,	)	CRIMINAL NO. FECR313038
)	
Plaintiff,)	
)	
vs.)	
	)	MOTION TO EXTEND TIME FOR
ALONZO GIBBS,	)	FILING PRETRIAL MOTIONS
)	
Defendant)	
)	

COMES NOW the Defendant and states to the Court:

1. That the Defendant was arraigned on charges in the above-captioned case, on March 12, 2018.
2. That the deadline for filing pretrial motions under Iowa Rule of Criminal Procedure 2.11(4) will be April 23, 2018.
3. The Defendant has waived speedy trial.
4. The Defendant requests that the pretrial motion deadline be extended until a reasonable period following the completion of depositions in this case.

WHEREFORE, the Defendant requests that the Court grant an extension of time for the Defendant to file pretrial motions.

/s/ Trevor J. Andersen
TREVOR J. ANDERSEN AT0009474
DES MOINES ADULT PUBLIC DEFENDER'S OFFICE
505 5th Avenue, Suite 506.
Des Moines, IA 50309
515-725-1825
Fax: 515-281-7275
tandersen@spd.state.ia.us
ATTORNEY FOR DEFENDANT

STATE OF IOWA,	)	CRIMINAL NO. FECR313038
Plaintiff,)	
)	
vs.	)	MOTION TO REJECT THE FILINGS OF
	)	WISDOM WILLIAMS FROM 4/6/18
ALONZO GIBBS)	
)	
Defendant.)	
)	

4. "Normally, representative parties such as next friends may not conduct litigation pro se; pleadings may be brought before the court only by parties or their attorney.... [A] non-attorney parent may not argue on appeal pro se on behalf of her child." *Yulin Li ex rel. Lee v. Rizzio*, 801 N.W.2d 351, 360 (Iowa App. 2011) (citing to *Elustra v. Mineo*, 595 F.3d 699, 704–05 (7th Cir. 2010)).

5. In *Yulin*, a boy's father who was an actuary and not an attorney, engaged in the practice of law as defined by the Iowa Supreme Court when he represented his son's claim before the district court. His actions included filing a petition and several pre-trial motions on his son's behalf, trying his negligence claim to a jury, presenting witnesses, introducing evidence, and filing a motion for a new trial after the verdict. *Id.* at 359.

6. "The rule "helps to ensure that children rightfully entitled to legal relief are not deprived of their day in court by unskilled, if caring, parents." It is not in a child's best interests to be represented by a non-attorney." *Id.* at 362 (citation omitted).

7. Mr. Gibbs did not authorize this motion and counsel has confirmed he does not wish to request new counsel as alleged in Ms. Williams motion. Thus there are no issues requiring a hearing pursuant to *State v. Tejada*, 677 N.W.2d 744, 751 (Iowa 2004).

8. Given Ms. Williams is not a party or licensed attorney, her filings should be considered a nullity and removed from the docket, allowing them to remain facilitates the unauthorized practice of law. In the alternative, counsel would request the filings be sealed. The contents of the filings could result in prejudice to either party at the hands of a non-party.

9. Counsel requests future filings by Ms. Williams also be rejected or filed under seal until further order of the court.

WHEREFORE, the Defendant respectfully requests that this Motion to Reject Filings be granted in its entirety and for such other relief deemed appropriate.

RESPECTFULLY SUBMITTED,

/s/ Trevor Andersen

TREVOR ANDERSEN AT0009474

Assistant State Public Defender

Special Defense Unit

401 E. Court Avenue, Suite 150

Des Moines, Iowa 50309

Phone: (515) 288-0578 Fax: 288-2020

akepes@spd.state.ia.us

ATTORNEY FOR THE DEFENDANT



AMY KEPES AT0004179

Assistant State Public Defender

Special Defense Unit

401 E. Court Avenue, Suite 150

Des Moines, Iowa 50309

Phone: (515) 288-0578 Fax: 288-2020

akepes@spd.state.ia.us

ATTORNEY FOR THE DEFENDANT

April 12, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA Plaintiff, vs. ALONZO MARVON GIBBS Defendant	05771 FECR313038 ORDER GRANTING MOTION Defendant is custody
--	--

Defendant's motion to extend the time for filing pre-trial motions is hereby granted
The Defendant shall have until June 1, 2018 to file pre-trial motions.

IT IS SO ORDERED this 12th day of April, 2018

5CR28
If you need assistance to participate in court due to a disability, call the disability coordinator at (515) 286-3394. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). Disability coordinators cannot provide legal advice.

April 12, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA
Plaintiff,

vs.

ALONZO MARVON GIBBS
Defendant

05771 FECR313038

ORDER

Defendant is in custody

IT IS THE ORDER OF THE COURT that the Clerk of Court shall not accept filings in this matter from Wisdom Williams as she is not a named party or an attorney for the Defendant.

IT IS SO ORDERED this 12th day of April, 2018

5CR28

If you need assistance to participate in court due to a disability, call the disability coordinator at (515) 286-3394. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). **Disability coordinators cannot provide legal advice.**

209A

IN THE IOWA DISTRICT COURT
IN AND FOR RUS COUNTY

ALONZO M. GIBBS,
DEFENDANT,

313038

NO. FC23438

VS.

DEFENDANT'S MOTION TO
DISMISS

STATE OF IOWA,

PLAINTIFF,

May 1, 2018

COMES NOW THE DEFENDANT AND PURSUANT TO
IOWA RULE OF CRIMINAL PROCEDURE 2.4, RULE
2.5 AND RULE 2.11 (6), 10 (5), AND STATES THE FOLLOW-
ING TO THE COURT:

1. DEFENDANT WAS ARRESTED AND CHARGED
WITH 1ST DEGREE MURDER WITH MALICE AFORE-
THOUGHT, AND ALLEGED COMMITTED WILLFULLY,
DELIBERATELY AND WITH PREMEDITATION.

2. THE TRIAL INFORMATION IS SUBJECT TO THE
SAME SCRUTINY AS ANY OTHER FORM OF INDICTMENT
AND MUST BE EVALUATED IN LIGHT OF THE STANDARD
SET OUT IN 2.4 (3) RULES OF CRIMINAL PROCEDURE.

3. THE STATE HAS NOT IDENTIFIED:

- A. WHAT FACTS.
- B. WHAT ELEMENTS.
- C. WHAT EVIDENCE.
- D. WHAT CIRCUMSTANCE.
- E. WHAT PROOF.
- F. WHAT WITNESSES.
- G. WHAT EVENTS THAT SUPPORT THE ACTS OR CONDUCT SUPPORTING DEFENDANT:

Here Alonzo denies that he ever possessed a weapon, much less fired it, even though his public defender, in later asking for a later trial date, says Alonzo admitted to having and firing a weapon.

- 1. POSSESSING A WEAPON.
- 2. FIRING A WEAPON.
- 3. WHAT WEAPON AND
- 4. HOW, WHEN AND WHERE DEFENDANT:

- 5. PREMEDITATED A MURDER, DESIGNED OR THOUGHT ABOUT OR CONTEMPLATED ITS PLAN.
- 6. WILLFULLY COMMITTED A MURDER, AND
- 7. DELIBERATELY COMMITTED A MURDER AND WHAT ACTIVITIES ARE DESCRIBED THAT ESTABLISHES DEFENDANT PERFORMING THE ACTION AND CONDUCT THAT SUPPORTS THE ALLEGATION THAT DEFENDANT HAS IN FACT COMMITTED THE CRIME THAT VIOLATES CHAPTER 707 CODE OF ILL.

8. A REVIEW OF THE MINUTES ATTACHED TO THE TRIAL INFORMATION REVEALS ABSOLUTELY NO EVIDENCE SUPPORTING THE NECESSARY ELEMENTS OF THE DEFENSE OF FIRST DEGREE MURDER.

9. TO PUT IT IN THE LANGUAGE OF THE IOWA CODE AND THE JURISPRUDENCE REGARDING HOMICIDE... A PERSON'S ACTIVITIES AND CONDUCT MUST BE MORE THAN SIMPLE STATEMENTS OF AN INVESTIGATING OFFICER'S CONCLUSIONS.

10. OTHER THAN OFFICER TOLVER'S CONCLUSIONS AND HIS SELF-SERVING NARRATIVE REPORT... THAT THE COUNTY ATTORNEY HAS SIMPLY ADOPTED AND PRETEND IT TO BE TRUTHFUL AND FACTUAL ACCOUNTS OF EVENTS MADE BY WITNESSES... AND THEREFORE [ARE] ACTUAL WITNESS STATEMENTS. THERE IS NOTHING ELSE IN THE ENTIRE TRIAL INFORMATION OR ATTACHED MINUTES OF TESTIMONY:

1. IDENTIFYING DEFENDANT COMMITTING A CRIME
2. ESTABLISHING DEFENDANT COMMITTED A CRIME.
3. OR CONNECTING DEFENDANT TO A CRIME... AS DESCRIBED AND DEFINED UNDER CHAPTER 707 CODE OF IOWA.

11. THE COUNTY ATTORNEY, BY ADJOINING OFFICER TOWER'S POLICE-NARRATIVE, AS ITS MINUTES OF TESTIMONY... FAILS IN EACH AND EVERY ASPECT OF ICA/IRCPROC, 813.2, RULES 2.5(5) AND RULES 2.4(7)(C) AND (D).

12. THE STATE'S EFFORTS ARE A COMPLICATION OF FABRICATIONS AND FICTIONS, HEARSAY AND CONCLUSIONS OF OFFICER TOWERS TRYING TO PIECE-TOGETHER A PUZZLE, WITH MULTIPLE AND NUMEROUS, MISSING AND CONNECTIVE LINKS GONE... A VERY UNPROFESSIONAL AND NEGLIGENT EFFORT PRETENDING TO SUPPORT A FIRST DEGREE MURDER CHARGE AGAINST THE WRONG PERSON.

13. IT IS FACTUAL THAT ANOTHER PERSON IN A PROFILE HAS BOTH:

A. INDICATED THAT DEFENDANT ALONZO GIBBS-- DID NOT SHOOT THE VICTIM, TREY LEE, AND

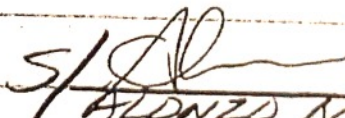
B. THAT HE HIMSELF "IN THE MIX OF THINGS ACTUALLY SHOT TREY LEE HIMSELF."

The defense in a paragraph

14. FAILURE TO DISMISS THIS CASE WOULD DEPRIVE THE DEFENDANT OF HIS RIGHTS TO DUE PROCESS, EQUAL PROTECTION UNDER THE LAW AND A FAIR TRIAL, ALL PROTECTED BY THE 4TH AND 5TH AMENDMENTS TO THE UNITED STATES CONSTITUTION AS WELL AS ARTICLE 1 SECTIONS 9 AND 10 TO THE IOWA STATE CONSTITUTION.

X/HEREFORE, DEFENDANT REQUESTS THAT A HEARING BE HELD AND UPON SAID HEARING AN ORDER DISMISSING THE CHARGE BE ENTERED OF RECORD.

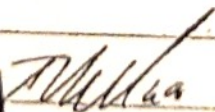
RESPECTFULLY SUBMITTED ON THIS 30TH DAY OF APRIL 2018.

S/ 
ALDEN M. GIBBS
1985 N.E. 51ST AVE
DES MOINES, IOWA

50313-2517

NOTARY SEAL



 5-1-19

209A

IN THE IOWA DISTRICT COURT
IN AND FOR POLK COUNTY

ALONZO MARION GIBBS,
DEFENDANT,

NO. FELR 313038

vs.

DEFENDANT'S MOTION FOR
A BILL OF PARTICULARS

Processed by court clerk May 7, 2018 (submitted April 30)

STATE OF IOWA,
RESPONDENT.

FILED
2018 MAY -7 PM 4:04
CLERK OF DISTRICT COURT

COMES NOW DEFENDANT AND PURSUANT TO
IOWA RULE OF CRIMINAL PROCEDURE 10 (5), AND
STATES THE FOLLOWING TO THE COURT:

1. DEFENDANT IN THIS CASE IS CHARGED WITH MURDER
IN THE FIRST DEGREE IN VIOLATION OF 707.1 AND 707.2 (1)(a)
2. THE TRIAL INFORMATION AND ATTACHED MINUTES OF
TESTIMONY FILED HEREIN FAIL TO SPECIFY THE PARTICULARS
OF THE OFFENSE TO FAIRLY ENABLE THE DEFENDANT TO
PREPARE A DEFENSE.

3. THE FOUNDATION OF THIS CASE STEMS FROM THE WISDOM AND GIGANTIC LEAPS-IN-LOGIC OF OFFICER TOWERS.

4. IT APPEARS THAT OFFICER TOWERS HAS APPLIED AN UNSCIENTIFIC PERSONAL AND UNPROFESSIONAL PROCESS OF ELIMINATION -- TO NON-FACTUAL CIRCUMSTANCES -- TO PRODUCE HIS INCONCLUSIVE CONCLUSIONS ... THAT A GUN HE HAS:

Again Alonzo denies ever even SEEING the murder weapon, much less ever handling it or firing it. And by the way the police never saw or touched it either.

1. NEVER SEEN.
2. NEVER TESTED.
3. NEVER HANDLED, OR
4. NEVER RECOVERED OR FOUND. AND
5. NOT IN HIS POSSESSION, OR
6. SECURED AS EVIDENCE FOR THIS CASE ...

... IS IN FACT:

- A. THE WEAPON POSSESSED BY DEFENDANT.
- B. THE WEAPON FIRED BY DEFENDANT.
- C. THE WEAPON THAT PRODUCED THE FRAGMENT REMOVED FROM THE VICTIM, AND
- D. THE WEAPON THAT CAUSED THE DEATH OF THE VICTIM.

5. IT ALSO APPEARS THAT OFFICER TOLLERS HAS FORENSIC-VISION AND/OR BALLISTICAL-PERCEPTION AND THEREFORE, WOULD BE ABLE, FROM THESE EXCEPTIONAL ABILITIES, TO HOLD A WEIGHED AND MEASURED METAL FRAGMENT AND VIEW IT ... AND THEN PRECISELY TELL US THAT:

- A. WHAT TYPE OF WEAPON IT WAS.
- B. ON WHAT DATE A WEAPON WAS FIRED,
- C. WHO THE PERSON THAT FIRED THE WEAPON IS,
- D. THAT THE WEAPON MURDERED SOMEONE,
- E. THAT THE PERSON DID THE MURDER WITH NOBLE AFTERTHOUGHT, AND
- F. THAT THE PERSON WILLFULLY, DELIBERATELY AND WITH PREMEDITATION MURDERED SOMEONE.

6. AND ESPECIALLY BECAUSE HE STATED HIS INTENT WAS:

" TO FIND OUT WHAT THE WEIGHT AND MEASUREMENTS WERE OF THE BULLETS TO [SEE] WHICH GUN FIRED THIS BULLET."

7. AND WE SHOULD THEREFORE BELIEVE THAT EVERY WORD HE STATES IS TRUTHFUL, AND IS ALL FACTUAL, ALL LEGAL AND ALL EVIDENTIARY AND HIS WISDOM AND VIEW ESTABLISH ALL THE NECESSARY ELEMENTS TO SUPPORT THE CHARGE HE HAS FIRED.

8. IMPLICIT IN THE LANGUAGE OF THE IOWA CODE AND THE JURISPRUDENCE REGARDING MURDER AND HOMICIDE... IDENTIFIES THAT A PERSON'S ACTIVITIES AND CONDUCT MUST BE MORE THAN SIMPLE STATEMENTS OF AN INVESTIGATING OFFICER'S CONCLUSIONS AND HIS PARAPHRASING OF INCOMPLETE PARTS OF THE STATUTE THAT DEFINES THE CRIME.

9. IN STATE V. WHITE, 545 N.W.2D 552, 554 (IOWA 1996) THE COURT HELD:

"STATE HAS TO SPECIFY HOW IT INTENDS TO PROVE ESSENTIAL ELEMENTS OF THE CHARGE
I.C.A. 813.2 R. 2.11 (6) (C) (1).

10. IT IS THE FACTS WHICH DETERMINE AN OFFENSE
[NOT] THE LEADS-IN-LOGIC, EXAGGERATIONS, CON-
CLUSIONS, NOR OPINIONS OF [OR] OPINIONS ABOUT
... ULTIMATE-FACTS... MADE BY AN OFFICER.


11. OTHER THAN OFFICER TOLLERS SELF-SERVING NARRATIVE REPORT, THERE IS NOTHING ELSE IN THE ENTIRE TRIAL INFORMATION OR ATTACHED MINUTES OF TESTIMONY CONNECTING DEFENDANT TO A CRIME OR VIOLATION OF LAW AS DEFINED UNDER CHAPTER 707 CODE OF IOWA.

12. WITHOUT MORE, THIS MAKES THE INDICTMENT INSUFFICIENT-- THE STATE IS REQUIRED TO FURNISH THE DEFENDANT WITH A BILL OF PARTICULARS CONTAINING SUCH PARTICULARS AS ARE NECESSARY FOR THE PREPARATION OF THE DEFENSE, INCLUDING SPECIFICS AS TO ANY EVIDENCE OF PREMEDITATION.

13. IF THE STATE CANNOT FURNISH SUCH PARTICULARS, THEN THE COURT SHOULD ORDER DISMISSAL OF THE TRIAL INFORMATION AND THE CHARGES.

WHEREFORE, DEFENDANT RESPECTFULLY REQUESTS THE COURT TO ORDER THE PROSECUTION TO FURNISH ALL THE PARTICULARS AS NECESSARY FOR THE PREPARATION OF THE DEFENSE.

RESPECTFULLY SUBMITTED ON THIS 30th DAY OF APRIL 2018.


S/ ALDEN M. GIBBS
1985 N.E. 51st PLACE
DES MOINES, IOWA
56313-2517

NOTARY SEAL



 5-1-18

ADDRESSED M. GIBBS #170498
Polk County Jail
1985 NE 51st Place
Des Moines, IA 50313-2517

Hasler

US POSTAGE

\$00.50



ZIP 50309
011D12602903

SHD CLERK OF COURT
POLK COUNTY CRT. HSE.
500 MILL BERRY
DES MOINES, IOWA 50309

CONFIDENTIAL:
LEGAL CORRESPONDENCE

5030934238 0010



209A

5/14/2018

May 17, 2018

Alonzo M. Gibbs

Case # FECR313038

Polk County Jail

Des Moines, Ia

Polk County Iowa Courts

Case # FECR313038

Attn: Judge (RM) Rosenberg

222 5th Avenue

Des Moines, Ia 50309

RE: 2nd Attempt to disMISS assign ~~Attorneys~~

Dear Judge:

I'm writing this letter on my behalf: Alonzo Marvon Gibbs

I'm writing this letter to inform you that I Alonzo M. Gibbs do not have confidence in the assign court appointed attorneys. Nor do I believe that Trevor Anderson or Amy Keeps have confidence in me to fight this case.

The Attorneys Trevor Anderson & Amy Keeps have visited me three time thus far. None of those times

AM

the Attorneys given me a little bit of Confidence; Statements has been made by them ~ "Our back are up against the wall," I've asked them what they meant by that Statement, No legitimate response. Another time they visited with me; they asked me what they should do; as if I am an Attorney.

What I have asked the Attorneys to do that have not. I will be sending a letter of complaint to the Iowa Bar Association.

I believe my Constitutional rights has been violated.

I'm writing to ask of you to appoint another counselors - Attorneys Such as Jerome Dickey / Angela Campbell or Parrish law firm.

This is my life and I'm claiming my innocence.

Sincerely,
Alonzo M. Gibbs

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,

May 21, 2018

Plaintiff,

Crim. No. FECR313038

vs.

STATE'S RESISTANCE TO
DEFENDANT'S MOTION
FOR BILL OF PARTICULARS

ALONZO MARVON GIBBS,

Defendant.

COMES NOW the State of Iowa, by and through Assistant Polk County Attorneys Daniel C. Voogt and Stephanie L. Cox and in support of its Resistance to Defendant's Motion for Bill of Particulars, states the following:

1. A Trial Information was filed in this case on March 6, 2018, charging the Defendant with the crime of Count I – Murder in the First Degree, in violation of Iowa Code section 707.1 and 707.2, with the dangerous weapon enhancement.
2. Trial is scheduled for September 17, 2018 at 9:00 a.m.
3. On May 7, 2018, the Defendant filed a Motion for Bill of Particulars pursuant to Iowa R. Cr. P. 2.11(5).
4. "A motion for a bill of particulars may be made any time prior to or within ten days after arraignment unless the time be extended by the court for good cause shown." Iowa R. Cr. P. 2.11(5). Arraignment in this case was had on March 12, 2018. The motion filed herein is therefore untimely and should be denied on that basis alone.
5. The Court may, under Rule 2.11(5), order the State to provide a Bill of Particulars when the information does not specify the particulars of the offense sufficiently to fairly enable the defendant to prepare his or her defense.
6. The Trial Information and Minutes of Testimony in this case do provide the particulars of this offense as it alleges that the defendant was a participant in an altercation amongst four individuals which resulted in the defendant shooting a gun in

the direction of the victim and that ballistics evidence establishes that the bullet that killed the victim was fired from the defendant's gun. There is eyewitness evidence as well as scientific and forensic evidence contained in the minutes of testimony.

Further, the case agent in this case testified at a preliminary hearing and the defendant had an opportunity to cross-examine that agent regarding matters relevant to probable cause. He has been plainly apprised of the particulars of these charges.

7. The Court has held that the purpose of a Bill of Particulars is not to allow the Defendant an opportunity to obtain evidence, the State's theory of the case or to obtain information not essential to preparing a defense. *State v. Conner*, 241 N.W.2d 447 (Iowa 1976); *State v. Bean*, 239 N.W.2d 556 (Iowa 1976), cert. denied, 429 U.S.824 (1976); *State v. Willis*, 250 N.W.2d 428 (Iowa 1977).
8. The test for the Court to apply in determining whether a bill of particulars should be required is whether the indictment read in connection with the minutes is specific enough to apprise the Defendant of the charges against him. *State v. Doss*, 355 N.W.2d 874 (Iowa 1984). The Trial Information and attached minutes are sufficient in this case to inform the Defendant of the charges against him.
9. In truth, the defendant merely contests the facts set forth in the minutes of testimony. He also makes allegations that the charges are based upon "unscientific personal and unprofessional process of elimination." The defendant may challenge the evidence presented by the State at trial, but this does not warrant a bill of particulars. The mere fact that the defendant is able to challenge this evidence in his motion suggests that he is fully apprised of the particulars of the offense with which he is charged.

WHEREFORE, the State respectfully requests that the Court deny the Defendant's Motion for Bill of Particulars.

Respectfully submitted,

JOHN P. SARCONI
Polk County Attorney

/s/ Daniel C. Voogt
DANIEL C. VOOGT
Polk County Attorney's Office
222 Fifth Avenue
Des Moines, IA 50309
(515) 286-3737
Dan.Voogt@polkcountyiowa.gov

/s/Stephanie L. Cox
STEPHANIE L. COX
Polk County Attorney's Office
222 Fifth Avenue
Des Moines, IA 50309
(515) 286-3737
Stephanie.Cox@polkcountyiowa.gov

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,	)	May 22, 2018	
Plaintiff,)		
vs.)		
ALONZO MARVON GIBBS,)		
Defendant.)		
	)		Crim. No. FECR313038
	)		STATE'S RESISTANCE TO
	)		DEFENDANT'S MOTION
	)		TO DISMISS

COMES NOW the State of Iowa, by and through Assistant Polk County Attorneys Daniel C. Voogt and Stephanie L. Cox and in support of its Resistance to Defendant's Motion to Dismiss, states the following:

1. A Trial Information was filed in this case on March 6, 2018, charging the Defendant with the crime of Count I – Murder in the First Degree, in violation of Iowa Code section 707.1 and 707.2, with the dangerous weapon enhancement.
2. Trial is scheduled for September 17, 2018 at 9:00 a.m.
3. On May 7, 2018, the Defendant filed a Motion to Dismiss pursuant to Iowa R. Cr. P. 2.11(5), alleging that the minutes of testimony do not support the charge.
4. It is improper for the district court to hold an evidentiary hearing on a motion to dismiss based on a claim that the facts alleged in the trial information and minutes do not constitute the offense charged. The only inquiry is whether the State has alleged facts which constitute a crime as a matter of law. *State v. Gonzalez*, 718 N.W.2d 304 (Iowa 2006)(7/21/06).
5. An indictment will not be dismissed under this rule pursuant to a motion which merely challenges the sufficiency of the evidence supporting the indictment. *State v. Doss*, 355 N.W.2d 874 (Iowa 1984).
6. Sufficiency of the evidence is the sole claim of this motion. As such, the motion must be denied.

WHEREFORE, the State respectfully requests that the Court deny the Defendant's Motion to Dismiss.

Respectfully submitted,

JOHN P. SARCONI
Polk County Attorney

/s/ Daniel C. Voogt
DANIEL C. VOOGT
Polk County Attorney's Office
222 Fifth Avenue
Des Moines, IA 50309
(515) 286-3737
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/s/Stephanie L. Cox
STEPHANIE L. COX
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222 Fifth Avenue
Des Moines, IA 50309
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Stephanie.Cox@polkcountyiowa.gov

Analysis of the prosecutor's "resistance" to Alonzo's "Motion to Dismiss":

*Explanation of terms: a "Motion to Dismiss" is where the defendant asks the judge to dismiss the charges before the case even goes to trial, because it is obvious just from the record so far that the defendant is innocent and there is no reason to expect more evidence against him at trial. The "Trial Information" lists the witnesses and the charges. **The charge:** Alonzo "...on or about March 17, 2017,...committed Murder in the First Degree by willfully, deliberately, and with premeditation and malice aforethought, killing Trey Leon Lee. (CLASS A FELONY). It is further alleged that during the commission of said offense, the defendant represented that he was in the immediate possession and control of a dangerous weapon, displayed a dangerous weapon in a threatening manner, or was armed with a dangerous weapon...." "The Minutes" are summaries of the testimony of witnesses, which the prosecutor plans to present at trial. "The State" is a prosecutor's name for himself. For example, he does not say "I have alleged facts", but "the State has alleged facts" - prosecutors consider themselves qualified to speak for the whole state.*

Alonzo asked Judge Rosenberg to dismiss the case because although the prosecutor's "Trial Information" alleged that Alonzo shot and killed Trey Lee, the "Minutes" contradicted the "Trial Information" - especially after the only witness in the Minutes who said Alonzo even *had* a gun, Solomon Currie, confessed to the murder himself - as reported in those same Minutes!

In other words, not only do the Minutes contain *zero evidence against* Alonzo, they contain strong evidence of Alonzo's innocence!

But lack of evidence is no reason to set a defendant free, Sarconne (Polk County Attorney/prosecutor) told the judge! That would violate Supreme Court rulings! In Sarconne's argument #4 (second page prior) he wrote:

"It is improper for the district court to hold an evidentiary hearing on a motion to dismiss based on a claim that the facts alleged **in the trial information and minutes** do not constitute the offense charged. The only [appropriate] inquiry is whether the State has alleged facts which constitute a crime as a matter of law [as laws define the crime]. *State v. Gonzalez*, 718 N.W.2d 304 (Iowa 2006)((7/21/06)."

Seriously? Lack of evidence is a legally inappropriate reason to drop criminal charges? Is American law, indeed, *that* irrational?

Polk County Attorney John Sarconne's office thinks so, and Judge Rosenberg, in his Order (following page), thinks so. But what about the Iowa Supreme Court? The prosecutor cited three cases as authority for his incredible theory of law, starting with *Gonzalez*. Does *Gonzalez* actually say lack of evidence is no reason to set a defendant free?

Absurd result, from Scott's first brief. Yes, technically prosecutor doesn't have to reveal all his evidence of guilt; just exculpatory evidence. But isn't there some point where the evidence of innocence in the minutes is so overwhelming that the lack of evidence of guilt raises the question whether the prosecutor is withholding evidence? Is there no obligation to reveal evidence of guilt? Does Brady focus only on exculpatory evidence because prosecutors need no prodding to share evidence against?

6th amendment, must see the witnesses against him; so if a prosecutor speeds ahead to trial without any evidence in support revealed to defendant, he is either concealing evidence required by 6th Amendment or he has no evidence, either is ground for dismissal.

<https://www.nolo.com/legal-encyclopedia/what-when-the-prosecution-must-disclose.html>

Can prosecutors spring evidence on defendants like they do on TV?

No. In the past, prosecutors could guard evidence from defendants with the same fervor toddlers show in protecting toy trucks and dolls from their siblings. Defendants couldn't force prosecutors to hand over witness statements or even reveal the names of their witnesses. Now the view that advance disclosure will promote fairer trials has taken hold—if defense attorneys know ahead of time what to expect, they can better defend their clients.

Surprise evidence may produce fine drama, but it leads to poor justice. Unlike prosecutors, defendants can't call on police agencies to help them investigate and respond to evidence they find out about for the first time at trial. Thus, every jurisdiction (each state and the federal government) has discovery rules requiring prosecutors to disclose evidence to defendants prior to trial.

what Sarconne said *Gonzalez* says?

Here is the context in *Gonzalez* from which Sarconne lifted his quote: "We accept the facts alleged by the State **in the trial information and attached minutes** as true. Id. 'We will reverse [overturn] the trial court's dismissal of the charge at

issue [the lower court - the District Court - had dismissed the charges] if the facts the State has alleged charge [describe] a crime as a matter of law.’ Id.”

In other words, courts should let a case proceed to trial so long as *both* the “trial information” (the prosecutor’s claims) and the “minutes” (summaries of what the witnesses say) support the charge. The second sentence, which the prosecutor roughly quoted, doesn’t mention the minutes but it is in the context of the first sentence, which presumes that *both* the “trial information” and “minutes” agree.

The Supreme Court didn’t say what a judge should do *when they don’t agree*, but contradict each other as in Alonzo’s case, as Alonzo pointed out in his Motion.

Gonzales was not the case for that distinction to even come up, since there was no dispute in that case over facts. Gonzalez apparently conceded that he touched a female patient’s privates. His quibble was about whether the law applied to him. The law was about nastiness like that during counseling, but he wasn’t a counselor. Or something like that. We would expect the Court’s statement about accepting alleged facts to have been stated more carefully had it been relevant to the case. As it was, it was only mentioned as part of the reason “Motions to Dismiss” are *normally* considered only when the issue is whether the law even applies to the alleged facts.

The Supreme Court could not have agreed with the prosecutor without violating the U.S. Constitution. Our 6th Amendment says “In all criminal prosecutions, the accused shall enjoy the right to...be informed of the nature (what the defendant is accused of doing) and cause (the law that makes that a crime) of the accusation; n; to be confronted with the witnesses against him...”

The point of these rights is to enable the accused to prepare a defense. How can you prepare for a trial where the charges against you are kept secret? It’s like defending your reputation against gossip which you never hear. So it is not enough to be told “you killed someone sometime, someone said.” If you did it, no problem; you know. But if you didn’t, you need to know what lies are told about you so you can think about how to refute them. Prosecutor Sarconne would only say “you did it.” He even said “the Minutes say who said so.” Except they don’t. They say Alonzo *didn’t* do it. How can Alonzo prepare a defense against a claim whose support, if it exists, is not revealed to him? On the other hand, if there really is no more evidence against him than the Minutes indicate, why does the prosecutor want to go to trial? Prosecutors don’t generally like to lose cases. It looks bad on their resumes.

The point of the 6th Amendment - to be able to prepare for trial - includes knowing what witnesses and evidence you are up against *before* trial too, according to *Brady v. Maryland*, 373 U.S. 83 (1963). The case established that the prosecution must turn over all evidence that might exonerate the defendant (exculpatory evidence) to the defense.

Brady articulated the concern that the prosecutor’s motive for withholding exculpatory evidence could be as degenerate as mere irritation at losing a case:

May 30, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA
Plaintiff,

vs.

ALONZO MARVON GIBBS
Defendant

05771 FECR313038

ORDER

DENYING MOTION FOR NEW COUNSEL

Defendant is in custody

NOW on May 30, 2018 this matter came before the Court on the Defendant's motion for change of counsel. After hearing the Defendant and his counsel, the Court finds that there does not exist good cause for a change of defense counsel.
The motion is denied.

IT IS SO ORDERED this 30th day of May, 2018

5CR28

If you need assistance to participate in court due to a disability, call the disability coordinator at (515) 286-3394. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). **Disability coordinators cannot provide legal advice.**

Alonzo M. Gibbs
Case # FECR313038

6/20/2018

Clerk to file

June 20, 2018

Polk County Court
Attn: Judge Rosenberg
Room: 209 A
500 Mulberry Street
Des Moines, IA
50309

Apparently there was a hearing May 30 in which Judge Rosenberg ruled without reading the affidavit of Young asserting Alonzo's innocence and describing the prosecutors' pressure on him to accuse Alonzo.

Dear: Honorable Judge Rosenberg

Thank you for giving me the opportunity to present to you the documents that you had mentioned in court on 5/30/2018 that you had not reviewed.

I am innocent person. I ask that you review the motion to dismiss this case.

As of yet the court appointed attorneys have not been in touch with me, nor are they returning calls.

As I had mentioned to you in my previous motion to remove appoint council, I do not feel confident of the court appoint council; nor do I believe that they are confident of fighting this case.

Thank you for your time.

Alonzo M. Gibbs
AMG

Alonzo disputes the Public Defender's claim that Wisdom's motion to replace counsel lacked Alonzo's support; the PD hasn't even talked to Alonzo. How could they confirm his support for them

IN THE IOWA DISTRICT COURT FOR POLK COUNTY	
STATE OF IOWA, Plaintiff, vs. ALONZO M. GIBBS. Defendant.	CASE NO. FECR313038 MOTION TO CONTINUE TRIAL

August 24, 2018

COMES NOW, the Defendant through counsel and requests the trial scheduled in this matter for September 17, 2018 be cancelled and continued to a future date. In support of this request counsel states as follows:

1. Depositions of currently listed witnesses were concluded 8/16/18. The testimony and response of witnesses to questioning has led to new discovery being produced to the Defendant, some of which includes expert examination and conclusions.
2. Two incarcerated exculpatory witnesses have been brought to the Defendant's attention by the State in the past few weeks requiring further investigation and confirmation.
3. Counsel anticipates providing the new and further detailed conclusions of DCI Firearms Examiner Vic Murillo, to defense retained firearms and toolmark examiners to review. There are also things learned from the depositions that provide answers to several of the unknowns these defense experts can now use to complete their work. Their utility as witnesses remains undetermined until they provide updated conclusions to undersigned counsel. If the defense does list them as witnesses, the State will likely want to depose them.
4. Counsel anticipates pre-trial filings that need prepared, particularly a Motion in Limine that will have to be fairly comprehensive.

5. Counsel has a non-law related matter that will not enable the defense to have an exact knowledge of availability for the currently set trial date or a future date until after September 4th. This was communicated to the State and they do not resist the Defendant's request to continue trial to a date yet uncertain, as long as the current trial date is assuredly cancelled and a mutually agreed upon date will be scheduled at a later time.
6. Counsel notes that it appears the 1 year deadline will be in March 2019.

WHEREFORE, the Defendant through counsel requests the current trial date be cancelled for a trial date to be determined after September 4th and for such other relief deemed appropriate.

/s/ Trevor Andersen

TREVOR ANDERSEN AT0009474
Special Defense Unit
401 E. Court Avenue, Suite 150
Des Moines, Iowa 50309
Telephone : (515) 288-0578
Facsimile : (515) 288-2020
Email: tandersen@spd.state.ia.us

/s/ Amy Kepes

AMY KEPES AT0004179
Special Defense Unit
401 E. Court Avenue, Suite 150
Des Moines, Iowa 50309
Telephone : (515) 288-0578
Facsimile : (515) 288-2020
Email: akepes@spd.state.ia.us

September 2, 2018 - After the Public Defender STILL refused to move for dismissal, even after Solomon Currie confessed to the murder and no other witness than Solomon even said Alonzo HAD a gun - in other words, after our legal system appeared completely insane and uncorrectable, Alonzo's mother, Wisdom, notified media with this Press Release. (This is the only page of these documents which was not in the court record.)

Press Release
High Importance!

Des Moines, Iowa, September 02, 2018. It is urgent that the public is made aware of the fact that the state of Iowa is currently holding Alonzo Marvon Gibbs unconstitutionally in police custody. Alonzo Marvon Gibbs has been in custody at the Polk County Jail in Des Moines, Iowa for over a year.

Mr. Gibbs who had been found not guilty of federal firearm charges in January 26, 2018; soon after the non-guilty verdict, Des Moines police apprehended and arrested Mr. Gibbs of being suspect in the murder of Trey Lee that took place on March 17, 2017.

The Des Moines State prosecutor's main witness, an injured party of the incident, Patrick Young , stepped forward to clear Gibbs in the death of Trey Lee with pertinent information; and has made numerous attempts and phone calls to reach out to Mr. Gibbs's attorneys Amy Keeps and Trevor Anderson with the Public Defender's Office. Young's calls have not been returned. Young also completed a written affidavit, as well as a video affidavit, admitting that Detective Towner and Detective Wilson coerced him to state initially that Alonzo Gibbs was the shooter that killed Trey Lee. Young also states in the affidavit who the shooter was that killed Trey Lee.

Dispositions of this case started on July 30, 2018 and witnesses and material witnesses has stated Alonzo Gibbs did not kill Trey Lee, nor have they identified Gibbs involvement in the incident that took place March 17, 2017.

Now that prosecutors are aware of the facts they have not yet released Gibbs.

Gibbs has submitted motion on his behalf to the judge to remove the Public Defender Attorneys on the case, as well as motion to dismiss the case, and his rights keep being denied. I am calling the public's attention to this matter of unprofessionalism and corruption of the judicial system in the state of Iowa and asking for all to join us in requesting to FREE ALONZO MARVON GIBBS.

For more information regarding this case in its entirety and how you can help, please contact Wisdom S. Williams at 954 826 4750, or email wisdomwilliams@rocketmail.com.

###

September 10, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA
Plaintiff,

vs.

ALONZO MARVON GIBBS ,
Defendant

05771 FECR313038

ORDER CONTINUING TRIAL

Defendant is in custody

THE DEFENDANT IS TO BE PERSONALLY PRESENT FOR ALL THE COURT DATES SET FORTH HEREIN.

Hearing is continued at the request of the Defense.

The Defendant has waived speedy trial.

Jury Trial is scheduled on 01/14/2019 at 09:00 AM at the Polk Co Courthouse, CtRm 209A, 500 Mulberry St, DSM, IA.

PCSO to transport the Defendant to this hearing.

CLERK TO:

In addition to all other persons entitled to a copy of this order, the Clerk shall provide a copy to the following:

FEL CC

DEFT

FE 313038
Clerk note

September 18, 2018

September 18, 2018

Public Defender Office

Attention: Michael Adams

401 E. Court Ave #150,

Des Moines, Iowa 50309

FE 313038

Dear Mr. Adams

Bring to the Attention of
Governor: Kim Reynolds
Honorary Judge: Scott Rosenberg
Motion Requested/

Judge
Rosenberg

I have left numerous messages, as well as my mother who has legal power of attorney over me; regarding the first-degree murder charge I have been charged with. As of yet I Alonzo M. Gibbs nor my mother Wisdom Williams have been contacted.

I'm sure your aware that your employees Trevor Andersen, as well as Amy Kepes is assigned to case.

Since they have been assigned to this case I Alonzo Gibbs have concerns and questions regarding the attorney's unethical actions that has been done thus far.

• **Facts:**

- 1. On 09/09/2018- Trevor Andersen and Amy Kepes visited myself, Alonzo Gibbs and asked me, Alonzo to consider to file a motion to change the trial date. I was very clear with Trevor and Amy and told them he did not want to schedule the trial to a different date, he requested to move forward with the initial date of September 17, 2018. Trevor shook my hand stated he will move forward with the initial scheduled trial date September 17, 2018. The next day Trevor Andersen filed a motion with the court to change the date of trial to 120 days out.
- 2. Numerous times I Alonzo Gibbs, as well as my mother has requested Trevor Andersen to file a Motions to Dismiss this case against him. On August 16th at disposition, which took place at the Justice Center in Des Moines, IA my mother spoke to Trevor & Amy they told my mother that the state's main witness who initially lied on Alonzo has recanted his story, which has been done twice and the state will be doing a assessment over all the materials at hand. It has been over 4 weeks counting today. My mother asked them with the two main witnesses stating that I have not committed a crime of first-degree murder or any other act of violence. Well they move forward to file a Motion to Dismiss

They told my mother they will do so per receiving notification from the prosecuting attorneys. As of this date September 17, 2018 no Motions to Dismiss has been done.

- 3. On March 12, 2018 court at Polk County jail (per documents & verbal communication with Trevor Andersen telling me that the main material witness did a statement stating he killed Trey Lee. Mr. Andersen was asked if he was going to file a Motion to Dismiss? Andersen told me that was his intentions. At this time Motions to Dismiss has not been filed on behalf of Alonzo Marvon Gibbs.

I was under the impression that it is a lawyer's obligation to maintain high professional standards. In my opinion and the opinion of my son, and too documented facts Trevor Andersen & Assistant Attorney Amy Kepes have violated or not meant the Rules of standards that apply which are:

- **Iowa Rules of Professional Conduct Preamble Attorney Rules:**
- A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system, and a public citizen having special responsibility for the quality of justice.
- [2] As a representative of clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealings with others. As an evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others.
- [3] In addition to these representational functions, a lawyer may serve as a third-party neutral, a nonrepresentational role helping the parties to resolve a dispute or other matter. Some of these rules apply directly to lawyers who are or have served as third-party neutrals. See, e.g., rules 32:1.12 and 32:2.4. In addition, there are rules that apply to lawyers who are not active in the practice of law or to practicing lawyers even when they are acting in a nonprofessional capacity. For example, a lawyer who commits fraud in the conduct of a business is subject to discipline for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. See rule 32:8.4.

- A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system, and a public citizen having special responsibility for the quality of justice.
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Iowa Rules of Professional Conduct

- [4] In all professional functions a lawyer should be competent, prompt, and diligent. A lawyer should maintain communication with a client concerning the representation. A lawyer should keep in confidence information relating to representation of a client except so far as disclosure is required or permitted by the Iowa Rules of Professional Conduct or other law.
- [5] A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. A lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others. A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers, and public officials. While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold legal process.
- [6] As a public citizen, a lawyer should seek improvement of the law, access to the legal system, the administration of justice, and the quality of service rendered by the legal profession. As a member of a learned profession, a lawyer should cultivate knowledge of the law beyond its use for clients, employ that knowledge in reform of the law, and work to strengthen legal education. In addition, a lawyer should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on

- [9] In the nature of law practice, however, conflicting responsibilities are encountered. Virtually all difficult ethical problems arise from conflict between a lawyer's responsibilities to clients, to the legal system, and to the lawyer's own interest in remaining an ethical person while earning a satisfactory living. The Iowa Rules of Professional Conduct often prescribe terms for resolving such conflicts. Within the framework of these rules, however, many difficult issues of professional discretion can arise. Such issues must be resolved through the exercise of sensitive professional and moral judgment guided by the basic principles underlying the rules. These principles include the lawyer's obligation zealously to protect and pursue a client's legitimate interests, within the bounds of the law, while maintaining a professional, courteous, and civil attitude toward all persons involved in the legal system.
- [10] The legal profession is largely self-governing. Although other professions also have been granted powers of self-government, the legal profession is unique in this respect because of the close relationship between the profession and the processes of government and law enforcement. This connection is manifested in the fact that ultimate authority over the legal profession is vested largely in the courts.
- [11] To the extent that lawyers meet the obligations of their professional calling, the occasion for government regulation is obviated. Self-regulation also helps maintain the legal profession's independence from government domination. An independent legal profession is an important force in preserving government under law, for abuse of legal authority is more readily challenged by a profession whose members are not dependent on government for the right to practice.
- [12] The legal profession's relative autonomy carries with it special responsibilities of self-government. The profession has a responsibility to ensure that its regulations are conceived in the public interest and not in furtherance of parochial or self-interested concerns of the bar. Every lawyer is responsible for observance of the Iowa Rules of Professional Conduct. A lawyer should also aid in securing their observance by other lawyers. Neglect of these responsibilities compromises the independence of the profession and the public interest which it serves.
- [13] Lawyers play a vital role in the preservation of society. The fulfillment of this role requires an understanding by lawyers of their relationship to our legal system. The Iowa Rules of Professional Conduct, when properly applied, serve to define that relationship.

SCOPE

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SCOPE

[14] The Iowa Rules of Professional Conduct are rules of reason. They should be interpreted with reference to the purposes of legal representation and of the law itself. Some of the rules are imperatives, cast in the terms "shall" or "shall not." These define proper conduct for purposes of professional discipline. Others, generally cast in the term "may," are permissive and define areas under the rules in which the lawyer has discretion to exercise professional judgment. No disciplinary action should be taken when the lawyer chooses not to act or acts within the bounds of such discretion. Other rules define the nature of relationships between the lawyer and others. The rules are thus partly obligatory and disciplinary and partly constitutive and descriptive in that they define a lawyer's professional role. Many of the comments use the term "should." Comments do not add obligations to the rules but provide guidance for practicing in compliance with the rules.

[15] The rules presuppose a larger legal context shaping the lawyer's role. That context includes court rules and statutes relating to matters of licensure, laws defining specific obligations of lawyers, and substantive and procedural law in general. The comments are sometimes used to alert lawyers to their responsibilities under such other law.

[16] Compliance with the rules, as with all law in an open society, depends primarily upon understanding and voluntary compliance, secondarily upon reinforcement by peer and public opinion, and finally, when necessary, upon enforcement through disciplinary proceedings. The rules do not, however, exhaust the moral and ethical considerations that should inform a lawyer, for no worthwhile human activity can be completely defined by legal rules. The rules simply provide a framework for the ethical practice of law.

[17] Furthermore, for purposes of determining the lawyer's authority and responsibility, principles of substantive law external to these rules determine whether a client-lawyer relationship exists. Most of the duties flowing from the client-lawyer relationship attach only after the client has requested the lawyer to render legal services and the lawyer has agreed to do so. But there are some duties, such as that of confidentiality under rule 32:1.6, that attach when the lawyer agrees to consider whether a client-lawyer relationship shall be established. See rule 32:1.18. Whether a client-lawyer relationship exists for any specific purpose can depend on the circumstances and may be a question of fact.

[18] Under various legal provisions, including constitutional, statutory, and common law, the responsibilities of government lawyers may include authority concerning legal matters that ordinarily reposes in the client in private client-lawyer relationships. For example, a lawyer for a government agency may have authority on behalf of the government to decide upon settlement or whether to appeal from an adverse judgment. Such authority in various respects is generally vested in the attorney general and the state's attorney in state government, and their federal counterparts, and the same may be true of other government law officers. Also, lawyers under the supervision of these officers may be authorized to represent several government agencies in intragovernmental legal controversies in circumstances where a private lawyer could not represent multiple private clients. These rules do not abrogate any such authority.

[19] Failure to comply with an obligation or prohibition imposed by a rule is a basis for invoking the disciplinary process. The rules presuppose that disciplinary assessment of a lawyer's conduct will be made on the basis of the facts and circumstances as they existed at the time of the conduct in question and in recognition of the fact that a lawyer often has to act upon uncertain or incomplete evidence of the situation. Moreover, the rules presuppose that whether or not discipline should be imposed for a violation, and the severity of a sanction, depend on all the circumstances, such as the willfulness and seriousness of the violation, extenuating factors, and whether there have been previous violations.

[20] Violation of a rule should not itself give rise to a cause of action against a lawyer nor should it create any presumption in such a case that a legal duty has been breached. In addition, violation of a rule does not necessarily warrant any other no disciplinary remedy, such as disqualification of a lawyer in pending litigation. The rules are designed to provide guidance to lawyers and to provide a structure for regulating conduct through disciplinary agencies. They are not designed to be a basis for civil liability. Furthermore, the purpose of the rules can be subverted when they are invoked by opposing parties as procedural weapons. The fact that a rule is a just basis for a lawyer's self-assessment, or for sanctioning a lawyer under the administration of a disciplinary authority, does not imply that an antagonist in a collateral proceeding or transaction has standing to seek enforcement of the rule. Nevertheless, since the rules do establish standards of conduct by lawyers, a lawyer's violation of a rule may be evidence of breach of the applicable standard of conduct.

[21] The comment accompanying each rule explains and illustrates the meaning and purpose of the rule. The Preamble and this note on Scope provide general orientation. The comments are intended as guides to interpretation, but the text of each rule is authoritative.

I have requested the Honorary judge on this case remove the attorney assigned it's obvious that Trevor Andersen and Amy Kepes do not have confidence in my; although the particulars of this case are plainly in view to fight this case. Due to the unprofessionalism of both attorneys I do not have confidence in them.

I expect to hear from you soon. I'm not sure why the attorneys are not speaking with my mother she has full POA. Please contact my mother Wisdom S. Williams @ 954 826 4750.

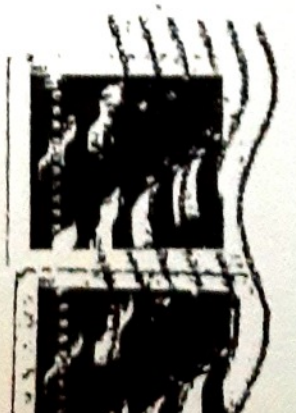
Thank you,

Alonzo M. Gibbs

A handwritten signature in black ink that reads "Alonzo Gibbs". The signature is written in a cursive style with a large, stylized initial "A" and a prominent "G".

Alonzo M. Gibbs
Polk County Jail
1985 NE 51st Pl
DM, IA 50313

DES MOINES IN 500
03 OCT 2016 PM 3 L



Clerk of Court
Attn: Honorary Judge Scott Rosenber
500 Mulberry Street
DM, IA 50309

50309-423862



October 30, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA Plaintiff, vs. ALONZO MARVON GIBBS Defendant	05771 FECR313038 ORDER DENYING MOTION FOR CHANGE OF COUNSEL Defendant is in custody
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The Defendant's pro se motion for appointment of new counsel is denied. There is no adequate reason for a change in counsel.

IT IS SO ORDERED this 30th day of October, 2018

5CR28

If you need assistance to participate in court due to a disability, call the disability coordinator at (515) 286-3394. Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). **Disability coordinators cannot provide legal advice.**

December 27, 2018

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA,

Plaintiff,

v.

ALONZO MARVON GIBBS,

Defendant.

CRIMINAL NO. FECR313038

AMENDED
TRIAL INFORMATION

COMES NOW John P. Sarcone, as County Attorney of Polk County, Iowa, and in the name of and by the authority of the State of Iowa, accuses **ALONZO MARVON GIBBS** of the crimes of:

COUNT I **INTIMIDATION WITH A DANGEROUS WEAPON** in violation of Iowa Code Section 708.6 and charges that the above named defendant on or about March 17, 2017, in the County of Polk, State of Iowa, committed the crime of Intimidation With a Dangerous Weapon by discharging a dangerous weapon at, into or within an assembly of people with the intent to injure them and placed them in reasonable apprehension of serious injury. (**A CLASS C FELONY**)

It is further alleged that during the commission of said offense, the defendant represented that he was in the immediate possession and control of a dangerous weapon, displayed a dangerous weapon in a threatening manner, or was armed with a dangerous weapon within the meaning of Section 902.7 of the Code of Iowa.

COUNT II **POSSESSION, RECEIPT, TRANSPORTATION, OR DOMINION AND CONTROL OF A FIREARM AS A FELON** in violation of Iowa Code Section 724.26 and charges that the above-named defendant on or about March 17, 2017, in the County of Polk, State of Iowa, committed the crime of Possession, Receipt, Transportation, or Dominion and Control Over a Firearm as a Felon by knowingly possessing a firearm having been previously convicted of a felony. (**A CLASS D FELONY**)

WITNESS LIST

Officer N. Carrington #4999, DMPD
Officer J. George #5127, DMPD
Officer Chapline #5119, DMPD
Officer R. Chareunsab #5152, DMPD
Officer R. Garrett #5138, DMPD
Officer S. Becirovic #5097, DMPD
Officer M. Goergen #5164, DMPD
Officer L. Harden #5102, DMPD
Officer G. Hays #5030, DMPD
Officer B. Pratt #5163, DMPD
Officer T. Roland #5060, DMPD
Officer B. Wickett #5144, DMPD
Officer A. Leo #5004, DMPD
Officer M. Towers #4941, DMPD
Officer P. Wilson #5100, DMPD

Officer G. Morse #4800, DMPD
Crime Scene Investigator C. Brigman #8630, DMPD
Crime Scene Investigator K. Kriegshauser #8627, DMPD
Crime Scene Investigator C. Wycoff #8615, DMPD
Crime Scene Investigator T. Hyunh #8624, DMPD
Crime Scene Investigator A. Rankin #8629, DMPD
Crime Scene Investigator A. Leo #5004, DMPD
Dr. Gregory Schmunk, Polk County Medical Examiner
Michael Schmit, DCI
Victor Murillo, DCI
Michelle Curry
Mary Wilson
Tamickia Vaughan
Linda Butts
Angie Wright
Jesse Smith
Noella Windsor
Andre Handley
Patrick Young
Solomon Currie

**THIS IS A TRUE INFORMATION.
JOHN P. SARCONI, POLK COUNTY ATTORNEY**

/S/ Daniel C. Voogt
DANIEL C. VOOGT, AT0008083
Assistant Polk County Attorney
222 Fifth Avenue
Des Moines, Iowa 50309
Telephone: (515) 286-3737
Dan.Voogt@polkcountyiowa.gov

/S/ Stephanie L. Cox
STEPHANIE L. COX, AT0001729
Assistant Polk County Attorney
222 Sixth Avenue
Des Moines, Iowa 50309
Telephone: (515) 286-3737
Stephanie.Cox@polkcountyiowa.gov

December 27, 2018IN THE IOWA DISTRICT COURT
IN AND FOR POLK COUNTYSTATE OF IOWA,
Plaintiff,

v.

ALONZO MARVON GIBBS,
Defendant.

Criminal No. FECR313038

ORDER
(Plea Order)

Now On December 27, 2018, the State is represented by Stephanie L. Cox. Defendant appears in person and with counsel, Trevor Andersen and Amy Kepes, on the charge(s) of:

Case Number	Count	Crime	In violation of Iowa Code section(s):
FECR313038	I of the amended trial information	INTIMIDATION WITH A DANGEROUS WEAPON, a Class C felony, while in the immediate possession or control of a dangerous weapon	708.6, 902.7
FECR313038	II of the amended trial information	POSSESSION, RECEIPT, TRANSPORTATION OR DOMINION AND CONTROL OF A FIREARM BY A FELON, a Class D felony	724.26

ALL PARAGRAPHS CHECKED BELOW APPLY:

- ☒ Defendant **PLEADS GUILTY** to the crime(s) set out above. By direct conversation with the defendant on the record, the court finds that defendant understands the charge(s), the penal consequences, and the rights being waived. Based upon defendant's statements, the prosecutor's statements and the minutes of testimony as applicable, the court finds that there is a factual basis for the plea and that the plea is knowing and voluntary. **Defendant's guilty plea is accepted.**
- ☐ **PRE-SENTENCE INVESTIGATION (PSI) REPORT.** Except where the defendant is in custody, *defendant is ordered to call the Department of Correctional Services (DCS), at 242-6602* within two work days to schedule a presentence investigation (PSI) interview. If the defendant is in custody, he/she shall be retained by the Polk County Sheriff until the Fifth Judicial Department of Correctional Services has completed the PSI interview. DCS shall submit a PSI report by January 8, 2019 (at least three days before sentencing).
- ☒ **SENTENCING IS SET FOR January 11, 2019 at 8:30 a.m.** in Courtroom 209A. *Defendant is ordered to appear in person for sentencing.*
- ☐ **BOND** is continued pending sentencing, or
- ☒ **BOND** is unavailable pending sentencing pursuant to Iowa Code Section 811.1(1).
- ☒ Barring any new criminal activity or violation of this order, at sentencing the parties will recommend: Consecutive prison sentences, 5 year minimum. On any new criminal charge or violation of this order, established by a preponderance of evidence, the State is not bound by this agreement.
- ☒ Defendant is hereby notified that the Court will decide the defendant's reasonable ability to pay restitution of court appointed attorney fees at sentencing.
- SO ORDERED.**
- ☒ The Defendant was personally served with a copy of this order.

☒ In addition to all other persons entitled to a copy of this order, the clerk shall provide a copy to the following: Felony Criminal Case Coordinator

January 11, 2019IN THE IOWA DISTRICT COURT
IN AND FOR POLK COUNTYSTATE OF IOWA,
Plaintiff,
v.
ALONZO MARVON GIBBS,
Defendant.

Criminal No. FECR313038

ORDER
(Plea/Sentencing Order)

Now On January 11, 2018, the State is represented by Daniel C. Voogt and Stephanie L. Cox. Defendant appears in person and with counsel, Amy Kepes, on the charge(s) of:

Case Number	Count	Crime	In violation of Iowa Code section(s):
FECR313038	I of the amended trial information	INTIMIDATION WITH A DANGEROUS WEAPON, a Class C felony, while in the immediate possession or control of a dangerous weapon	708.6, 902.7
FECR313038	II of the amended trial information	POSSESSION, RECEIPT, TRANSPORTATION OR DOMINION AND CONTROL OF A FIREARM BY A FELON, a Class D felony	724.26

MATTERS RELATED TO SENTENCING

- ☒ **SENTENCING.** Defendant previously pled guilty to the charge(s) set out above. Defendant has been advised of his right to the use of a Pre-Sentence Investigation Report before sentencing and knowingly and voluntarily waived use of said report. The court accepts Defendant's waivers and request. The Department of Correctional Services is ordered to prepare a PSI, file it with the Clerk of Court, and distribute copies as required by law.
- ☒ **ALLOCUTION.** Defendant was given an opportunity to speak in mitigation of the sentence. On inquiry made, no legal cause has been shown why sentence should not be pronounced.
- ☒ **DEFENDANT IS ADJUDGED GUILTY** of the charge(s), in violation of the Code sections set out above and is sentenced as follows, pursuant to Iowa Code sections 902.9 and 902.3 [Insert additional Code sections, if applicable]:

Case Number	Count	Crime	Defendant shall be imprisoned for a period not to exceed:
FECR313038	I of the amended trial information	INTIMIDATION WITH A DANGEROUS WEAPON, a Class C felony, while in the immediate possession or control of a dangerous weapon	TEN (10) years
FECR313038	II of the amended	POSSESSION, RECEIPT, TRANSPORTATION OR DOMINION AND CONTROL OF A FIREARM BY A	FIVE (5) years

	trial informati on	FELON, a Class D felony	
--	--------------------------	-------------------------	--

Defendant shall receive credit against the(se) sentence(s) for any days served in custody on the(se) individual offense(s) since arrest.

☒ **MINIMUM SENTENCE.** A minimum sentence of 5 years is imposed in Count I pursuant to Iowa Code section(s):

- ☒ 902.7 (5 yr. forcible felony + weapon);
- ☐ 902.8 (3 yr. habitual offender);
- ☐ 902.11 (1/2 maximum sentence if prior forcible felony);
- ☐ 902.12 (70% of maximum on certain felonies);
- ☐ Other: .

☒ **CONSECUTIVE/CONCURRENT.** Pursuant to Iowa Code §§ 901.5(9)(c) and 901.8, the sentence(s) of incarceration shall run:

- ☐ concurrent to .
- ☒ consecutive to each other.

for a total period not to exceed 15 years.

☒ The sentences are consecutive based upon:

- ☒ the separate and serious nature of the offenses;
- ☒ in order to carry out the plea agreement;
- ☐ to provide defendant maximum incentive to comply with the terms and conditions of probation;
- ☐ crime of escape under Section 719.4 or crime committed while defendant confined at a detention facility or penal institution (consecutive sentences are mandatory under Iowa Code § 901.8);
- ☐ crime committed while defendant on parole/probation;
- ☐ other:

☒ **PROBATION IS DENIED.** Defendant is committed to the custody of the Director of the Iowa Department of Corrections for a determination of the appropriate place of confinement, all as provided by Iowa Code sections 901.7 and 902.5. Defendant shall be delivered by the sheriff to the designated reception center which is: (1) the Iowa Medical Classification Center in Oakdale, Iowa for adult males; (2) the Iowa Correctional Institution for Women for any females; and (3) the Anamosa State Penitentiary in Anamosa, Iowa if Defendant is a male under the age of 18. The sheriff shall transport Defendant to the State institution accompanied by a person of the same sex. Pending Defendant's transfer to the custody of the Director of the Iowa Department of Corrections (DOC) at the reception center, Defendant shall remain in the custody of the sheriff. Defendant's term of incarceration may be reduced from the maximum sentence because of statutory earned time, work credits and program credits. Defendant may be eligible for parole before the sentence is discharged subject to statutory restrictions or sentence reductions. Probation is denied based on the sentencing considerations set out herein.

☒ **SENTENCING CONSIDERATIONS.** The Court determines that the sentence set forth herein will provide maximum opportunity for rehabilitation of defendant and protection of the community from further offenses. Pursuant to Iowa Code section 907.5, the Court has considered the following factors:

- ☒ Defendant's age;
- ☒ Defendant's prior record of convictions and deferments of judgment, if any;

- ☐ Defendant's employment circumstances;
- ☐ Defendant's family circumstances;
- ☐ Defendant's mental health and substance abuse history and treatment options available in the community and the correctional system;
- ☒ the nature of the offense committed;
- ☒ the plea agreement;
- ☒ statutory sentencing requirements;
- ☐ other factors as follows .

☒ **FINE.** Defendant shall pay a \$1000.00 fine in Count I and \$750.00 in Count II plus 35% surcharge which is due immediately. Amounts due are delinquent 30 days after the stated due date. ☒ If checked, this fine is suspended due to Defendant's incarceration.

☒ **RESTITUTION.** Defendant is ordered to make restitution as claimed by the State. Payment(s) shall be made to the Clerk of Criminal Court, Polk County Courthouse, Fifth & Mulberry Streets, Des Moines, IA 50309. The Clerk shall forward payment(s) to registered victims. If the amounts of restitution are not available at the time of sentencing, a supplemental order will follow. The State may also file an application for restitution pursuant to Iowa Code section 910.3B, if it can show the causation element required in the statute.

☒ **DEFENDANT SHALL SUBMIT A DNA SAMPLE** to DCS pursuant to Iowa Code Chapter 81. Failure to comply may constitute contempt, pursuant to Iowa Code section 81.4(3).

ALL PARAGRAPHS BELOW APPLY

Pursuant to Iowa Code section 815.9(5), if Defendant is receiving court-appointed legal assistance, the court finds upon inquiry, review of the case file and any other information provided by the parties, Defendant has the reasonable ability to pay restitution of fees and costs in the amount approved by the State Public Defender or \$0.00, whichever is less.

No bond is available on appeal pursuant to Iowa Code section 811.1(1).

Court costs are taxed to Defendant.

- The Defendant was personally served with a copy of this order.
- In addition to all other persons entitled to a copy of this order, the clerk shall provide a copy to the following:
Felony Criminal Case Coordinator.

January 14, 2019

5CR002

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

STATE OF IOWA

VS

ALONZO MARVON GIBBS

05771 FECR313038

RECEIPT OF WARDEN FOR PRISONER

Received on the _____ day of _____ 20 _____ into my custody as
Warden of the Penitentiary -- Reformatory at _____ of the State of
Iowa, from the Sheriff of Polk County, to be confined in the _____ of the State of
Iowa, for the term of _____ Years.

Warden

By

RETURN OF SHERIFF

To the District Court: I herewith return this warrant on this _____ day of
_____ 20 _____ and certify I executed the same by delivering the said defendant to the
Warden herein directed, as appears from his foregoing receipt.

Sheriff

By

FEES:

Service \$ _____
Expense \$ _____
Expense \$ _____
Expense \$ _____
Total \$ _____

Pursuant to IRCrP Rule 24c (1)

TO THE WARDEN: The Defendant is to receive credit for _____ days

05771 FECR313038

ALONZO MARVON GIBBS

MTSI

Sheriff

STATE OF IOWA,
Plaintiff,

vs.

ALONZO GIBBS-WILLIAMS # 6460838
Defendant.
IDOC-FDCF

CASE NO. FECR313038

RESTITUTION PLAN

) **May 1, 2020**

Financials

Title: STATE VS ALONZO MARVON GIBBS

Case: 05771 FECR313038 (POLK)

Citation Number:

<u>Summary</u>	<u>Orig</u>	<u>Paid</u>	<u>Due</u>
COSTS	563.10	0.00	563.10
FINE	0.00	0.00	0.00
SURCHARGE	0.00	0.00	0.00
RESTITUTION	0.00	0.00	0.00
OTHER	0.00	0.00	0.00

\$563.10

\$0.00

\$563.10

Pursuant to Chapter 910 of the Code of Iowa, the above listed Inmate has been ordered to pay the County Clerk of Cou

20 percent of all credits to this inmate's institutional account. Any attempt to violate the conditions of this plan will result in major disciplinary proceedings.

/s/Denise Koechle

Address: PO Box 316

Ft Madison, IA 52627

Phone: 319-372-5432 ext. 41816

Date Prepared: 5/1/2020