

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 04-80200

vs.

Hon Arthur J Tarnow

RICHARD R MORRIS,

Defendant.

DEFENDANT'S MOTION TO REMAND AND BRIEF IN SUPPORT

NOW COMES DEFENDANT, through counsel, and states as follows:

1. He is charged in an indictment with felon in possession of a firearm, 18 USC 922(g); possession with intent to distribute marijuana, 21 USC 841; and possession of a firearm during a drug crime, 18 USC 924(c).

2. He was originally charged in this case in state court.

3. In accordance with Project Safe Neighborhoods (PSN), a joint federal-state prosecution effort, he was offered a plea under state law in Wayne County to a two-year felony-firearm charge, plus a one-to-four year sentence on a possession of marihuana with intent to deliver charge, with the threat of Federal prosecution if he refused that offer (Transcript of Pre-Exam Conference of March 3, 2004, p 6).

4. He declined to accept the offer in state court, because he was inadequately informed of the applicable Federal statutory and guideline sentencing provisions.

5. The Sixth Circuit has held that the failure of defense counsel to "provide professional guidance to a defendant regarding his sentence exposure prior to a plea may constitute deficient assistance..." *Moss v United States*, 323 F 3d 445, 474 (6th Cir 2003). See also *Magana v Hofbauer*, 263 F 3d 543, 550 (6th Cir 2001) (holding

that defense counsel's erroneous advice concerning sentence exposure "fell below an objective standard of reasonableness under prevailing professional norms").

6. The Sixth Circuit recently stated in *Smith v United States*, 348 F 3d 545, 553 (6th Cir 2003) that a "criminal defendant has a right to expect at least that his attorney will review the charges with him by explaining the elements necessary for the government to secure a conviction, discuss the evidence as it bears on those elements, and explain the sentencing exposure the defendant will face as a consequence of exercising each of the options available. In a system dominated by sentencing guidelines, we do not see how sentence exposure can be fully explained without completely exploring the range of penalties under likely guideline scoring scenarios, given the information available to the defendant and his lawyer at the time." The court also cited *United States v Day*, 969 F 2d 39, 43 (3d Cir 1992) ("the Sentencing Guidelines have become a critical, and in many cases dominant, facet of federal criminal proceedings such that familiarity with the structure and basic content of the Guidelines (including the definition and implications of career offender status) has become a necessity for counsel who seek to give effective representation.").

7. Here he had no reliable information about federal sentencing on which to base a decision that he was being forced into making immediately and under pressure. The state and federal prosecutors at the Pre-exam Conference on March 3, 2004 who had input regarding potential sentencing, and who presumably were knowledgeable about this type of case, indicated that the federal guidelines were 62 to 68 months minimum (Trans 6). This is incorrect in two significant respects. First, the simple guidelines are 41-51 months (offense level 20, criminal history category III), which, when reduced by three points for a timely guilty plea, come down to 30-37 months. But more important, the input ignored the federal felony firearm provision of 18 USC 924(c), which adds 60 months consecutively to his

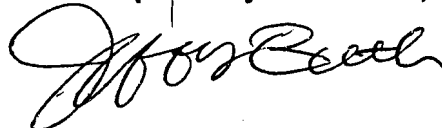
underlying sentence and which bring his guidelines in this case to 90-97 months on a guilty plea (or 101-111 months otherwise).

8. At a minimum he should have been advised of the basics under Section 924(c)--five years for a gun crime, seven if the gun is brandished, ten if it's discharged, all consecutive to the sentence for the underlying offense. (Basic advice concerning the combination of 18 USC Sections 922(g) and 924(e) would be essential in many cases as well.)

9. The appropriate remedy for the denial of his right to the effective assistance of counsel in connection with the decision to accept or reject a plea offer would be to remand this matter back to state court for the entry of a guilty plea in accordance with the original plea offer and sentence agreement. The Supreme Court found in *United States v Morrison*, 449 US 361, 364 (1981), that cases "involving Sixth Amendment deprivations should be tailored to the injury suffered from the Constitutional violation and should not unnecessarily infringe on competing interests." That remedy has been applied in this judicial district. *United States v Nixon*, 2004 WL 1149352 (ED Mich, May 19, 2004). A return to the point at which the ineffective assistance occurred would identify and neutralize the Sixth Amendment violation, and give him his rightful effective assistance and fair proceeding.

WHEREFORE, Defendant requests that this Court remand this case to state court for entry of a guilty plea in accordance with the original offer.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey Butler", written in a cursive style.

JEFFREY BUTLER
Attorney for Defendant
2057 Orchard Lake Rd
Sylvan Lake MI 48320
(248) 332-4040

Dated: September 7, 2004

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

CRIMINAL NO. 04-80200

v.

HON. ARTHUR J. TARNOW

RICHARD R. MORRIS

Defendant,

GOVERNMENT'S RESPONSE TO
DEFENDANT'S MOTION TO REMAND

The United States of America, by and through its undersigned attorneys, in response and opposition to Defendant's Motion to Remand to State Court for Entry of Guilty Plea in Accordance with Original Plea Offer states as follows:

1. Defendant Richard R. Morris is charged in a three count Indictment with Felon in Possession of a Firearm, 18 U.S.C. §922(g); Possession with Intent to Distribute Marijuana, 21 U.S.C. §841 (a) and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C. §924(c).
2. The charges arise from the execution of a search warrant by Detroit Police Officers from the 5th Precinct Narcotics Enforcement Unit (NEU) at 9330 Cutler, Detroit, Michigan, on February 24, 2004.
3. The case was referred for prosecution by the Wayne County Prosecutor's Office as part of the Project Safe Neighborhood ("PSN") crime reduction initiative. The PSN program applies to crimes involving firearms. Under the PSN initiative, defendants who meet specific

criteria may be given an opportunity to plead guilty in state court to a felony firearm offense, in lieu of federal prosecution.

4. On or about February 25, 2004, Defendant Morris was charged in state court with Delivery/Manufacture Marijuana, Felon in Possession of Firearm and Felony Firearm. Defendant Morris was also served with habitual offender, second offense notice.
5. On March 3, 2004, a Pre-Exam hearing was conducted by Judge Wade Harper McCree, Wayne County Circuit Court.
6. Defendant Morris was represented by Attorney Yvette Barrett (P- 58142).
7. During the hearing Defendant Morris was advised by Attorney Abed Hammoud, Project Coordinator PSN, Wayne County Prosecutor's Office, that if he would plead guilty to possession and delivery of marijuana, plus felony firearm, the remaining charges against him would be dismissed (Tr, p 6). Defendant Morris was also advised of a sentence agreement of one to four, plus two (Tr, p 6).
8. Defendant Morris was advised by Attorney Abed Hammoud that if the case were referred for federal prosecution, Defendant Morris' guidelines, at a minimum, would be 62-68 months (Tr, p 6).
9. Defendant Morris was questioned by the court concerning the potential penalties in both the state and federal system, and his understanding of the differences between the penalties(Tr, p. 8).
10. Defendant Morris indicated that he understood the offer made to him to resolve the state charges, rejected the offer, and wanted to proceed with the preliminary examination (Tr, p 8).

11. A preliminary examination was scheduled for March 8, 2004, with the presumption that Defendant Morris would be referred for federal prosecution prior to that date (Tr, p 9).
12. On or about March 5, 2004, Defendant's case was referred for federal prosecution.
13. As evidenced by the transcript of the pre-exam hearing, Defendant Morris was aware of the fact that his case would be referred for federal prosecution, and of the minimum potential sentence he could face in the federal system if he declined the plea offer by the State.
14. Defendant Morris voluntarily and knowingly chose to reject the state plea offer and proceed to trial.
15. This Court has no authority to grant the relief requested by Defendant Morris and remand the case to the state court.
16. Defendant Morris' claim that he was denied effective assistance of legal counsel is not supported by the record and is not a basis for the requested relief.
17. Defendant Morris is not entitled to an evidentiary hearing in this matter, as the decision whether to offer a plea in a state criminal case is wholly within the discretion of the prosecuting authorities, and this court lacks jurisdiction to review that decision.

Wherefore, the Government respectfully requests that Defendant Morris' motion to remand this case to the state court for entry of guilty plea in accordance with original plea offer and request for evidentiary hearing be denied.

Respectfully submitted,

CRAIG S. MORFORD
United States Attorney

s/Susan E. Gillooly (P41908)
Assistant United States Attorney
211 W. Fort St., Suite 2001
Detroit, Michigan 48226
(313) 226-9577
E-mail: susan.gillooly@usdoj.gov

Dated: September 21, 2004

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 04-80200

v.

HONORABLE ARTHUR J. TARNOW

RICHARD R. MORRIS,

Defendant.

**GOVERNMENT'S BRIEF IN RESPONSE AND OPPOSITION TO DEFENDANT'S
MOTION TO REMAND TO STATE COURT AND REQUEST
FOR EVIDENTIARY HEARING**


The United States of America, by and through its undersigned attorneys, in response and opposition to Defendant Morris' Motion to Remand to State Court for Entry of Guilty Plea in Accordance with Original Plea Offer and Request for Evidentiary Hearing states as follows:

Background Facts

Defendant Richard R. Morris is charged in a three count Indictment with Felon in Possession of a Firearm, 18 U.S.C. §922(g); Possession with Intent to Distribute Marijuana, 21 U.S.C. §841 (a) and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C. §924(c). The charges arise from the execution of a search warrant by Detroit Police Officers from the 5th Precinct Narcotics Enforcement Unit (NEU) at 9330 Cutler, Detroit, Michigan, on February 24, 2004. The case was referred for prosecution by the Wayne County Prosecutor's Office as part of the Project Safe Neighborhood ("PSN") crime reduction initiative. The PSN program applies to crimes involving firearms. Under the PSN initiative, defendants who meet specific criteria may be given

an opportunity to plead guilty in state court to a felony firearm offense, in lieu of federal prosecution.

On or about February 25, 2004, Defendant Morris was charged in state court with Delivery/Manufacture Marijuana, Felon in Possession of Firearm and Felony Firearm. Defendant Morris was also served with habitual offender, second offense notice. On March 3, 2004, a Pre-Exam hearing was conducted by Judge Wade Harper McCree, Wayne County Circuit Court. Defendant Morris was represented by Attorney Yvette Barrett (P- 58142). During the hearing Defendant Morris was advised by Attorney Abed Hammoud, Project Coordinator PSN, Wayne County Prosecutor's Office, that if he would plead guilty to possession and delivery of marijuana, plus felony firearm, the remaining charges against him would be dismissed (Tr, p 6). Defendant Morris was also advised of a sentence agreement of one to four, plus two (Tr, p 6). Defendant Morris was advised by Attorney Abed Hammoud that if the case were referred for federal prosecution, Defendant Morris' guidelines, at a minimum, would be 62-68 months (Tr, p 6).



Defendant Morris was questioned by the court concerning the potential penalties in both the state and federal system, and his understanding of the differences between the penalties(Tr, p. 8). Defendant Morris indicated that he understood the offer made to him to resolve the state charges, rejected the offer, and wanted to proceed with the preliminary examination (Tr, p 8).

A preliminary examination was scheduled for March 8, 2004, with the presumption that Defendant Morris would be referred for federal prosecution prior to that date (Tr, p 9). On or about March 5, 2004, Defendant's case was referred for federal prosecution.

As evidenced by the transcript of the pre-exam hearing, Defendant Morris was aware of the fact that his case would be referred for federal prosecution, and of the minimum potential sentence

he could face in the federal system if he declined the plea offer by the State. Defendant Morris voluntarily and knowingly chose to reject the state plea offer and proceed to trial.

On March 5, 2004, a criminal complaint was filed against Defendant Morris in this court. Defendant Morris appeared on the complaint on March 8, 2004. On March 18, 2004, an Indictment was issued by the Grand Jury. Defendant Morris acknowledged the Indictment on March 18, 2004. On March 24, 2004, a proposed Rule 11 plea agreement was forwarded to Defendant Morris' counsel. The agreement provided that the Government would recommend a sentence in the range of 90-97 months in exchange for Defendant Morris' guilty plea.

Issue Presented

Whether the Court has the authority to dismiss the federal firearms charges against Defendant and "remand" Defendant's case to the state court for entry of a guilty plea to the original state plea offer, where Defendant was offered and voluntarily rejected a plea agreement to the state charges, and where there is no violation of Defendant's Sixth Amendment rights.

Law and Argument

Defendant Morris requests this court to remand his case to the state court for entry of a guilty plea in accordance with the original plea offer and sentence agreement presented to him at the state court. Defendant Morris claims that the requested relief is appropriate due to the ineffective assistance of counsel he received in connection with the state court hearing. Defendant Morris alleges that he was not advised of his sentence exposure in the federal system, in the event he did not plea to the state charges. As discussed below, the requested relief is outside the scope of authority vested in this court. Further, this court does not have jurisdiction to review Defendant Morris' claim of ineffective legal assistance by his counsel at the state court level.

**This Court Lacks Authority to Grant the Relief
Requested by Defendant and Remand His Case
to the State Court for Disposition**

Defendant Morris requests this court to remand his case to the state court for entry of a guilty plea in accordance with the original plea offer and sentence agreement presented to him at the state court. Defendant Morris fails to cite any legal authority in support of his requested relief.

This court has jurisdiction over this case pursuant to 18 U.S.C. §3231 which provides “The district courts of the United States shall have original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States.” This court has no jurisdiction over any case brought against Defendant Morris at the state court level. In fact, principles of federalism and comity restrict this court’s authority to institute or to interfere with state criminal court proceedings.

Defendant Morris was previously charged in the state court criminal system with possession with intent to deliver marijuana, felon in possession of firearm, felony firearm, and habitual offender, second offense. After Defendant Morris rejected the offered plea, the state charges were dismissed. Defendant Morris is presently facing charges in the federal system. The cases are separate and distinct. The prior state prosecution and state charges have no relevance to this prosecution.¹ This court has no authority to remand this case to the state court with an order that the court reinstate a previously dismissed prosecution and again offer the plea. Defendant Morris incorrectly indicates that in a prior case in this district, *United States v Nixon*, 318 F. Supp 2d 525 (E.D. Mich. 2004), this Court granted such relief to the defendant. In *United States v Nixon*, the Court addressed the government’s motion for reconsideration of a prior order of the court. In *Nixon*,

¹The U.S. Attorney’s Office has a working relationship with the Wayne County Prosecutor’s Office under the Project Safe Neighborhoods initiative. However, after cases are referred for federal prosecution, the state criminal charges are dismissed.

the defendants case was not remanded to the state court for entry of a plea. The indictment in that matter was dismissed by the court, on the motion of the government, to allow the state court to prosecute on the state charges.

Defendant's Assertion That He Was Denied Effective Assistance of Counsel is Unsupported by The Record and Not a Basis For The Requested Relief

Defendant Morris argues that he was provided with ineffective assistance of counsel at the state court level because his counsel did not advise him of his sentence exposure in the event he was convicted in federal court. Defendant Morris alleges a violation of his Sixth Amendment rights.

It is undisputed that the plea bargain stage is a critical stage at which the right to effective assistance of counsel attaches, *United States v Day*, 969 F. 2d 39 (3rd Cir. 1992), citing *United States ex rel., Caruso v Zelinsky*, 689 F. 2d 435 (3d Cir. 1982). Defendant Morris sets forth the test set announced in *Strickland v Washington*, 466 U.S. 668 (1984) for evaluating whether counsel has rendered ineffective assistance. In *Strickland*, the Court held in order to establish a claim of ineffective assistance of counsel, a “defendant must show that counsel’s representation fell below an objective standard of reasonableness” and that “there is a strong probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.” 466 U.S. 68, 687-88(1984). More recently, in *United States v Moss*, 323 F.3d 445 (6th Cir. 2003) the court held that where a defendant alleges that his counsel failed to provide guidance to a defendant regarding his sentence exposure prior to a plea, a modified *Strickland* standard applies requiring the defendant to prove (1) that his counsel’s performance was objectively deficient, and (2) that but for his counsel’s erroneous advice, there is a reasonable probability that he would have accepted a plea, citing *Magana v Hofbauer*, 263 F.3d 542, 550 (6th Cir. 2001).

At the state court level Defendant Morris was represented by retained counsel, Attorney Yvette M. Barrett. Attorney Barrett appeared with Defendant Morris at the Pre-Exam hearing before the Honorable Wade Harper McCree, Wayne County Circuit Court. Also appearing at the hearing was Attorney Abed Hammoud of the Wayne County Prosecutor's Office. Discovery had been made available to Defendant and his counsel. Defendant Morris does not detail the conversations he had with Attorney Barrett, and only ambiguously asserts that they were not reliable. The transcript of the hearing reveals that discussions concerning a plea and the potential sanctions were held. The hearing was conducted as follows: (Tr. pp 5-8)

MR. HAMMOUD: Defendant Number One (Defendant Morris), Federal guideline, they estimated up to this point by Assistant U.S. Attorney John O'Brien was 62 to 68 months on the minimum. I informed defense attorney Ms. Barrett of this, I believe, Monday, so Defendant can consider the possibility of pleading guilty in the State system. We offered him to plead guilty to possession and deliver marijuana plus felony firearm, dismiss the rest of the counts, with a sentence agreement of one to four, plus two, which in our estimate will be still considerably less than what he would serve if convicted in the Federal system.

Defense attorney informed me this morning that the Defendant declined this offer and based on that, when we finish the hearing today, I'm going to refer this paperwork to the Federal U.S. Attorney who will prepare his fellow (Federal) complaint and if all goes smoothly, he should be picked up by the Feds on the exam date.

As to Defendant Number two, I informed counsel, Ms. Basen, that at this point I'm not prepared to make an offer because I'm trying to see what happened with Defendant number one. They do affect each other a little bit, so she informed me that she would like to proceed to exam.

THE COURT: And so noted and this way she preserves all of Mr. Fenderson's rights as well.

All right. First, to Ms. Barrett, having discussed this matter with her client, having heard the representations of the People on the record, one, are the representations consistent with your negotiations and, two, your client still wishes to conduct his exam; is that correct?

MS. BARRETT: Yes, that is correct, Your Honor.

THE COURT: All right, Mr. Morris, obviously you and every Defendant accused of an offense in the court of law in the State of Michigan has an absolute statutory right to have your preliminary examination and that is the form that is before the Court today. Below your printed name to the right and a little below, did you sign this document requesting your preliminary exam; is that correct, sir?

MR. MORRIS: Yes.

THE COURT: All right. And you've heard the representations of the People. Having discussed this matter with your attorney you wish to have this examination; is that correct?

MR. MORRIS: Yes.

THE COURT: All right. You understand the differences? I don't want to say the lesser of two evils but there is the — possibility of penalty in the State system, the possibility of penalty in the Federal system and this has been discussed with you; is that correct?

MR. MORRIS: Yes.

THE COURT: All right, I'm satisfied as to the right of the preliminary examination as to Mr. Richard Morris.

Defendant Morris also executed a form which indicated that he wanted to proceed with the preliminary examination, declining the plea offer extended by the state prosecutor.

In *Smith v United States*, 348 F.3d 545 (6th Cir. 2003), the Court of Appeals held:

A criminal defendant has a right to expect at least that his attorney will review the charges with him by explaining the elements necessary for the government to secure a conviction, discuss the evidence as it bears on those elements, and explain the sentencing exposure the defendant will face as a consequence of exercising each of the options available. In a system dominated by sentencing guidelines, we do not see how sentence exposure can be fully explained without completely exploring the ranges of penalties under likely guideline scoring scenarios, given the information available to the defendant and his lawyer at the time (emphasis added). See *United States v Day*, 969 F. 2d 39, 43 (3d Cir. 1992)

At the time of the Pre-Exam, March 3, 2004, Defendant was charged at the state court level with Felon in Possession of Firearm, Possession with Intent to Distribute Marijuana and Felony Firearm. Defendant Morris was advised of his potential federal guidelines on similar charges. Only after Defendant's case was referred for federal prosecution was a violation of 18 U.S.C. 924(c), Possession of a Firearm in Furtherance of a Drug Trafficking Crime, which carries with it a mandatory minimum of 5 years to life, consecutive to the underlying offense, added as a criminal

violation. Defendant was properly advised of his potential federal sentencing exposure at the time of the pre-exam hearing at the state court level.

The decision whether to go to trial or to accept the offered plea was made by Defendant Morris. Even if there had been further discussions concerning the potential sentence between Defendant Morris and Attorney Barrett, there is no basis on which to believe that Defendant Morris would have changed his position, from a profession of innocence to acceptance of a guilty plea to a felony charge. To this day, Defendant Morris continues to maintain his innocence to the charges.

Moreover, as evidenced by the transcript of the pre-exam hearing, Attorney Abed Hammoud from the Wayne County Prosecutor's Office, clearly indicated on the record that "Defendant Number One (Defendant Morris), Federal guideline, they estimated up to this point by Assistant U.S. Attorney John O'Brien was 62 to 68 months on the minimum...." Even if Attorney Barrett's advice was deficient or lacking, Defendant Morris was put on notice by Attorney Hammoud's remarks in open court. Attorney Hammoud indicated that Defendant Morris would be facing greater penalties under the federal sentencing guidelines.

Defendant Morris was sufficiently aware of the comparative sentence to make an informed decision to reject the state's plea offer. Defendant Morris voluntarily rejected the state offer, with full knowledge of the ramifications. The representation of his counsel did not "fall below an objective standard of reasonableness" nor was it "objectively deficient". It is not apparent from Defendant Morris' actions that but for counsel's erroneous advice there is a reasonable probability that Defendant Morris would have accepted a plea. There is no evidence to support Defendant Morris' contention that he was denied effective assistance of legal counsel.

Conclusion

Defendant Morris' motion to remand must be denied. The requested relief is beyond the scope of authority vested in this court. Further, although Defendant Morris' claim of ineffective assistance of counsel does not appear to be supported on the facts of this case, this court does not have jurisdiction to review Defendant Morris' claim of ineffective legal assistance by his counsel at the state court level. Defendant Morris is not entitled to an evidentiary hearing in this matter, as the discretion to offer a plea in a state criminal case is wholly within the discretion of the presiding court, and this court lacks jurisdiction to review that decision.

Wherefore, the Government respectfully requests that Defendant Morris' motion to remand this case to the state court for entry of guilty plea in accordance with original plea offer and request for evidentiary hearing be denied.

Respectfully submitted,

CRAIG S. MORFORD
United States Attorney

s/Susan E. Gillooly (P41908)
Assistant United States Attorney
211 W. Fort St., Suite 2001
Detroit, Michigan 48226
(313) 226-9577
E-mail: susan.gillooly@usdoj.gov

Dated: September 21, 2004

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2004, I electronically filed the foregoing document with the Clerk of the Court using the ECF system.

I further certify that I have mailed by United States Postal Service the document to the following non-ECF participant:

Jeffrey Butler
Attorney for Defendant
2057 Orchard Lake Road
Sylvan Lake, MI 48320

s/Susan E. Gillooly P41908
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
Phone: (313) 226-9577
E-mail: susan.gillooly@usdoj.gov

7-19-04

RICHARD R. MORRIS ad 3-5-81

Document Name: x

D36 36 FELONY 07/19/2004 CASE STATUS CLOSED DEF 1 OF 2
CASE # 04057054 01 NAME MORRIS,RICHARD LPD 597534
D36 04057054 01 PR# 04404929 01 AGCY DPNAR SID MORRIS,RICHARD,
J A I L / B A I L S T A T U S A T T O R N E Y S D I S P O S I T I O N
JUDGE LOCKHART, DATE 02/25/2004 A DEF GOOD,BERLIND DISPOSED ON 03/08/2004
TYPE 10% BOND AMNT 30000 PRO BROWNE,REBEC
LOCN BND # BDJ DISMISSED CT ORDR
APP

DOB: 06/05/1981

CHGS/RESULTS	FILINGS/RESULTS	PROCEEDING	DATE	JUDGE	RESULT
33374012D3	D 01 03/08/2004	INITIATE	02/25/2004	NONE ASSGN	D36 PRX
DEL/MANUF/MRJN	ASSGN COUNSL FL	WARRANT	02/25/2004	PROSECUTOR	RECOMME
750224F	D 01 03/08/2004	WARRANT	02/25/2004	BAYLOR	SIGNED
FA POSS BY FLN	D W/O PREJUD SF	ARR-WRNT	02/25/2004	LOCKHART,	MUTE N/
750227B-A	D 01	PRE EX H	03/03/2004	MCCREE	HELD
FELONY FIREARM		EXAM	03/08/2004	ADAMS,D	DISMISS

Bottom

Date: 07/19/2004 Time: 9:36:31 AM

STATE OF MICHIGAN Third Judicial Circuit Court	PETITION AND ORDER FOR COURT APPOINTED ATTORNEY (FELONY CASES ONLY)	CASE NO. District Court _____ Circuit/Prec. _____
The People Of <input type="checkbox"/> The State of Michigan <input checked="" type="checkbox"/> <u>PRE-EXAM HVC</u>	Defendant Name, Address and Telephone No. <u>821-2678</u> <u>MORIS, RICHARD</u> NAME <u>2544 CADILLAC</u> TELEPHONE NUMBER ADDRESS	
O.I.C. <u>202 PM</u> Telephone <u>1-800-955-5879</u>	SID/LPD <u>597534</u> DOB <u>3-5-81</u> Code/endants	
Charge <u>Pre-Exam</u> Maximum <u>3-3-04</u> <input type="checkbox"/> Exempt Conference <u>3-3-04</u> <input type="checkbox"/> AOI Next hearing: <u>3-8-04</u> <input type="checkbox"/> PT Date <input type="checkbox"/> Trial	Bail Amount: \$ <u>30,000</u> 10% Not In <input checked="" type="checkbox"/> Custody In <input type="checkbox"/> Custody	

PETITION

The defendant requests a court appointed attorney and submits the following information:

1. Residence <input type="checkbox"/> Rent <input type="checkbox"/> Own <input type="checkbox"/> Live with parents <input type="checkbox"/> Room/Board	2. Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Dependents: _____ <input type="checkbox"/> Married <input type="checkbox"/> Separated Number
3. Employer Name and Address Name _____ Address _____	4. Length of Employment Average Pay _____ <input type="checkbox"/> weekly <input type="checkbox"/> monthly Gross: \$ _____ Net: _____ <input type="checkbox"/> every two weeks
5. Other income and assets. State monthly amount and source. (DSS, VA, rent, pensions, spouse, unemployment, etc.)	6. Obligations* Itemize monthly rent, installment payments, mortgage payments, child support, etc.
7. Reimbursement I understand that I may be ordered to reimburse the court for all or part of my attorney and defense costs.	
8. Verification I declare under penalty of contempt of court that the above information is true to the best of my information, knowledge and belief. Date: <u>02-25-04</u> Signature: <u>Richard Morris</u>	

DISTRICT FELONY CASES

Judge's Signature

Bar #

32090

Date

2-25-04

ORDER

A Petition for Appointment of Counsel having been filed by the defendant and said Petition having been considered by the court, the court finds that the defendant is without means to secure counsel in said cause.

9. <u>Yvonne Barrett</u> <u>58142</u> is appointed to represent the defendant. Attorney's Name Bar #
THE DEFENDANT SHALL REIMBURSE THE COURT AT THE RATE OF _____
10. <u>Donny</u> <u>39999</u> <u>2-26-04</u> Judge's Signature Bar # Date

APPEARANCE

I hereby enter my appearance for the above-named defendant.

Print Name _____	Bar # _____
Address _____	Telephone No. <u>964-8095</u> ✓

WAYNE COUNTY CIRCUIT COURT - CRIMINAL DIVISION
FEE SCHEDULE FOR ASSIGNED COUNSEL
 (Effective for assignments made on or after December 1, 1998)

I. CRIMINAL CASES IN THE TRIAL COURT - GRADUATED, EVENT-BASED SCHEDULE

SENTENCE (MONTHS)

EVENT	24-60	84-120	160-240	LIFE MAX	NATURAL LIFE
Preliminary Examination	90	110	130	190	250
Arraignment on Information	40	50	60	80	100
Investigation & Prep	110	140	170	210	270
Plea	110	140	170	210	260
Motion	60	70	90	110	140
Calendar Conference				60	60
Hearings, half day				100	100
Hearings, full day				200	200
Final Conference	40	50	60	80	100
Trial, Half Day	90	110	130	160	210
Trial, Full Day	180	220	260	320	420
Sentence	60	70	90	110	140

MISCELLANEOUS EVENTS

Jail Visit:	\$ 50 (One per non-capital and two per capital case approved by Chief Judge)
Calendar Conference:	\$ 50
Evidentiary & Walker Hearings:	\$ 80 Half \$ 160 Full
All Adjourned Hearings:	One half of regular fee (unless adjourned by Defense)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

CRIM. NO. 04-80200

v.

HON. ARTHUR J. TARNOW

RICHARD R. MORRIS

Defendant,

UNITED STATES
ATTORNEY'S OFFICE
EASTERN MICHIGAN
2004 NOV 17 A 11:56

AFFIDAVIT OF ABED HAMMOUD

I, Abed Hammoud, duly sworn, do state the following:

1. Commencing in January 2004 until the present, I have acted as Project Coordinator for the Project Safe Neighborhoods Initiative on behalf of the Wayne County Prosecutor's Office.
2. On or about February 25, 2004, I became involved with the matter entitled People v Richard Morris, Wayne County Case No. 04-57054.
3. On February 26, 2004, I spoke with Assistant United States Attorney John O'Brien, and discussed the possible federal sentencing guidelines the Defendant would face if his case was transferred for Federal prosecution.
4. AUSA O'Brien advised that in the event Defendant's case was transferred to the federal government, under the Project Safe Neighborhoods Program, Defendant could face federal guidelines of approximately 62-68 months imprisonment.

5. On February 27, 2004, I advised Defendant's attorney, Yvette M. Barrett of the state plea offer made to Defendant, and the federal guideline range applicable to Defendant's case, should it be referred for federal prosecution.
6. On March 3, 2004, a pre-examination was held before the Honorable Wade Harper McCree, Wayne County Circuit Court. Defendant was represented at the hearing by Attorney Yvette M. Barrett. I appeared on behalf of the Wayne County Prosecutor's Office.
7. Defendant was advised on the record of the state plea offer which was a guilty plea to possession and delivery of marijuana plus felony firearm, dismissal of the remainder of the charges, with a sentence agreement of one to four, plus two, and the potential federal guidelines. Judge McCree questioned Defendant concerning his understanding of the state and federal sanctions. Defendant elected to proceed with the preliminary examination and reject the state plea offer.
8. On March 5, 2004, given the Defendant's indication that he would not accept the proposed plea offer, or plead to anything, Defendant's case was referred for federal prosecution pursuant to the Project Safe Neighborhoods Initiative.
9. At no time during my involvement in this matter did Defendant, or his counsel, request an extension of time to consider the state plea offer or the consequences of a federal referral.
10. An extension of time would have been granted, if sought by Defendant or his counsel, to allow Defendant additional time to consider the plea offer to the state charges and avoid the case being referred for federal prosecution.
11. The decision to prosecute and the proposed plea offer for the Defendant were made solely by the Wayne County Prosecutor's Office. There is no agreement between the Wayne County

Prosecutor's Office and the Federal Government which requires that cases be transferred or referred for Federal Prosecution.



ABED HAMMOUD
Wayne County Prosecutor
Coordinator - PSN Program
Wayne County Prosecutor's Office
1441 St. Antoine
Detroit, MI 48226
(313) 224-8368

Dated: 11-16-04

<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. RICHARD MORRIS 2544 CADILLAC DET. MI.	22	M	BLK	03/05/81
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. COREY FENDERSON 10185 SOMERSET DET. MI.	17	M	BLK	09/18/86
<input type="checkbox"/>	<input type="checkbox"/>	3.				
<input type="checkbox"/>	<input type="checkbox"/>	4.				

OFFENSE (TO BE FILED IN BY PROSECUTOR)

TIME 1:45PM	DATE OF OFFENSE 02/24/2004	PLACE OF OFFENSE 9330 CUTLER	DATE OF COMPLAINT 02/25/2004	COURT FILE NUMBER	JACKET NUMBER
COMPLAINANT'S NAME P.O. 5-Ncu	ADDRESS WITH N/B	ZIP CODE	SEX	AGE	D.O.B.
OTHER PENDING CHARGES				RACE	RELATION TO DEF.
PERSON TO SIGN Information And Belief			ASSISTANT PROSECUTING ATTORNEY		

Description of Offense and Investigation: include Date, Time and Circumstance of Arrest and Medical Attention administered to Officers, Defendants and Complainants. Continue on Page 2 if necessary.

On the above date and time a search warrant was executed at the above location. Upon arrival to the location purpose and presence was announced and entry was then forced. Upon entry several person's were observed in the diningroom area. A rifle was then observed near the above perps who were frozen at that time. The above perps along with 5 other misd. arrests were all arrested for Entering Without Permission. A search of the above perps revealed that both perps were in possession of numerous packets of marijuana which were packaged for selling purpose's. None of the misd. arrests possessed contraband. The firearm was recovered approx. 1 foot from the perps feet as they sat at a table. The rifle was loaded with 1 round in the chamber and 24 rounds in the magazine which was attached to the rifle. Additional rounds and paraphernalia was also confiscated from the location. Both perps were arrested and advised.

WITNESSES:

Sgt. Rodger Johnson, S-858; will testify to O.I.C. DUTIES.

P.O. Jason Kleinsorge, 2966, will testify to conf. marijuana from perp#2 and arresting same.

P.O. Heshimu Green, 4542, will testify to conf. marijuana from perp#1 and arresting same.

P.O. Sheron Johnson, 4610, Will testify to being affiant of search warrant.

P.O. Kareem Wheeler, 314, Will testify to confiscating rifle and additional rounds.

EVIDENCE: LSF#N00140604, baggie cont. 18 individual z/l's of marijuana(perp#1)

LSF#N00141104, baggie cont. 15 individual z/l's of marijuana(perp#2)

ET#E02490504, numerous empty z/l's(P.O. Green) ET#E02490104, 2 boxes of .22 cal. rounds.(P.O. Wheeler)

ET#E02490004, magazine w/25 live rds.(P.O. Wheeler)

ET#E02490404, .22 cal., Ruger, w/ scope, brown wood stock, ser#238-08880. (P.O. Wheeler)

(SIGNATURE OF INVESTIGATING OFFICER)
Sheron Johnson

REVIEWED AND
APPROVED BY

(SIGNATURE OF ASSISTANT PROSECUTING ATTORNEY)

District of Bureau

WAYNE COUNTY
JACKET NUMBER PROSECUTING ATTORNEY'S COMPLAINT NUMBER
RECOMMENDATIONS

<input type="checkbox"/> MISDEMEANOR	<input checked="" type="checkbox"/> FELONY	IN CUSTODY?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	PRECINCT (DETROIT)	DATE
I <input type="checkbox"/> DENY <input type="checkbox"/> RECOMMEND THE ISSUING OF A WARRANT AGAINST:		AGE	SEX	RACE	D.O.B.	IDENT. NO.
NAME		ADDRESS				
Richard Morris 2544 Cadillac Det. Mi.		22	M	BLK	03/05/81	
COREY FENDERSON 10185 SOMERSET DET. MI.		17	M	BLK	09/18/86	

REPORT ON
Execution of Search Warrant

PRELIMINARY COMPLAINT REPORT
ASSIGNED TO NAME AND BADGE
Sgt. Rodger Johnson Jr. S-858

T-580 P.004

F-525

INCIDENT NO
04-022977

COMPLAINT NO
04-747

PLACE OF OCCURRENCE
☐ ON STR 9330 Cutler

NAME & TYPE OF BUSINESS
Single family dwelling
TYPE OF BLDG (APT, HOTEL, PRIV RES, ETC)
Priv Res/Street

OCCURRED ON OR BTW	DATE 2/24/04	DAY TUE	TIME 1:45 PM
AND			
REPORTED TO POLICE			

CENSUS
DAY 5138
SCA
5-8A

PERSON REPORTING OFFENSE
Writer

TITLE

ADDRESS

PHONE

AGE

R/S

COMPLAINANT'S NAME
Sgt. R. Johnson And SNEU

ADDRESS

PHONE

AGE

R/S

WAS COMP WORKING
YES

IF YES BUS NAME & ADDR
Police

WAS COMP INJ?
NO

METHOD OF ENTRY
☐ UNK Front Door
NO OF PERPETRATORS
☐ UNK 2

METHOD OF ESCAPE
☐ UNK None

DESCRIBE WEAPON
☒ UNK

DESCRIBE:

SEX
MALE

AGE
ADULT

RACE
BLACK

VALUE:

VICTIM PERP RELATIONSHIP
STRANGERS

UNITS NOTIFIED

TIME:

DATE:

WERE THE FOLLOWING SOLVABILITY FACTORS PRESENT IN THIS INCIDENT?

ARRESTS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DESCRIPTIONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WITNESSES <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	LICENSE NUMS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
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A-(1) Richard Raymone Morris b/m/22 dob. 3-5-81 of 2544 Cadillac. SSN:3657091464. 5'11" 150bs. Wearing: blk jeans, and a grey hooded sweatshirt.

(2) Corey Lamont Fenderson b/m/17 dob. 9-18-86 of 10185 Somerset. SSN:UNK. 5'6" 160lbs. Wearing: blk jacket and blue jeans.

S- Execution of a Search Warrant.

C-On the above date and time writer was the OIC for the above operation. Writer led crew to the above location to execute a search warrant. At the scene, writer announced presence and purpose and ordered entry into the above location. Inside the location the above 2 subjects were sitting at the diningroom table. Both subjects were frozen and ordered to the floor by the shotgun man P.O. Green. Writer observed a rifle on the floor under the diningroom table in open view and alerted the raid team. Writer observed P.O. Wheeler confiscated the gun as the remainder of the dwelling was being cleared. Once the dwelling was cleared and secured an investigation was conducted. No persons inside the location live there or were able to ascertain who was the owner of the dwelling. All persons were arrested for EWOP for entering the location without permission from the owner. Subsequent to the arrest the above 2 subject were both found to have a large amount of narcotics on their persons. The above 2 subjects were advised and arrested for VCSA/POFF. Both subjects were conveyed to the 5th pct for processing. 5 misd. tickets were issued at the location. Persons were released with dates to appear in court.

REPORTING OFFICER Rodger Johnson Jr. SIGNATURE:	OTHER OFFICERS	BADGE	COMMAND	FUR
BADGE S858	COMMAND NB	ASSGN SNEU	FUR WT	
SUPERVISOR CHECKING REPORT Rodger Johnson	RANK Sgt	SIGNATURE		ENT COMP

REPORT ON
Execution of Search Warrant

ASSIGNED TO NAME AND BADGE
Sgt. Rodger Johnson Jr. S-858

T-580 P.005
INCIDENT NO
04-022977

F-525
COMPLAINT NO
07-743

PLACE OF OCCURRENCE

☐ ON STR 9330 Cutler

NAME & TYPE OF BUSINESS

Single family dwelling

TYPE OF BLDG (APT, HOTEL, PRIV RES, ETC)

Priv Res/Street

OCURRED ON OR BTW	DATE 2/24/04	DAY TUE	TIME 1:45 PM
AND			
REPORTED TO POLICE			

CENSUS
DAY
5138
SCA
S-8A

PERSON REPORTING OFFENSE

Writer

TITLE

ADDRESS

PHONE

AGE

R/S

COMPLAINANT'S NAME

Sgt. R. Johnson And SNEU

ADDRESS

PHONE

AGE

R/S

WAS COMP WORKING

YES

IF YES BUS NAME & ADDR

Police

WAS COMP INJ?

NO

METHOD OF ENTRY

☐ UNK Front Door

METHOD OF ESCAPE

☐ UNK None

DESCRIBE WEAPON

☒ UNK

NO OF PERPETRATORS

☐ UNK 2

DESCRIBE:

SEX

MALE

AGE

ADULT

RACE

BLACK

VALUE:

VICTIM PERP RELATIONSHIP

STRANGERS

UNITS NOTIFIED

TIME:

DATE:

WERE THE FOLLOWING SOLVABILITY FACTORS PRESENT IN THIS INCIDENT?

ARRESTS

☒ YES

☐ NO

DESCRIPTIONS

☒ YES

☐ NO

WITNESSES

☒ YES

☐ NO

LICENSE NUMS

☐ YES

☒ NO

EVIDENCE

☒ YES

☐ NO

A-(1)Richard Raymone Morris b/m/22 dob. 3-5-81 of 2544 Cadillac. SSN:3657091464. 5'11" 150bs. Wearing: blk jeans, and a grey hooded sweatshirt.

(2)Corey Lamont Fenderson b/m/17 dob. 9-18-86 of 10185 Somerset. SSN:UNK. 5'6" 160lbs. Wearing: blk jacket and blue jeans.

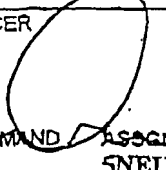
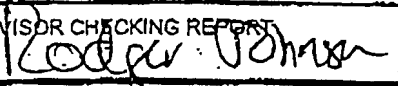

S- Execution of a Search Warrant.

C-On the above date and time writer was the ram-man for the above operation. At the above location, the OIC announced presence and purpose and ordered writer to force entry. Writer complied and entry was made into the above location. Inside the above location the above 2 subjects were frozen sitting at a dining room table. Writer was alerted by the OIC of a gun that was under the dining room table in open view. P.O. Green ordered the above 2 subject away from the table and to the floor. Writer then immediately recovered the weapon from under the table (which was on a foot or two away from the feet of where the above 2 def's were sitting). Writer held weapon in custody until the premises was cleared and secured. Writer then cleared and secured the weapon holding same for prints. The weapon along with the magazine and 25 live rounds were all placed on evidence. Writer also confiscated some additional ammo from off the diningroom table and placed on evidence.

T- ET#E02490104 (1) 22 cal. Ruger Rifle w/ tasco scope/ brown wood stock ser#23808880

ET#E02490004 (1) magazine cont' 25live rounds (from above weapon)

ET#E02490104 (2) boxes of 22 cal rounds.

REPORTING OFFICER Kareem Wheeler SIGNATURE: 	OTHER OFFICERS	BADGE	COMMAND	FUR
BADGE 314	COMMAND NB	ASSGN SNEU	FUR WT	
SUPERVISOR CHECKING REPORT 	RANK Sgt	SIGNATURE 		ENT COMP

REPORT ON
Execution of Search Warrant

PRELIMINARY COMPLAINT REPORT
ASSIGNED TO NAME AND BADGE
Sgt. Rodger Johnson Jr. S-858

I-580 P.006

F-525

INCIDENT NO
04-022977

COMPLAINT NO
04-747

PLACE OF OCCURRENCE
☐ ON STR 9330 Cutler

NAME & TYPE OF BUSINESS
Single family dwelling
TYPE OF BLDG (APT. HOTEL, PRIV RES. ETC)
Priv Res/Street

OCCURRED	DATE	DAY	TIME
ON OR BTW	2/24/04	TUE	1:45 PM
AND			
REPORTED TO POLICE			

CENSUS
DAY 5138
SCA
580

PERSON REPORTING OFFENSE	TITLE	ADDRESS	PHONE	AGE	R/S
Writer					

COMPLAINANT'S NAME	ADDRESS	PHONE	AGE	R/S
Sgt. R. Johnson And SNEU				

WAS COMP WORKING YES	IF YES BUS NAME & ADDR Police	WAS COMP INJ? NO
METHOD OF ENTRY <input type="checkbox"/> UNK Front Door NO OF PERPETRATORS <input type="checkbox"/> UNK 2	METHOD OF ESCAPE <input type="checkbox"/> UNK None DESCRIBE: SEX MALE	DESCRIBE WEAPON <input checked="" type="checkbox"/> UNK VALUE:
	AGE ADULT	RACE BLACK

VICTIM PERP RELATIONSHIP STRANGERS	UNITS NOTIFIED	TIME:	DATE:
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WERE THE FOLLOWING SOLVABILITY FACTORS PRESENT IN THIS INCIDENT?

ARRESTS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DESCRIPTIONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WITNESSES <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	LICENSE NUMS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	---	--	---	---

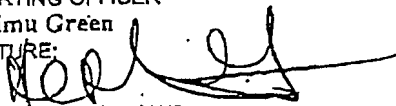

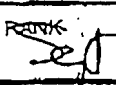
A-(1)Richard Raymone Morris b/m/22 dob. 3-5-81 of 2544 Cadillac. SSN:3657091464. 5'11" 150bs. Wearing: blk jeans, and a grey hooded sweatshirt.

(2)Corey Lamont Fenderson b/m/17 dob. 9-18-86 of 10185 Somerset. SSN:UNK. 5'6" 160lbs. Wearing: blk jacket and blue jeans.

S- Execution of a Search Warrant.

C-Writer was the shotgun man for the above operation. Once inside the location, writer observed the above 2 subjects sitting at the diningroom table [subject #1 was to the north of the table (closest to the front door) and Subject# 2 was on the west side of the table (right side of def#1)]. Writer froze the above 2 subjects while the OIC alerted members of the team of a gun under the table. Writer ordered the above subjects to the floor away from the table observing a long gun in open view. P.O. Wheeler confiscated the gun as writer cont' to clear the remainder of the dwelling. Once the premises was secured the above subjects were investigated. All the subjects were inside the location without permission from the owner. Writer conducted a pat down on the above subject #1 confiscating out of the center pocket of the above def hooded sweatshirt a plastic bag cont 18 z/l's of marijuana. The above subject was placed under arrest and conveyed to the 5th pct for processing. Writer also confiscated narcotics paraphernalia from off the living room couch.

T-LSF#N00140604 (1) knotted plastic bag cont 18 z/l's of marijuana.
ET#E02490504 numerous empty z/l's (narcotics paraphernalia)

REPORTING OFFICER Heshimu Green SIGNATURE: 	OTHER OFFICERS	BADGE	COMMAND	FUR
BADGE 4542	COMMAND NB	ASSGN SNEU	FUR WT	
SUPERVISOR CHECKING REPORT 	SIGNATURE 	ENT COMP		

REPORT ON
Execution of Search Warrant

ASSIGNED TO NAME AND BADGE
Sgt. Rodger Johnson Jr. S-858

1-380 P. 001/028 F-525
INCIDENT NO

04-022977

04-747

PLACE OF OCCURRENCE

☐ ON STR 9330 Cutler

OCCURRED ON OR BTW	DATE 2/24/04	DAY TUE	TIME 1:45 PM
AND			
REPORTED TO POLICE			

CENSUS
5138
SCA
5-84

NAME & TYPE OF BUSINESS

Single family dwelling

TYPE OF BLDG (APT. HOTEL, PRIV RES, ETC)

Priv Res/Street

PERSON REPORTING OFFENSE

Writer

TITLE

ADDRESS

PHONE

AGE

R/S

COMPLAINANT'S NAME

Sgt. R. Johnson And SNEU

ADDRESS

PHONE

AGE

R/S

WAS COMP WORKING

YES

IF YES BUS NAME & ADDR

Police

WAS COMP INJ?

NO

METHOD OF ENTRY

☐ UNK Front Door

METHOD OF ESCAPE

☐ UNK None

DESCRIBE WEAPON

☒ UNK

NO OF PERPETRATORS

☐ UNK 2

DESCRIBE:

SEX

MALE

AGE

ADULT

RACE

BLACK

VALUE:

VICTIM PERP RELATIONSHIP

STRANGERS

UNITS NOTIFIED

TIME:

DATE:

WERE THE FOLLOWING SOLVABILITY FACTORS PRESENT IN THIS INCIDENT?

ARRESTS

☒ YES

☐ NO

DESCRIPTIONS

☒ YES

☐ NO

WITNESSES

☒ YES

☐ NO

LICENSE NUMS

☐ YES

☒ NO

EVIDENCE

☒ YES

☐ NO

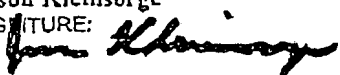


A-(1)Richard Raymone Morris b/m/22 dob. 3-5-81 of 2544 Cadillac. SSN:3657091464. 5'11" 150bs. Wearing: blk jeans, and a grey hooded sweatshirt.

(2)Corey Lamont Fenderson b/m/17 dob. 9-18-86 of 10185 Somerset. SSN:UNK. 5'6" 160lbs. Wearing: blk jacket and blue jeans.

S- Execution of a Search Warrant.

C-On the above date and time writer was a member of the entry team. Inside the location, the above subjects were frozen and ordered to the diningroom floor by the shotgun man. Once the premises was cleared and secured, writer assisted on the investigation. The above subjects were unable to ascertain who lived at the above location. The above subjects were arrested for EWOP. During the investigation the above subject #2 stated to writer "I got weed in my pocket". Further investigation, writer confiscated a plastic bag cont marijuana from the def front right pant pocket. The above subject was arrested for VCSA and POFF and conveyed to the 5th pct for processing due to a gun that was confiscated by P.O. Wheeler.

T-LSF#N00141104 (1) knotted plastic bag cont 15 z/l's of marijuana.

REPORTING OFFICER Jason Kleinsorge SIGNATURE: 	OTHER OFFICERS BADGE COMMAND FUR			
BADGE 2966 COMMAND NB ASSGN SNEU FUR WT	SUPERVISOR CHECKING REPORT 	RANK Sgt	SIGNATURE 	ENT COMP

REPORT ON
Execution of Search Warrant

PRELIMINARY COMPLAINT REPORT
ASSIGNED TO NAME AND BADGE
Sgt. Rodger Johnson Jr. S-858

INCIDENT NO

COMPLAINT NO

04-022977

04-747

PLACE OF OCCURRENCE

☐ ON STR 9330 Cutler

OCCURRED DATE DAY TIME
ON OR BTW 2/24/04 TUE 1:45 PM

DAY

CENSUS

5138

NAME & TYPE OF BUSINESS

Single family dwelling

TYPE OF BLDG(APT. HOTEL, PRIV RES. ETC)

Priv Res/Street

AND

REPORTED

TO POLICE

SCA

5-8A

PERSON REPORTING OFFENSE

TITLE

Writer

ADDRESS

PHONE

AGE

R/S

COMPLAINANT'S NAME

ADDRESS

PHONE

AGE

R/S

Sgt. R. Johnson And SNEU

WAS COMP WORKING

YES

IF YES BUS NAME & ADDR

Police

WAS COMP INJ?

NO

METHOD OF ENTRY

☐ UNK Front Door

METHOD OF ESCAPE

☐ UNK None

DESCRIBE WEAPON

☒ UNK

NO OF PERPETRATORS

DESCRIBE:

SEX

AGE

RACE

VALUE:

☐ UNK 2

MALE

ADULT

BLACK

VICTIM PERP RELATIONSHIP

UNITS NOTIFIED

TIME:

DATE:

STRANGERS

WERE THE FOLLOWING SOLVABILITY FACTORS PRESENT IN THIS INCIDENT?

ARRESTS

DESCRIPTIONS

WITNESSES

LICENSE NUMS

EVIDENCE

☒ YES

☐ NO

☒ YES

☐ NO

☒ YES

☐ NO

☐ YES

☒ NO

☒ YES

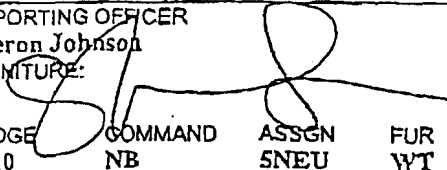


☐ NO

A-(1)Richard Raymone Morris b/m/22 dob. 3-5-81 of 2544 Cadillac. SSN:3657091464. 5'11" 150bs. Wearing: blk jeans, and a grey hooded sweatshirt.

(2)Corey Lamont Fenderson b/m/17 dob. 9-18-86 of 10185 Somerset. SSN:UNK. 5'6" 160lbs. Wearing: blk jacket and blue jeans.

S- Execution of a Search Warrant.

C-Writer, the affiant of the search warrant was a member of SNEU arrest/raid team. Writer was assigned to outside security. Writer secured the outer perimeter of the location. Writer made no arrest or confiscation

REPORTING OFFICER Sheron Johnson SIGNATURE: 	OTHER OFFICERS	BADGE	COMMAND	FUR
BADGE 4610	COMMAND NB	ASSGN SNEU	FUR WT	
SUPERVISOR CHECKING REPORT 	RANK Sgt	SIGNATURE 	ENT COMP	

REQUEST FOR LABORATORY SERVICE

CONTROLLED SUBSTANCES ONLY

2333216

DATE: 2.24.04		INCIDENT NUMBER: 04-022977	
REQUESTED BY: SGT. RODGER JOHNSON	BADGE: S-858	COMMAND/ORIGINATING AGENCY: NB	LOCK SEAL FOLDER NUMBER: NO0140604
COMPLAINANT: (ATTACH CASE DRAFT OR P.C.R.) P.O. Heshimu Green		COMMAND/COURT FILE NUMBER: 04-747	
DEFENDANT: (RECORD "ET AL." AFTER NAME TO INDICATE MULTIPLE DEFENDANTS) Richard Morris E.T.A.L.		CRIME: NCSA	
CRIME LOCATION: 9330 CUTLER			

EVIDENCE TAG NUMBER:	ARTICLE SUBMITTED: 1 Knotted Plastic cont	WORK REQUESTED: DRUG ANALYSIS
EVIDENCE TAG NUMBER:	ARTICLE SUBMITTED: 18 2/1s cont Marijuana	WORK REQUESTED: DRUG ANALYSIS

TO CRIME LABORATORY SECTION BY: COMMAND:	RECEIVED AT LAB BY:	DATE:
		TIME:
CRIME LAB CHEMIST/TECHNICIAN OR EVIDENCE TECHNICIAN:	BADGE:	LAB NUMBER:

PRELIMINARY ANALYSIS

EVIDENCE TAG:	HEROIN	COCAINE	MARIJUANA	PILLS
36.0 APPROXIMATE WEIGHT OF EVIDENCE: GRAMS	MECKE-MARQUIS SPOT TEST POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/> EXTRACTION POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	TRAVNIKOFF FIELD TEST POSITIVE FOR COCAINE <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	MODIFIED DUQUENOIS TEST POSITIVE FOR MARIJUANA <input checked="" type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	IS THE SUBSTANCE CONTROLLED? YES <input type="checkbox"/> NO <input type="checkbox"/> TYPE OF SUBSTANCE LISTED IN P.D.R.
EVIDENCE TAG:	HEROIN	COCAINE	MARIJUANA	PILLS
APPROXIMATE WEIGHT OF EVIDENCE: GRAMS	MECKE-MARQUIS SPOT TEST POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/> EXTRACTION POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	TRAVNIKOFF FIELD TEST POSITIVE FOR COCAINE <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	MODIFIED DUQUENOIS TEST POSITIVE FOR MARIJUANA <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	IS THE SUBSTANCE CONTROLLED? YES <input type="checkbox"/> NO <input type="checkbox"/> TYPE OF SUBSTANCE LISTED IN P.D.R.

EVIDENCE RECEIVED BY: PRELIMINARY ANALYSIS BY:	DATE	TIME
RANK PO NAME NAME BADGE 2740 FURLOUGH	2.24.04	1200 HRS

SECTION 5 OF PUBLIC ACT 35 OF 1994 (FORENSIC LABORATORY FUNDING ACT) STATES:

- (1) THE INVESTIGATING OFFICER OF EACH CRIMINAL CASE BEING ADJUSTED SHALL ADVISE THE PROSECUTING ATTORNEY IF A FORENSIC LABORATORY HAS CONDUCTED A FORENSIC TEST IN THE CASE.
- (2) THE PROSECUTING ATTORNEY SHALL EXAMINE THE CASE AND NOTIFY THE COURT THAT A FORENSIC LABORATORY HAS CONDUCTED A FORENSIC TEST IN THE INVESTIGATION OF THE CASE BEFORE THE COURT.

THIS DOCUMENT SERVES AS NOTIFICATION THAT THE DETROIT POLICE DEPARTMENT CRIME LABORATORY SECTION HAS BEEN REQUESTED TO CONDUCT A FORENSIC TEST IN THE MATTER DESCRIBED ABOVE.

DPD 320A

DISTRIBUTION: Command Court File(s)
Lock Seal Envelope



REQUEST FOR LABORATORY SERVICE

CONTROLLED SUBSTANCES ONLY

233093

DATE: 2-24-04	INCIDENT NUMBER: 04-022977		
REQUESTED BY: SGT. RODGER JOHNSON	BADGE: S-858	COMMAND/ORIGINATING AGENCY: NB	LOCK SEAL FOLDER NUMBER: N00141104
COMPLAINANT: (ATTACH CASE DRAFT OR P.C.R.) P.O. JASON KLEINSORGE			COMMAND/COURT FILE NUMBER: 04-747
DEFENDANT: (RECORD "ET AL" AFTER NAME TO INDICATE MULTIPLE DEFENDANTS) Corey Henderson 27. Ae.			CRIME: VCSA
CRIME LOCATION: 9330 CUTLER			

EVIDENCE TAG NUMBER:	ARTICLE SUBMITTED: 1 knated Plastic cont.	WORK REQUESTED: DRUG ANALYSIS	
EVIDENCE TAG NUMBER:	ARTICLE SUBMITTED: 15 2/1's cont marijuana	WORK REQUESTED: DRUG ANALYSIS	
TO CRIME LABORATORY SECTION BY: COMMAND:		RECEIVED AT LAB BY:	DATE:
CRIME LAB CHEMIST/TECHNICIAN OR EVIDENCE TECHNICIAN:		BADGE:	TIME:
LAB NUMBER:			

PRELIMINARY ANALYSIS

EVIDENCE TAG:	HEROIN	COCAINE	MARIJUANA	PILLS
30.0 APPROXIMATE WEIGHT OF EVIDENCE: GRAMS	MECHE-MARQUIS SPOT TEST POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/> EXTRACTION POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	TRAVNIKOFF FIELD TEST POSITIVE FOR COCAINE <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	MODIFIED DUQUENOIS TEST POSITIVE FOR MARIJUANA <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	IS THE SUBSTANCE CONTROLLED? YES <input type="checkbox"/> NO <input type="checkbox"/> TYPE OF SUBSTANCE LISTED IN P.D.R.
EVIDENCE TAG:	HEROIN	COCAINE	MARIJUANA	PILLS
APPROXIMATE WEIGHT OF EVIDENCE: GRAMS	MECHE-MARQUIS SPOT TEST POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/> EXTRACTION POSITIVE FOR HEROIN <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	TRAVNIKOFF FIELD TEST POSITIVE FOR COCAINE <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	MODIFIED DUQUENOIS TEST POSITIVE FOR MARIJUANA <input type="checkbox"/> INCONCLUSIVE <input type="checkbox"/>	IS THE SUBSTANCE CONTROLLED? YES <input type="checkbox"/> NO <input type="checkbox"/> TYPE OF SUBSTANCE LISTED IN P.D.R.

EVIDENCE RECEIVED PRELIMINARY ANALYSIS BY: RANK PO NAME CLARKY BADGE 2740 FURLOUGH	DATE 2.24.04	TIME 1700HRS
---	-----------------	-----------------

SECTION 5 OF PUBLIC ACT 35 OF 1994 (FORENSIC LABORATORY FUNDING ACT) STATES:

- (1) THE INVESTIGATING OFFICER OF EACH CRIMINAL CASE BEING ADJUSTED SHALL ADVISE THE PROSECUTING ATTORNEY IF A FORENSIC LABORATORY HAS CONDUCTED A FORENSIC TEST IN THE CASE.
- (2) THE PROSECUTING ATTORNEY SHALL EXAMINE THE CASE AND NOTIFY THE COURT THAT A FORENSIC LABORATORY HAS CONDUCTED A FORENSIC TEST IN THE INVESTIGATION OF THE CASE BEFORE THE COURT.

THIS DOCUMENT SERVES AS NOTIFICATION THAT THE DETROIT POLICE DEPARTMENT CRIME LABORATORY SECTION HAS BEEN REQUESTED TO CONDUCT A FORENSIC TEST IN THE MATTER DESCRIBED ABOVE.

DPD 320A

DISTRIBUTION Command/Court Files
Lock-Seal Envelope



CONSTITUTIONAL RIGHTS CERTIFICATE OF NOTIFICATION

MORRIS, RICHARD

I understand that:

- RM 1. I have a right to remain silent and that I do not have to answer any questions put to me or make any statements.
- RM 2. Any statement I make or anything I say will be used against me in a Court of Law.
- RM 3. I have the right to have an attorney (lawyer) present before and during the time I answer any questions or make any statement.
- RM 4. If I cannot afford an attorney (lawyer), one will be appointed for me without cost by the Court prior to any questioning.
- RM 5. I can decide at any time to exercise my rights and not answer any questions or make any statement.

I understand that these are my rights under the Law. I have not been threatened or promised anything, and I now desire and agree to answer any questions put to me or to make a statement.

In the presence of:

KAREEM WHEELER
WITNESS

X Refused
SIGNATURE

WITNESS

2-24-04 200 PM
DATE TIME

☒ This certificate of notification was read to the suspect, and he/she had an opportunity to read it. Further, the suspect was given an opportunity to ask any questions that he/she might have concerning this certificate and his/her rights.

☐ Suspect is illiterate. He/she has had the rights under the law, as defined above, explained to him/her, and has agreed to answer questions or make a statement.

☐ Suspect can read and write. The rights, as defined above, have been explained to him/her, and he/she has agreed to make a voluntary statement but has refused to sign this certificate.

REMARKS: SUBJECT STATED THAT HE CAN READ AND WRITE
COMPLETED THE 8th GRADE AT KLOE MIDDLE SCHOOL. WETTER
ADVISED SUBJECT OF HIS CONSTITUTIONAL RIGHTS.

2-24-04 205 PM
DATE TIME
9330 CUTTER
PLACE

[Signature]
OFFICER
48/000D
PCT./SECTION
OFFICER PCT./SECTION

LABORATORY ANALYSIS

LAB NO.

N04-0699

LOCK SEAL NO.

N00140604

Incident #04-022977

RECEIVED BY Smith	DATE 2/25/04	TIME 1:00 pm	DELIVERED BY R. Smith	PREC/SECT OCGD
REFERENCE Richard Morris				
CASE OFFICERS Johnson	PREC/SECT OCGD	TECHNICIAN ASSIGNED Hartzell	DATE STARTED 2/27/04	DATE COMPLETED 2/27/04
HOURS				

Sealed Evidence Envelope #N00140604 contained one (1) clear plastic bag which contained eighteen (18) clear plastic ziploc packets. Each packet contained plant material.

RESULTS

Two (2) packets were analyzed.
1.93 grams of marihuana (*Cannabis sativa*).

Patricia Hartzell
Patricia Hartzell
Chemistry Unit
Forensic Services

1.93 g + 1737

Precinct or Bureau

Conducted by

At

DETROIT POLICE DEPARTMENT
INTERROGATION RECORD

Ident. No.

Date

Time

You are advised of your constitutional right to remain silent; that you do not have to answer any questions which are put to you, and that anything you may say may be used against you in a court of law in the event of prosecution. You are further advised that you have a right to obtain counsel if you so desire.

I have been advised of my rights and have read the notification above.

Advised by:

Name

Nickname

Phone No.

Address

Yrs. at

Previous Address

Years in City

Age

DOB

Birthplace

Race

Sex

Height

Weight

Eye Color

Glasses

Type

CIRCLE APPROPRIATE DATA BELOW

BUILD

Thin
Very thin
Medium
Muscular
Heavy
Very heavy

MOUSTACHE, BEARD, ETC.

Beard
Eyebrows: heavy, bushy
Goatee
Mustache: heavy, medium
thin, Chinese
Sideburns
Unshaven

COMPLEXION

Dark
Light
Medium
Ruddy
Sallow
Olive

AMPUTATIONS

Arm: left, right
Ears: left, right
Fingers: left, right
Foot: left, right
Hand: left, right
Leg: left, right

HAIR COLOR

Black
Blonde
Brown
Light brown
Dyed
Gray
Partial gray
Red
White

NOSE

Broken
Broad
Crooked
Flat
Hooked
Large/small
Long
Thin
Upturned

TEETH

False
Gaps
Gold
Good
Irregular
Missing: lower, upper
Protruding
Stained/decayed
Chipped

FACIAL ODDITIES

Birthmark(s)
Chin: protrude, recede
Freckles
Lips: thick, thin
Moles
Pimples
Pockmarks
Hollow cheeks

HAIR TYPE

Bald, part. bald
Bushy
Crew/very short
Curly/wavy
Fod quo vadis
Kinky
Processed
Straight
Thin/receding
Long

SPEECH (During Crime)

Foreign/broken
Mexican/Spanish
Impediment
Rapid
Refined
Soft or low
Southern
Stutters
Vulgar/profane

FACIAL SCARS

Cheek: left, right
Chin
Ear: left, right
Eyebrow: left, right
Eye area: left, right
Forehead
Hare-lip
Lip: left, right
Nose
Pierced earlobes

EYE DEFECTS

Bulging
Cast: left, right
Cataracts
Crossed
Different colors
Eye missing
Squints/blinks
Slanted

BODY SCARS

Arm: left, right
Chest
Hand: left, right
Wrist: left, right

TYPE OF TATTOO

Initials
Names
Words/Phrases
Pictorial
Designs

TATTOOS

Arm: left, right
Chest/neck
Fingers: left, right
Hand: left, right
Pachuco

DEFORMITIES

Bow-legged
Cauliflower ears
Crippled arm: left, right
Crippled fingers: left, right
Crippled hand: left, right
Crippled leg: left, right

FOR USE IN NARCOTIC CASES

Drug used _____ Peddled _____ Possessed _____ When Started _____

Quantity per day _____ Cost per day _____ Previous Cures _____

Reason _____ Needlemarks _____

Sources _____ Board of Health Notified _____

DEDE05 23112

PAGE

01

A LEIN 123112 2582 02/24/04 1513 DETROITCMF1
MI82349C2PUR: C/VCSA RESPONSE TO INQUIRY ON SID: 2016261J
OPR: KLEINSORGE
FOR: KLEINSORGE/DE05
OCA: 9950035CRIMINAL HISTORY RECORD RESPONSES ARE DEPENDENT UPON CRIMINAL HISTORY RECORD
INFORMATION (CHRI) BEING REPORTED TO THE CENTRAL REPOSITORY.
USERS SHOULD CONTACT LOCAL CRIMINAL JUSTICE AGENCIES TO DETERMINE CHRI THAT
COULD BE IN LOCAL FILES.MICHIGAN CRIMINAL HISTORY RECORD INFORMATION MEETING DISSEMINATION CRITERIA
FOR SID: 2016261J AS OF 02-24-2004.

NAME: MORRIS/RICHARD/RAMONE/

RAC: B

SEX: M

DOB: 03-05-1981

SID: 2016261J

FBI: 731701KB5

HGT: 509

WGT: 140

HAI: BLK

III: MICHIGAN ONLY

EYE: BRO

POB: MI

DLN:

MNU:

NCIC FINGERPRINT CLASSIFICATION

FPC: PD PM PD PD 15 PI PD PI PI 10

PRN: 296528 PAGE

02

SOC: 367-09-1464

AFIS PRINTS AVAILABLE: YES

PALM PRINTS AVAILABLE: YES

PHOTO AVAILABLE: YES

DNA RECORD AVAILABLE: YES (PHONE 517-322-6600)

ADDITIONAL IDENTIFIERS AND COMMENTS:

NAME: MORRIS/RICHARD/RAYMONDE/

CRIMINAL TRACKING NUMBER: 82-99-910086-02

INCIDENT DATE: 05-06-1999

TCN/OCA NUMBER: A199504413H /597534

NAME USED: MORRIS/RICHARD/RAMONE/

ARREST SEGMENT

CHARGE SEGMENT

JUDICIAL SEGMENT

DATE: 05-06-1999

DATE: 05-06-1999

DATE: 09-16-1999

MI82349C2

MI820013A

MI821095J

PD DETROIT MESSAGE CIR

PA WAYNE CO

CT 03RD CIR CRM DETROIT

CIA: 177574

1 CNT MCL 333.74012A4

CFN: 990067PAGE

03

1 CNT OF 3500

FELONY

CNT-1 MCL 333.74012A4

FELONY

CONTROLLED SUBSTANCE-

FELONY

BAMBERQUE DRUGS

DEL/MFG LESS THAN 50

CONTROLLED SUBSTANCE-

DISP: CHED BY PROSECUTOR

GRAMS

DEL/MFG LESS THAN 50

GRAMS

000DAY TO 20YR 00MTH
 000DAY PROB: 00YR 00MTH
 000DAY

CNT-2 MCL 333.74012A4
 FELONY
 CONTROLLED SUBSTANCE-
 DEL/MFG LESS THAN 50
 GRAMS
 DISP: DISMISSED

CNT-3 MCL 333.74012A4
 ATTEMPT-FELONY

CONTROLLED SUBSTANCE-4
 DEL/MFG LESS THAN 50
 GRAMS
 DISP: FOUND GUILTY
 SENT/REMARKS:

CONFINEMENT 00YR 00MTH

PAGE 05

000DAY TO 00YR 00MTH
 000DAY PROB: 00YR 00MTH
 000DAY

CRIMINAL TRACKING NUMBER: 82-99-911489-01
 ICN/CCA NUMBER: A199521041X /597534
 NAME USED: MORRIS/RICHARD/RAYMONDE/

INCIDENT DATE: 05-25-1999

ARREST SEGMENT	CHARGE SEGMENT	JUDICIAL SEGMENT
DATE: 05-25-1999	DATE: 05-25-1999	DATE: 09-16-1999
MI2234900	MI226013A	MI221095J
PE DETROIT MESSAGE CTR	PA WAYNE CO	CT 03RD CIR CRM DETROIT
CCA: 597534	1 CNT MCL 333.74012A4	CFN: 9900548001
1 CNT OF 3500	FELONY	
FELONY	CONTROLLED SUBSTANCE-	CNT-1 MCL 333.74012A4
DANGEROUS DRUGS	DEL/MFG LESS THAN 50	FELONY
DISP: LIND BY PROSECUTOR	GRAMS	CONTROLLED SUBSTANCE-
		DEL/MFG LESS THAN 50
		GRAMS
		DISP: DISMISSED

PAGE 06

CNT-2 MCL 333.74012A4
 FELONY
 CONTROLLED SUBSTANCE-
 DEL/MFG LESS THAN 50
 GRAMS
 DISP: DISMISSED

DISSEMINATION OF CRIMINAL HISTORY INFORMATION IS SUBJECT TO MICHIGAN & FEDERAL
 RULES & REGULATIONS. REFER TO LEIN ADMINISTRATIVE RULES & TITLE 28, USC.
 USE OF THIS RECORD IS LIMITED TO THE PURPOSE OF INQUIRY.

** SPECIAL ATTENTION**

FEDERAL LAW PROHIBITS DISSEMINATION OR RELEASE OF NON-CONVICTION DATA, SUCH
 AS ARREST-ONLY RECORDS, EXCEPT TO AUTHORIZED CRIMINAL JUSTICE AGENCIES. DO
 NOT PLACE LEIN OR NCIC/III MATERIAL, IF IT CONTAINS NON-CONVICTION DATA, IN
 ANY FILE WHICH IS ACCESSIBLE TO THE PUBLIC. NON-CONVICTION DATA WILL BE
 RECEIVED BY 52-C, 52-F, 52-J AND 52-M INQUIRIES. TO RECEIVE CONVICTION-ONLY

NON-CONVICTION DATA WILL BE RECEIVED ON 52:C, 52:F, 52:J AND 52:M INQUIRIES. TO RECEIVE CONVICTION-ONLY DATA USE 52:E.

MESSAGE FORWARDED TO THE DEPARTMENT OF CORRECTIONS.

FBI NUMBER NOT INCLUDED NOT FORWARDED TO NCIC III
END MSG.

7L01,DEDE05 22810

A NCIC 22810 2658 02/24/04 1511 DETROITCMP2.

MI8234902

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/MORRIS,RICHARD RAYMOND SEX/M RAC/B DOB/19810305 PUR/C

NAME	FBI NO.	INQUIRY DATE
MORRIS,RICHARD RAYMOND	731701KE5	2004/02/24

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	BIRTH PLACE	PHOTO
M	F	1981/03/05	509	140	BRN	BLK	MICHIGAN	N

FINGERPRINT CLASS	PATTERN CLASS
PC PK PD PD 15	WU WU WU WU RS WU WU WU WU LS
PI PD PI PI 10	WU WU

ON

ALIAS NAMES

MORRIS,RICHARD

MORRIS,RICHARD RAYMOND

SOCIAL SECURITY

367-07-1454

IDENTIFICATION DATA UPDATED 2001/11/11

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE PAGE FOLLOWING:

02

MICHIGAN - STATE ID/MI2016261J

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

DEDE05 22810

PAGE

01

A NCIC 22810 2658 02/24/04 1511 DETROITCMP2.

MI8234902

PC PK PD PD 15

PI PD PI PI 10

WU WU WU WU RS WU WU WU WU LS

WU WU

IN RESPONSE TO YOUR MICHIGAN CRIMINAL HISTORY RECORD INQUIRY,

THE MICHIGAN DEPARTMENT OF CORRECTIONS RECORD PROVIDES AN

UPDATE

OF CURRENT STATUS FOLLOWED BY PRIOR HISTORY INFORMATION.

NAME: NAM: MORRIS, RICHARD

RAC: B SEX: M

DOB: 19810305

HGT: 509

WGT: 140

HAIR: BLK

EYE: BRN

BLD: THN

SKN: DRK

EXT: BLK WHIN, NECK

SOC: 367071454

BID: 2016261J

FBI: 731701KE5

***** CURRENT STATUS *****

THIS TEXT OF CORRECTIONS RECORD IS INFORMATIONAL ONLY AND IS NOT TO BE USED FOR ARREST OR DETENTION WITHOUT AUTHORITY TO DO SO FROM THE

"CURRENT LOCATION". QUESTIONS SHOULD BE DIRECTED TO: 313-832-2340

(8:00AM - 5:00PM) OR 800-877-5664 (AFTER 5:00PM, HOLIDAYS AND WEEKENDS).

PRN: A296528

PAGE 02

CURRENT STATUS: CLIENT ON PAROLE

CURRENT LOCATION: DETROIT METRO PAROLE OFFICE

CASELOAD NO: 1158

LAST MOVEMENT: FIRST PAROLE

MOVEMENT DATE: 10/03/02

CRIME: (01) CONTRLD SUB-DEL, POSS NARC OR COCAINE

PLANNED DISCHARGED DATE: 03/01/2016

SPECIAL CONDITIONS OF PAROLE:

(2.3) NOT OWN/POSSESS PAGING DEVICE OR CELLULAR PHONE

(2.6) NOT USE/POSSESS ALCOHOL/INTOXICANTS OR IN PLACE SERVED

PAROLE EXPIRATION DATE: 10/03/04



on Parole
+ 2

***** PRISON HISTORY *****

PRN: A296528 SENTENCE DATE: 09/16/99 SENTENCE COUNTY: WAYNE

COURT DOCKET NO: 95006732

CRIMINAL TRACKING NO: 829991008602

CRIME: 03374312A4 - CONTRLD SUB-DEL, POSS NARC OR COCAIN

TERM: 001 YRS 00 MON 00 DAYS - 020 YRS 00 MON

PLANNED DISCHARGED DATE: 03/01/2016

END OF RECORD

MI 1113

PAGE 03

STATE OF MICHIGAN
COUNTY OF WAYNE

AFFIDAVIT
SS

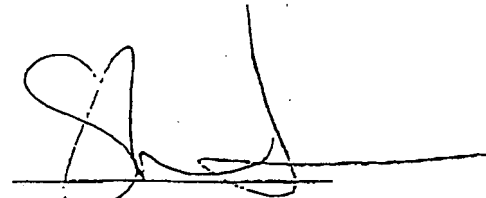
TO: THE SHERIFF OR ANY PEACE OFFICER OF SAID COUNTY: P.O. S. Johnson

Affiant, having subscribed and sworn to an affidavit for a Search Warrant, and having under oath examined Affiant, am satisfied that probable cause exists.

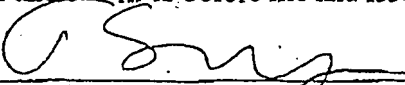
Therefore: **IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN**, I command that you search the following described place: The entire premises and curtilage known as 9330 Cutler. This dwelling is described as a 1 1/2 story single family dwelling. The structure of the dwelling is of White Siding with a wooden porch. The dwelling is located on the South side of the street between the intersecting streets of Pennsylvania and McClellan. This dwelling is located in the City of Detroit, County of Wayne, and the State of Michigan. Also to be searched is the seller:

B/M/35/6'2/170lbs/Light complexion:

And to seize, secure, tabulate and make return according to law the following property and things: All suspected controlled-substances; all monies, books, and records used in connection with illegal narcotic trafficking. All equipment and supplies used in the manufacture, delivery or sale of controlled substances. All firearms used in connection with the above-described activities, all ownership, occupancy, possession or control of the premises.


Affiant

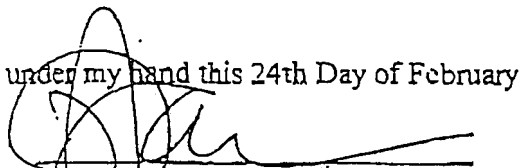
Subscribed and sworn to before me and issued under my hand this 24th Day of February 2004.

Approved: 

Assistant Prosecuting Attorney
P53104

P#

TED SANDOZ


Judge/Magistrate of 36th District Court
P# 25151

STATE OF MICHIGAN
COUNTY OF WAYNE

AFFIDAVIT
SS


Affiant swears to the following facts in support in the issuance of this warrant:

The Affiant is a member of the Detroit Police Department Narcotic Bureau, and has been so employed for over (5) years, with over (3) years at the Narcotic Bureau. The Affiant is working in conjunction with a credible and reliable source of information (SOI). The Affiant has used this SOI on over (8) occasions resulting in the arrest and conviction of over (5) persons for violation of controlled substance act (VCSA) and other offenses in both 3rd Circuit and 36th District Courts with at least (4) cases still pending.

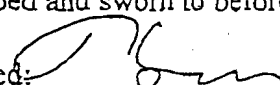
On February 23, 2004 Affiant along with crewmembers met with SOI#2017 to formulate a plan to make a controlled purchase of illegal narcotics from the above-described location. The SOI was searched for money and narcotics with negative results. This SOI was then issued an amount of secret service funds and instructed to attempt a buy from the above location. The SOI was observed to go to the above location enter and exit a short time later and return directly to the Affiant and members. The SOI turned over an amount of suspected Marijuana and stated that he/she had purchased it from the above-described seller, from the previously mentioned location. The SOI was again searched for money, narcotics and weapons with negative results and was released by the Affiant and members.

On February 23, 2004, the Affiant and members conveyed this same Marijuana to Police Headquarters where P.O. Dekun #1794 conducted an analysis and found it to test positive for the presence of Marijuana. Then sealed the Marijuana in LSF#N00136604.

Wherefore the Affiant has probable cause to believe that the items described and the seller will be found on the premises of 9330 Cutler. The Affiant also believes that illegal firearms will be found due to the affiant's experience on past narcotic raids in the City of Detroit.


Affiant

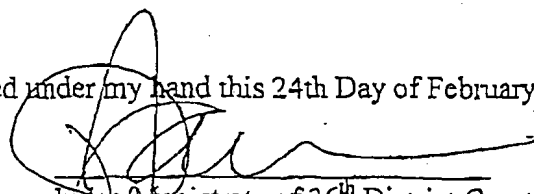
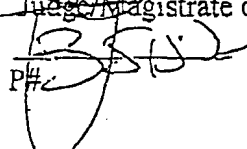
Subscribed and sworn to before me and issued under my hand this 24th Day of February 2004.

Approved: 
Assistant Prosecuting Attorney

P53104

P#

TVS SANDER 126


Judge/Magistrate of 36th District Court
P# 

The undersigned hereby certifies and makes return of the following items of property which have been pursuant to search warrant:

Dated: _____ Re: _____
Seized this date on / at the person / place therein described.

1. 1 knotted Plastic cont 18 z/L's of marijuana
2. 1 knotted Plastic cont 15 z/L's of marijuana
3. numerous empty z/L's.
4. 22 cal. Ruger Rifle w/ Tasco scope serial 23808880
5. Magazine w/ 25 Live RDS
6. 2 Boxes of 22. cal. RDS
7. 6200 Narc Proceeds
8. 3800 Narc Proceeds
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

DATED: 2.24.01.

(copy to person from whose possession / premises property was taken from or left at premises)

9330 Cutler

Wayne County Prosecutor's Office Witness List

The People of the State of Michigan

vs.

Third Judicial Circuit Court
Criminal Division Court No. _____

Cathy M. Garrett
Wayne County Clerk

Richard Morris ET AL Defendant

Attorney for Defendant

The names and residences of the witnesses for the People in the above entitled cause are listed below. The witnesses the People intend to produce at trial, pursuant to MCLA 767.40a(3), are designated by an "X" in the boxes to the left.

NAMES

RESIDENCES

(List next leave/furlough dates for all police witnesses)
(List phone numbers for all civilian witnesses)

<input type="checkbox"/>	P.O. Heshimu Green #4542	
<input type="checkbox"/>	P.O. Jason Kleinsorge #2966	
<input type="checkbox"/>	P.O. Kareem Wheeler #314	
<input type="checkbox"/>	P.O. Sharon Johnson #4610	
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		Prelim
<input type="checkbox"/>		Chain
<input type="checkbox"/>		Chain
<input type="checkbox"/>		Chonist
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>	Sgt. Rodger Johnson #5-858	

Officer-in-charge of case.

OIC telephone Number 596-2322

Police Department/Precinct/Section DETROIT Police / 48 / OCSO

CRIMINAL RECORD

Police

DEPARTMENT

1-000 F.021/020 F-020

061077

NAME

F.B.I. No.

ALIAS

MORRIS, RICHARD

M.S.B. No.

THIS RECORD FORWARDED TO OR RECEIVED BY

SIGNATURE AND/OR AGENCY OF PERSON RECEIVING

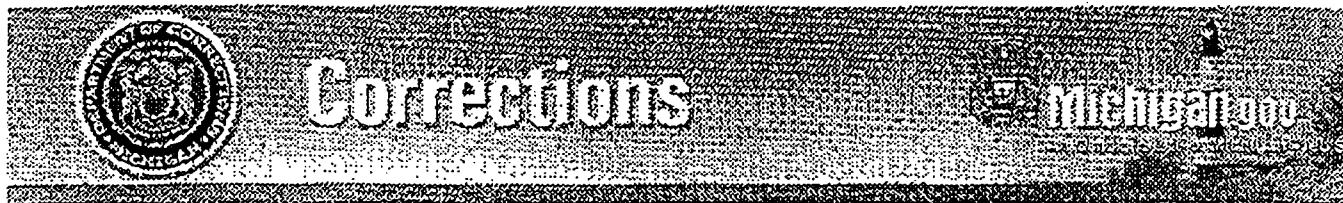
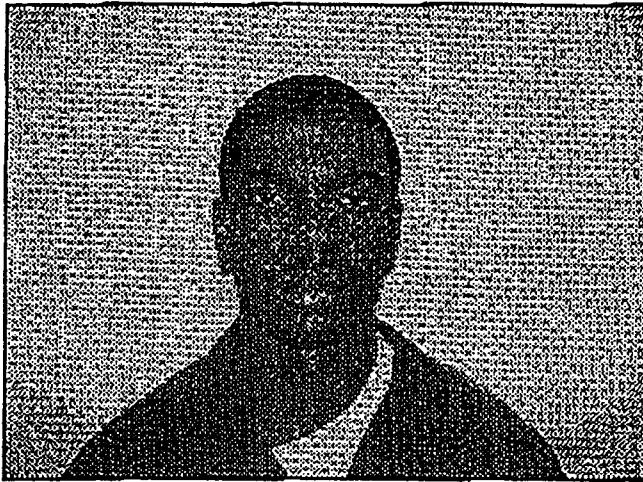
ON

DATE

BY

IDENTIFICATION-RECORD BUREAU

CONTRIBUTOR	NAME AND NUMBER	DATE	CHARGE AND DOCKET NUMBER	DISPOSITION
DPD	M. RICHARD	2-3-98	VCSA.	
"	"	5-6-99	VCSA.	
		5-25-99	VCSA.	
		9-6-99	WEAPONS OFFENSE	
		2-24-04	VCSA.	

[...Michigan.gov Home](#)[...New Offender Search](#)[Return to Search Results](#)[Contact MDOC](#)[Disclaimer](#)[MDOC Home](#)**BIOGRAPHICAL INFORMATION****RICHARD MORRIS**

MDOC Number: 296528

SID Number: 2016261J

Name: RICHARD MORRIS

Racial Identification: Black

Gender: Male

Hair: Black

Eyes: Brown

Height: 5' 9"

Weight: 140 lbs.

Date of Birth: 03/05/1981 (22)

Image Date: 9/21/2001

MDOC STATUS

Current Status: Parolee

Supervision Begin Date: 10/03/2002

Assigned Location: Wayne/Detroit Metro District/Parole

Supervision Discharge Date: 10/03/2004

Security Level:

Date Paroled: 10/03/2002

ALIASES

None

MARKS, SCARS & TATTOOS

None

PRISON SENTENCES**ACTIVE****Sentence 1**

Offense: Controlled Substance-Delivery/Manf., Nar/Coc <50 Grams

Minimum Sentence: 1 year 0 months 0 da

MCL#: 333.74012A4

Maximum Sentence: 20 years 0 months

Court File#: 99006782

Date of Offense: 05/25/1999

County: Wayne

Date of Sentence: 09/16/1999

Conviction Type: Plea

INACTIVE

None

PROBATION SENTENCES

ACTIVE

None

INACTIVE

None

SUPERVISION CONDITIONS

01 - Contact agent no later than first business day after release

02 - Must not change residence

2.0 - Not use/possess alcohol/intoxicants or in place served

2.3 - Not own/possess paging device or cellular phone

03 - Must not leave state

04 - Not engage in any behavior that constitutes a violation

05 - Comply with alcohol and drug testing ordered by field agent

06 - Not associate with anyone you know to have a felony record

07 - Must not own, possess or use any object as a weapon

08 - Make earnest efforts to find and maintain employment

MICHIGAN DEPARTMENT OF CORRECTIONS

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Document Name: untitled

SID 82 FELONY 02/25/2004 CASE STATUS CLOSED CASE 1 OF
CASE # 99006782 01 NAME MORRIS, RICHARD, LPD 597534
D36 99060369 02 PR# 99910086 02 AGCY DPNAR SID 2016261 MORRIS, RICHARD,
J A I L / B A I L S T A T U S A T T O R N E Y S D I S P O S I T I O N
JUDGE COSTELLO DATE 05/07/1999 D DEF JOHNSON, DONA DISPOSED ON 09/16/199
TYPE 10% BOND AMNT 7500 PRO FRAZER, MARIL CONFINEMENT SPSM
LOCN BND # BDJ CHYLINSKI 01Y - 20Y
APP 6 DA CR

DOB: 03/05/1981

CHGS/RESULTS		FILINGS/RESULTS	PROCEEDING	DATE	JUDGE	RESU
33374012A4	G 01	05/09/1999	WARRANT	05/07/1999	COSTELLO	SIGNE
DEL/CNSB<50G		ADM JAIL RLS	SF ARR-WRNT	05/07/1999	COSTELLO	MUTE
33374012A4	D 02	05/28/1999	INITIATE	05/07/1999	NONE ASSGN	D36 P
DEL/CNSB<50G		ADM JAIL RLS	SF WARRANT	05/07/1999	PROSECUTOR	RECOM
33374012A4	+92 G 01	06/25/1999	PRE EX H	05/14/1999	ARCHER	HELD
DEL/CNSB<50G	ATT	WAV 12D RULE	SF EXAM	05/19/1999	BRIGHT	A/RQ
		07/13/1999	EXAM	06/25/1999	HUMPHRIES	A/RQ
		DRUG-DKT	FL EXAM	07/13/1999	ATKINS	WAVD
		07/27/1999	ASSGNMNT	07/20/1999	PRESIDING	DRUG-
		F-DISCOVERY	SF ARR-INFO	07/27/1999	CHYLINSKI	HELD
		08/03/1999	DSPN CON	07/27/1999	CHYLINSKI	HELD
		WALKER HRNG	FL CAL-CONF	07/30/1999	CHYLINSKI	HELD
						More.

F3-Exit F4-Soundex F5-Bond F9-Next Record F10-Prior Record

Date: 02/25/2004 Time: 10:00:37 AM

Document Name: untitled

SID 82 FELONY 02/25/2004 CASE STATUS CLOSED CASE 1 OF
CASE # 99006782 01 NAME MORRIS, RICHARD, LPD 597534
D36 99060369 02 PR# 99910086 02 AGCY DPNAR SID 2016261 MORRIS, RICHARD,
J A I L / B A I L S T A T U S A T T O R N E Y S D I S P O S I T I O N
JUDGE COSTELLO DATE 05/07/1999 D DEF JOHNSON, DONA DISPOSED ON 09/16/199
TYPE 10% BOND AMNT 7500 PRO FRAZER, MARIL CONFINEMENT SPSM
LOCN BND # BDJ CHYLINSKI 01Y - 20Y
APP 6 DA CR
DOB: 03/05/1981
CHGS/RESULTS FILINGS/RESULTS PROCEEDING DATE JUDGE RESU
FINAL-CO 08/10/1999 CHYLINSKI PLD G
SENTENCE 09/16/1999 CHYLINSKI SENTE

F3-Exit F4-Soundex F5-Bond F9-Next Record F10-Prior Record

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Date: 02/25/2004 Time: 10:00:48 AM

Document Name: untitled

SID 82 FELONY 02/25/2004 CASE STATUS CLOSED CASE 2 OF
CASE # 99005480 01 NAME MORRIS, RICAHRD, R LPD 597534
D36 99061210 01 PR# 99911489 01 AGCY DPNAR SID 2016261 MORRIS, RICAHRD, R
J A I L / B A I L S T A T U S A T T O R N E Y S D I S P O S I T I O N
JUDGE EVANS, R DATE 07/09/1999 A DEF GLANDA, RICH A DISPOSED ON 09/16/199
TYPE 10% BOND AMNT 10000 PRO FRAZER, MARIL
LOCN BND # BDJ CHYLINSKI DISMISSED OTH FL/
APP

DOB: 03/05/1981

CHGS/RESULTS		FILINGS/RESULTS	PROCEEDING	DATE	JUDGE	RESU
33374012A4	D 01	05/28/1999	WARRANT	05/26/1999	ANDERSON	SIGNE
DEL/CNSB<50G		ADM JAIL RLS	SF INITIATE	05/26/1999	NONE ASSGN	D36 P
33374012A4	D 02	06/03/1999	WARRANT	05/26/1999	PROSECUTOR	RECOM
DEL/CNSB<50G		DRUG-DKT	FL ARR-WRNT	05/27/1999	ANDERSON	MUTE
		07/16/1999	EXAM	06/03/1999	ATKINS	WAVD
		WITHDRAW ATT	GR PRE EX H	06/03/1999	ATKINS	HELD
			ASSGNMNT	06/09/1999	PRESIDING	DRUG-
			ARR-INFO	06/17/1999	EVANS, R	HELD
			ARR-INFO	07/09/1999	EVANS, R	HELD
			DSPN CON	07/09/1999	EVANS, R	HELD
			PRETRIAL	07/16/1999	CHYLINSKI	HELD
			CAL-CONF	07/30/1999	CHYLINSKI	HELD

More.

F3-Exit F4-Soundex F5-Bond F9-Next Record F10-Prior Record

Date: 02/25/2004 Time: 10:01:00 AM

Document Name: untitled

SID 82 FELONY 02/25/2004 CASE STATUS CLOSED CASE 2 OF
 CASE # 99005480 01 NAME MORRIS, RICAHRD, R LPD 597534
 D36 99061210 01 PR# 99911489 01 AGCY DPNAR SID 2016261 MORRIS, RICAHRD, R
 J A I L / B A I L S T A T U S A T T O R N E Y S D I S P O S I T I O N
 JUDGE EVANS, R DATE 07/09/1999 A DEF GLANDA, RICH A DISPOSED ON 09/16/199
 TYPE 10% BOND AMNT 10000 PRO FRAZER, MARIL
 LOCN BND # BDJ CHYLINSKI DISMISSED OTH FL/
 APP
 DOB: 03/05/1981
 CHGS/RESULTS FILINGS/RESULTS PROCEEDING DATE JUDGE RESU
 FINAL-CO 08/10/1999 CHYLINSKI A/OTH
 FINAL-CO 09/16/1999 CHYLINSKI DISMI

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F3-Exit F4-Soundex F5-Bond F9-Next Record F10-Prior Record

Date: 02/25/2004 Time: 10:01:06 AM

Document Name: untitled

PRO 82 FELONY 02/25/2004 CASE STATUS NOT SIGNED DEF 1 OF
CASE # 04404929 01 NAME MORRIS,RICHARD LPD 597534
D36 04404929 01 PR# 04404929 01 AGCY DPNAR SID MORRIS,RICHARD,
J A I L / B A I L S T A T U S A T T O R N E Y S D I S P O S I T I O N
JUDGE DATE DEF
TYPE AMNT PRO STURTRIDGE,J
LOCN BND # BDJ
APP

DOB: 06/05/1981

CHGS/RESULTS	FILINGS/RESULTS	PROCEEDING	DATE	JUDGE	RESU
33374012D3	01	WARRANT	02/25/2004	PROSECUTOR	RECOM
DEL/MANUF/MRJN		INITIATE	02/25/2004	NONE ASSGN	D36 P
750224F	01				
FA POSS BY FLN					
750227B-A	01				
FELONY FIREARM					

Bott

F3-Exit F4-Soundex F5-Bond F9-Next Record F10-Prior Record

Date: 02/25/2004 Time: 10:01:52 AM

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SEARCH RESULTSReports: **Discovery - Name Search (THOMAS SYLVIA;DETROIT, MI 48214)** **print format** **save report** **close**

Display Detail Information

Discovery - Name Search			
Date: 4/20/2004			Time: 12:33 PM
Reference:			Requestor:
Search Criteria: THOMAS SYLVIA;DETROIT, MI 48214			
** PLEASE NOTE: To avoid unnecessary charges, do not select multiple **			
** records with the same Social Security Number unless the names are **			
** significantly different. Selecting a record which contains a Social **			
** Security Number will ensure a more comprehensive report. **			
** Partial addresses will not be used when searching public records. **			
Item Name	SSN#	DOB	Source
Address			Reported Date

<input type="checkbox"/> 1 THOMAS, SYLVIA C 8900 E JEFFERSON AVE, DETROIT, MI 48214		01/04/1924	Composite Info 07/00
<input type="checkbox"/> 2 THOMAS, SYLVIA C 8900 E JEFFERSON AVE APT 515, DETROIT, MI 48214	380-18-9276	01/1924	Credit Header 3 07/85
<input type="checkbox"/> 3 THOMAS, SYLVIA N 4549 HARDING ST, DETROIT, MI 48214	403-06-8238		Composite Info 06/01
<input type="checkbox"/> 4 THOMAS, SYLVIA R 4467 CADILLAC BLVD, DETROIT, MI 48214	364-72-8358	11/1959	Credit Header 3 04/96

End of search.

417 W 16th Jacksonville FL 32206

print format **save report** **close**

Display Detail Information

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DETROIT
DEPARTMENT
POLICE

INVESTIGATOR'S ACTIVITY LOG

COMMAND	OCC/EAST	DATE	02-23-04
UNIT	5NEU	VEHICLE CODE	029931

RANK AND NAME	ON DUTY	OFF DUTY	OVERTIME		IN COURT	
			FROM	TO	FROM	TO
SGT R. JOHNSON, P.O. Meshimu Green	12PM	8PM				
PO Keith Marshall, PO Jason Kleinsorge						
PO Kyrrean Wheeler, PO Sheron Johnson						

REPORTS		PERSONS ARRESTED		PRISONERS ASSIGNED	
---------	--	------------------	--	--------------------	--

TIME	ACTIVITY
12PM	CREW MEMBERS ON DUTY. MEMBERS INSIDE BASE ANSWERING PHONES AND PAPERWORK
1PM	CREW AT BASE 22 ON PAPERWORK
2PM	CREW MEMBERS OUT ON SURVEILLANCE OUT WITH SOI 2017.
4PM	CREW MEMBERS OUT ON SURVEILLANCE
6PM	CREW MEMBERS OUT ON SURVEILLANCE
8PM	CREW MEMBERS OFF DUTY.

RANK AND SIGNATURE

RANK AND SIGNATURE

RANK AND SIGNATURE

RANK AND SIGNATURE

DETROIT
DEPARTMENT
POLICE

INVESTIGATOR'S ACTIVITY LOG

COMMAND	OCG/EAST	DATE	02-24-04
UNIT	SNEU	VEHICLE CODE	029931

RANK AND NAME	ON DUTY	OFF DUTY	OVERTIME		IN COURT	
			FROM	TO	FROM	TO
SGT R. JOHNSON, P.O. Heshimu Green	12PM	8PM				
PO Keith Marshall, PO Jason Kleinsorge						
PO Kareem Wheeler, PO Sharon Johnson						

REPORTS		PERSONS ARRESTED		PRISONERS ASSIGNED	
---------	--	------------------	--	--------------------	--

TIME	ACTIVITY
12PM	CREW MEMBERS ON DUTY. MEMBERS INSIDE BASE ANSWERING PHONES AND PAPERWORK.
1PM	EXECUTION OF SEARCH WARRANT, 04-744, VACANT DWELLING, NO ARREST OR CONFISCATION.
145PM	EXECUTION OF SEARCH WARRANT, 04-747, ARREST RICHARD MORRIS B/M/22 OF 2544 CADILLAC, VCSA/POFF. #2 COREY FENDERSON B/M/17 OF 10185 SOMERSET, VCSA/POFF. #3 JEMEL DAVIS B/M/17 OF 7558, EWOP. #4 KIMIANI MANO B/M/30 OF 15900 WOODINGHAM, EWOP. #5 KENYETTA BULLOX B/F/30 OF 2475 SHERIDAN, EWOP. #6 JEFFREY DAVIS B/M/37 OF 9403 DORCHESTER, EWOP. #7 TERAIL HALL B/M/25 OF 19972 FENMORE.
300PM	CREW MEMBERS INSIDE 5TH PRECINCT FOR PRISONER PROCESSING AND PAPERWORK.
500PM	CREW INSIDE BASE 550 FOR PROCESSING OF EVIDENCE AND PAPERWORK.
600PM	CREW MEMBERS OUT ON SURVEILLANCE.
800PM	CREW OFF DUTY.

RANK AND SIGNATURE

RANK AND SIGNATURE

RANK AND SIGNATURE

RANK AND SIGNATURE

24 HOUR INFORMATION SHEET

TEL	2-24-04	TIME	4:50 PM	CASE #	04-1147	INCIDENT #	04-022977
RAID #		NAR/PAR #		AFFIANT	P.O. S. Johnson		
TYPE OF ACTION (check one)		Street Enforcement		<input checked="" type="checkbox"/> Search Warrant		<input checked="" type="checkbox"/> Vacant Dwelling	
OIC AND CREW (S)				SGT RODGER JOHNSON & S.N.E.U.		ASSISTED BY	
COMPLAINANT (S)						NARCOTICS DIVISION	
LOCATION/ADDRESS				9330 CUTLER		SCOUT CAR	
				S-8A		CENSUS TRACT	
				S138			
NAME / DPD	R/S	DOB	ADDRESS	SSNO	CHARGE/CR		
E.T.A.							
1 Richard Payne Moore	Bim/22	3-5-81	2544 Carol Mac	307-09-1461	PWID	POFF	
2 Corey Lammont Henderson	Bim/17	9-18-86	10185 Sumner St	UNK	PWID	POFF	
3 Jemel Donte Davis	Bim/17	6-19-86	7558 Doyle	UNK	EWOIP	0985-426	
4 Kimani Mark McCoy	Bim/20	11-12-73	15900 Washington	376-86-2807	EWOIP	0985-425	
5 Kenyetta Rene Bivolar	Bim/20	9-25-73	2425 Sheridan	386-76-2409	EWOIP	0985-422	
6 Jeffery Wayne Davis	Bim/27	4-14-66	9403 Dorchester	371-808623	EWOIP	0985-424	
7 Terrell Haul	Bim/25	5-5-78	19972 Fernmore	380-86-3241	EWOIP	0985-421	

INVESTIGATED AND RELEASED

(If juvenile, I.D. person released to)

NAME / DPD	R/S	DOB	ADDRESS	SSNO	TELEPHONE
1					
2					
3					
4					
5					
6					
7					
ARREST TOTAL		APPROX TOTAL WEIGHT		CONFISCATIONS TOTAL	

FELONY	2	COCAINE	GRAMS	PROCEEDS	100.00
MISDEAMEANOR	5	HEROIN	GRAMS	FIREARMS	1
INV AND RELEASE	0	MARIJUANA	80.0	VEHICLES	-
		PILLS			

LIST OF EVIDENCE

NARCOTICS

LSF#	N00140004	1 Knotted Plastic Baggie Cont- (18) 2/1's Cont Marijuana (MORRIS) P.i.p
LSF#	N00141108	1 Knotted Plastic Baggie Cont- (15) 2/1's Cont Marijuana (Fenderson) 01 B022

EVIDENCE

ET#	E02490504	Numerous empty 2/1's (Premises) P.i.p
ET#	E02490104	2 Boxes of 22 cal. RDS. (Premises) Nitro.
ET#	E02490404	22 cal Ruger Rifle w/ Tasco scope / Brown wood
ET#	E02490004	Stock serial 23808880 (MORRIS) Nitro
ET#	E02490004	Magazine w/ 25 live RDS (MORRIS) Nitro.

MONEY

ET#	E02490304	\$6200 Narc Proceeds (Hing Day) SEIZED BY: Sgt. R. Johnson
ET#	E02490204	\$3800 Narc Proceeds (Jemel Day) SEIZED BY: 11 11 11
ET#	S	SEIZED BY:
ET#	S	SEIZED BY:
ET#	S	SEIZED BY:

Return to Search Warrant was prepared by:

Search Warrant and Return present to (Mr./Mrs.) BY:

Search Warrant and Return was left on premises by:

S. Johnson
4610
Premises

May 12, 2004, visit AUSA re examination of evidence. Large gun. Would be difficult to sneak into apartment. Can be printed according to Ken. Very small bags of marijuana. No surveillance according to Gillooly.

What are DPD manual guidelines on surveillance?

Need firearm expert.

interoffice
MEMORANDUM

To: Rita Chastang
From: Ken Hunter
Date: 03/30/04
Subject: U.S. v R. Morris

FYI

Attached, are photos of 9330 Cutler, the site of your clients arrest. The house appears to be habitable, but then again, that's on the outside. If you'll notice, it appears that a newspaper is being delivered there, but I'll find out all of that as I proceed. Also, I called the 537-0020 number in an effort to speak with Terrell, but got no answer. This is just an update, I'll keep you posted.

	FEDERAL
--	----------------

DEFENDERS OFFICE

Memo

To: Rita Chastang

From: Ken Hunter

CC:

Date: 4/6/2004

Re: U.S. v R. Morris

This is to advise that yesterday, 04/05/04, I searched for the new address you gave for Jeffery Davis, at 9403 Dorchester and on Cutler as well and found it to be nonexistent. Both streets dead end at Pennsylvania in the upper 9300's. I then telephoned the Terrell you gave me at (313) 537-0020 to see if he might know the whereabouts of Mr. Davis, but again, there was no answer and no answering machine.

While in the area I stopped at 9330 Cutler, the site of the search warrant and spoke with the person who resides there now. His name is Leonard Bland and he describes himself as a working man. He informed me that he is currently renting the home, but has only been doing so for several weeks. He said he rents from a woman whose name he was unable to give me at the time so I'm guessing she is the same woman I informed you about last week, Sylvia Thomas.

Interestingly, at first Mr. Bland expressed curiosity over why I was there questioning him, but after I explained my presence and purpose he perked up then told me that he had heard from his landlord that a raid had taken place there then stepped aside to reveal a damaged door. The door had a semicircular hole in it that would be consistent with what a ram might cause. Also, there appeared to be some damage to the jab as well as the molding around it.

He went on to explain that not only had he heard about a raid occurring there, but that the person he's renting from explained to him that the police had raided the wrong house; that they were supposed to have raided the apartment building across the street from him. Now, to his credit, activity at that building *is* consistent with narcotic trafficking complete with clockers and guards. At any rate, I left my card with him with instructions for his land lord (or lady) get in touch with me, asap. If she does, we might find out who she previously rented the place to or who she allowed to stay there. This investigation is continuing until further notice.

MEMORANDUM

FEDERAL DEFENDER OFFICE

645 Griswold, Ste. 2255

Detroit, MI 48226

TO: Kenneth Hunter
Investigator

Date: April 7, 2004

FROM: Rita Chastang
Deputy Defender

RE: UNITED STATES v RICHARD MORRIS


I finally reached Terell at (313) 537-0020. He said his last name was Davis. His address is 19972 Fenmore, Detroit, 48235. I advised him that you would be in touch with him and gave him our office phone number.

MEMORANDUM

FEDERAL DEFENDER OFFICE
645 Griswold, Ste. 2255
Detroit, MI 48226

TO: Kenneth Hunter
Investigator

Date: April 21, 2004

FROM: Rita Chastang 
Deputy Defender

RE: UNITED STATES v RICHARD MORRIS

Please interview the 17 year old, Corey Lamont Fenderson, who was arrested with Mr. Morris. Corey Fenderson was at 9330 Cutler on February 24, 2004 and was seated with Morris at the dining room table where the gun was found. His address is 10185 Somerset. His DOB is 9/18/86. If he has an attorney, we will need his permission to speak with him. If possible pull his juvenile record if he has one. Please ask him what happened on the date of his arrest. How did the police enter the house? What was he doing when they entered? Did he know the gun was under the table. Whose gun was it? How does he know? Has he been contacted by any law enforcement officers about the gun. Has he been charged in state or juvenile court with possession of the weapon? Does he know Richard Morris? How does he know him? What was he doing at 9330 Cutler that day? Whose house was it? How does he know? Did he know any of the other people at 9330 Cutler? If so, what are their names and addresses? Was he interviewed by the police or other law enforcement officers? If so, what did he tell them?

I've written to Fenderson to let him know we want to talk to him and to ask if he has a lawyer.

MEMORANDUM

FEDERAL DEFENDER OFFICE

645 Griswold, Ste. 2255

Detroit, MI 48226

TO: Kenneth Hunter
Investigator

Date: April 29, 2004

FROM: Rita Chastang 
Deputy Defender

RE: UNITED STATES v RICHARD MORRIS

On April 28, 2004, I called Richard Morris' mother at (313) 821-2687 and asked her if she would contact Terril Davis and tell him to contact us. On April 29, 2004, Terril Davis left a message. His phone number is (313) 209-7319. This looks like a cell number.

WORK PRODUCT

INVESTIGATIVE MEMO

TO: Rita Chastang

FROM: Ken Hunter

DATE: 05/06/2004

Re: U.S. v R. Morris

This is to advise that yesterday, 05/05/2004, I conducted an extensive round of database query's and criminal history checks on all six (minus our client) of the individuals listed in the "TWENTY-FOUR HOUR INFORMATION SHEET" relative to this case. The results are as follows:

1. Corey Lamont: The only address listed for this client is the same one you gave me on Somerset street in Detroit. His criminal history returned as negative.
2. Jemel Donte Davis: His name does not appear in any database I researched. However, there is an Anthony D. Davis with a birth date of 01/10/1980 who resides at the listed address (7558 Doyle). I then ran a CCH on both names and got a negative response.
3. Kimani M. McCoy: This person is listed as currently residing at 118 Richton street in Detroit and in 1999, was convicted of possessing illegal drugs.
4. Kenyette Rene Bullox: This person is listed as currently residing at 5814 Chalmers in Detroit and does not appear to have a criminal record.
5. Jeffrey Wayne Davis: This person has been reported to be seriously ill in the hospital.
6. Terail L. Hall: It appears that this person may be currently residing at 26773 Colgate, Inkster, MI. and was found guilty of "retail fraud" in 16th District Court in Livonia back in 1998.

This investigation is continuing.

Date: 5/13/2004 1:58 PM

Sender: Kenneth Hunter

To: Rita Chastang

Priority: Normal

Subject: Re: R. Morris

Rita,

I just talked to Terail Hall. He seems to think that the police confiscated several guns from the Cutler address. However, the PCR's only indicate one. Did you receive any supp's? I'll forward my interview memo later.

Ken

WORK PRODUCT

INVESTIGATIVE MEMO

TO: Rita Chastang

FROM: Ken Hunter

DATE: 05/13/04

Re: U.S. v R. Morris

Patricia Fenderson
7600 Doyle
Detroit, MI 48234

On the above date I located the above referenced person at the above referenced address. **Ms. Fenderson**, the mother of **Corey Fenderson**, who is the codefendant of **Richard Morris**, is currently living at that address with her mother and with her son, **Corey**.

After **Ms. Fenderson** informed me that her son was being represented by assigned counsel, I declined to ask for his presence. At any rate, and on her own, **Ms. Fenderson** volunteered that she was totally aware of the incident that her son got involved in at the **9330 Cutler** address, February 24th, 2004. She further informed me that **Corey** was being charged in state court (Frank Murphy Hall of Justice) with "drugs" (possession with intent to distribute and manufacture marijuana) and possession of a firearm (felony firearm). She said his next court date was June 1st, at which time he would be tried for the offense.

Betty Coleman
7558 Doyle
Detroit, MI 48234
Phone: (313) 365-9584

Jemel Donte Davis
(same address)

Also on the above date, I spoke with **Betty Coleman** and her son, **Jemel Davis**. Prior to speaking with **Jemel**, **Ms. Coleman** informed me that she was indeed the mother of **Jemel Davis** as well as the sister of **Jeffrey Wayne Davis**. She went on to inform me that her brother, **Jeffrey Wayne**, had informed her that he was living at **9330 Cutler Chastang**

05/13/04

Page 2

street in Detroit which is why, she said, her son **Jemel** had gone to that location to get a haircut. She acknowledged that her son had been arrested by Detroit Police for loitering at **9330 Cutler**, but went on to say that it was her understanding that the case had been dropped (**April 19th, 2004**) at 36th District Court (Appearance ticket # **U984.426**). She then ordered someone in the house to summon her son, **Jemel**. When **Jemel** appeared he stated the following:

- 1 That he had gone to the location with **Corey (Fenderson)** ostensibly, to get a haircut. That while he saw others at the scene, the only person he actually knew was his uncle, **Jeffrey Davis** (who admitted them), the brother of his mother, **Betty Coleman**.
- 2 That he did know **Richard Morris**, but not many of the others in the location that day.
- 3 When asked how the police entered he answered, "I heard three loud knocks and I remembered wondering who could be knocking that loudly. Then the guy that was cutting my hair took off running and I remembered asking myself why he took off so fast." I (investigator) then asked didn't he hear the police announce who they were, to which he answered, "No," they didn't say, "shit."
- 4 He then went on to indicate that he thought there were at least 5 police officers at the scene that day. That one was white, one was a female, and the others were black.
- 5 He also admitted that **Corey** and client **Morris** did have "weed" (marijuana) in their possession that day. But as for a gun, he said, "I never saw one." "And," he said, "I never saw **Richard** with one."
- 6 He then added that **Morris** arrived after him and that he was in the process of getting his hair cut at the time.
- 7 As for the home itself, he said he had no indication that it was vacant. He said the electricity and TV was on and that there was heat.

Terail Hall

209-7319 (pager)

(313) 537-0020 (home)

Chastang

05/13/04

Later that day, I received a telephone call from **Terail Hall** who wanted to talk to me regarding the incident. **Mr. Hall**, the last person mentioned on the **24 HOUR INFORMATION SHEET**, stated the following:

- 1 That **Richard Morris** is his cousin.
- 2 That he only went to the location to get a haircut.
- 3 That the table mentioned in the complaint, was at one time, occupied by everyone in the house that day.
- 4 That he was about to cut **Richard Morris'** hair, but had to wait for **Kimani** to finish cutting **Jemel's** hair so that he could use the equipment.
- 5 That at some point, he heard a loud knock on the door, but no announcement of **purpose or intent** by officers.
- 6 That upon entry, the police subsequently asked if, "... anyone was on probation or parole."
- 7 That his cousin, **Richard** answered in the affirmative and that afterwards, he heard the police say, "... we'll put it on him."

This investigation is continuing until further notice.

AUSA:

Phone Number:

United States District Court

Eastern District of Michigan

United States of America

CRIMINAL COMPLAINT

v.

CASE NUMBER:

Richard R. Morris
2544 Cadillac
Detroit, Michigan

A TRUE COPY
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

BY EB
DEPUTY CLERK

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 2/24/2004 in Wayne County, in the Eastern District of Michigan, defendant(s) did, (Track Statutory Language of Offense)

Having been previously convicted of a felony, to wit: Delivery Controlled Substance (less than 50 grams), 3rd Circuit Court, Detroit, Michigan, did, on 2/24/2004, possess a Ruger .22 caliber semi-auto rifle, serial #23808880 which had previously traveled in interstate commerce, and possessed this firearm while engaged in a drug trafficking offense, that being possession with intent to distribute approximately 15.0 grams of Marijuana.

in violation of Title 18 U.S.C. Section 922(g)(1), 924(c), and Title 21 U.S.C. Section 841(a). I state that I am a Special Agent for the Bureau of ATF, and that this complaint is based on the following facts on the attached affidavit.

Continued on the attached sheet and made a part hereof: Yes X No

Signature of Complainant
Larry A. Samhat
Special Agent, ATF

Sworn to before me and subscribed in my presence,

Date
U.S. Magistrate Judge

at
Detroit, Michigan

Name & Title of Judicial Officer

Signature of Judicial Officer

I, Larry A. Samhat, being sworn, depose and state the following:

1. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement officers, communications with others who have personal knowledge of the events and circumstances herein described, and information gained via my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause, and does not contain all details or all facts which exist pertaining to this investigation.
2. I have been employed as a Special Agent with the Bureau of ATF since 1984, and during this time I have been involved in numerous investigations of violations of Federal firearms and narcotics laws.
3. I am currently investigating an individual identified as Richard R. MORRIS, DOB 3/5/1981, who currently resides at 2544 Cadillac, Detroit, Michigan. This investigation involves his alleged violations of the Federal firearms and narcotics laws.
4. On 2/24/2004, officers of the Detroit Police Narcotics Division executed a state search warrant at 9330 Cutler, Detroit, Michigan. Upon entry into this residence they found and detained MORRIS. MORRIS was seated at a table along with a 17 year old male in the dining room of the residence as the officers made entry. Found underneath the table where MORRIS was seated was a Ruger .22 caliber semi-automatic rifle, serial number 23808880. Also recovered from MORRIS inside his hooded sweatshirt were 18 ziplock baggies containing suspected marijuana. Officer Heshimu Green, who had searched MORRIS, confiscated the marijuana and placed MORRIS under arrest. Officer Kareem Wheeler confiscated the rifle from under the table and secured it as evidence. It was examined and found to be loaded with one live round and 24 additional rounds in the ammo magazine attached to it. MORRIS was taken to the 5th Precinct for processing.
5. On or about 3/3/2004 your affiant received information (via LEIN) the Michigan computerized criminal history record of MORRIS showing that he is a convicted felon, having been convicted on or about 9/16/1999 in the 3rd Circuit Court of Michigan for the crime of Delivery of Controlled Substance (less than 50 grams).
6. On or about 3/3/2004 I consulted with ATF Special Agent Gregory Geider concerning the interstate nexus question regarding the manufacturing location of Ruger firearms. I described the firearm seized from MORRIS, and it was determined by Special Agent Geider that this firearm was manufactured outside of Michigan and has moved in interstate commerce in order to have arrived in Detroit, Michigan.

7. Based on the above stated information and facts, I have probable cause to believe that MORRIS, a previously convicted felon, did knowingly and intentionally possess a firearm that has traveled or moved in interstate commerce, did possess said firearm during and in relation to a drug trafficking crime (possession with intent to distribute marijuana), and did possess marijuana with intent to distribute, in violation of Title 18 USC, Sections 922(g) and 924(c), and Title 21 USC, Section 841(a).

Larry A. Samhat

Special Agent, ATF

Sworn and subscribed before me on this MAR 12 2004 day of March, 2004.

FL. Sheriff

United States Magistrate Judge