

EXHIBIT A



WRONGFUL CONVICTIONS CLINIC
DUKE UNIVERSITY SCHOOL OF LAW
SCIENCE DRIVE AND TOWERVIEW ROAD
BOX 90360 • DURHAM, NC 27708-0360
(919) 613-7133 • FACSIMILE (919) 613-7262

JAMES E. COLEMAN, JR.
THERESA A. NEWMAN
CO-DIRECTORS

JAMIE T. LAU
SUPERVISING ATTORNEY

November 10, 2017

By EXPRESS MAIL

Department of the Navy
Office of the General Counsel
ATTN: FOIA APPEALS
1000 Navy Pentagon, 5A532
Washington, DC 20350-1000

5720 2016-006502
SER00LJF/16U0737

Re: **FREEDOM OF INFORMATION ACT AGENCY APPEAL**

I am co-director of the Duke Wrongful Convictions Clinic. We represent Ruben W. Wright, formerly CWO4 USMC, whom a civilian jury convicted of first-degree murder on January 20, 2006. Pursuant to 5 U.S.C.S. § 552 (a)(6)(A)(i) of the Freedom of Information Act (“FOIA”), we appeal the administrative closing and effective denial of the Freedom of Information Act request which we served on the Naval Criminal Investigative Services (NCIS) on May 11, 2016. (Attachments A & B).

We hereby renew our request for all records of any kind (including video in any form) pertaining to security camera videos of Randy Linniman leaving and entering the Marine Corps Base, Camp Lejeune, NC, on the morning of January 5, 2004. In addition to the surveillance footage and all records related to it, we also request an opportunity to interview the following NCIS special agents who documented their access to the security video:

- NCIS Agent Scott Alexander Vousboukis
- NCIS Agent Joseph Briggs
- NCIS Agent Marc Jaskolka

The purpose of the interviews is to account for NCIS’s handling of the surveillance video and to identify all persons who reviewed the video under NCIS’s supervision or while the video was under NCIS’s control. This information is necessary to determine if the video footage is missing as a result of intentional conduct.

Finally, we request a detailed account of NCIS's efforts to locate the missing footage as well as a log of all documents withheld under any FOIA exemption. The record documents that

this footage was in the custody of NCIS agents. The missing video represents key evidence in the murder case against Ruben Wright.

A. THE NCIS SURVEILLANCE FOOTAGE IS CRITICAL EVIDENCE IN RUBEN WRIGHT'S FIRST-DEGREE MURDER CASE.

We are investigating the claim of Ruben Wright that he is innocent of the first-degree murder of James Taulbee, a retired Marine, for which he was convicted on January 20, 2006, and sentenced to life in prison without the possibility of parole.

At Mr. Wright's trial, Zenaida Taulbee (the deceased's wife) testified that sometime around 4:15 a.m. on the morning of January 5, 2004, she saw Mr. Wright get out of the passenger side of Randy Linniman's car in the driveway to the home she shared with her husband. (Attachment C 4/9, p. 853). Mr. Linniman is former Marine Sgt. and also was a suspect in the murder. In statements that he gave to NCIS and the Onslow County Sheriff's Department (OCSD), Mr. Linniman claimed that he picked up Mr. Wright on the base that morning and drove him to the Piney Green area where the murder took place and then back to the base. (Attachment D, p. 15). The State's case against Mr. Wright assumed that Mr. Linniman's account was true. Ms. Taulbee's testimony and that of Special Agent Vousboukis supported this version of events and was the key evidence against Mr. Wright. Ms. Taulbee's testimony put Mr. Wright in the front seat of Mr. Linniman's car when it arrived at her home. Agent Vousboukis' testimony put Mr. Wright in Mr. Linniman's car when it left and returned to the base. The missing video footage will either confirm or refute their testimony.

During our investigation of Mr. Wright's claim, we reviewed video footage that OCSD obtained from NCIS and subsequently turned over to the defense. Included among this evidence was video footage labelled as outbound traffic from two security cameras at the Piney Green Gate of Camp Lejeune recorded between 0345 and 0500 hours on January 5, 2004, the morning of the murder. (Attachment E). Randy Linniman's car does not appear in any of that footage. Moreover, although Mr. Linniman allegedly left the base that morning through the Main Gate, the footage of Piney Green outbound video for the time period during which Mr. Linniman left the base is missing.

We also reviewed video that NCIS turned over to OCSD that is labelled as "Piney Green Inbound," showing Zenaida Taulbee entering the gate in her red Pontiac Grand Am at 04:28:35 a.m. and Randy Linniman entering the same gate at 4:39 a.m. NCIS also turned over five still photographs of Ms. Taulbee entering the Piney Green Gate that were taken from this video and six still photographs of Mr. Linniman entering. (Attachment F).

Most importantly, there are six still photographs of white cars leaving the base through the Main Gate on the morning of January 5, 2004, that were taken from missing video footage. (Attachment G). The photographs are labelled "Main Gate Outbound" and were made from video recorded by two different cameras, set at different angles. The still photographs were taken from the video at the following times: 04:06:05, 04:20:58, 04:27:17, and 04:20:57 (3 photos). NCIS Agent Scott Alexander Vousboukis testified at Mr. Wright's trial that the 04:06:05 screenshot was of Mr. Linniman's car leaving through the Main Gate. (Attachment C 6/9, p. 941).

If the videos and still photographs are correctly labelled,¹ then the copies of all video footage that NCIS turned over to OCSD (which OCSD subsequently produced to Mr. Wright) are from the Piney Green Gate. OCSD does not have any videos from the Main Gate, even though NCIS turned over still photographs labelled as screen shots taken from video footage from that gate.² The still photograph made from the missing footage that shows Mr. Linniman's car was taken only after the car had completely cleared the gate and was moving away from the camera, when it was no longer possible to determine who the driver was or if there was a passenger in the car. (Attachment G 2/6).

NCIS Special Agent **Scott Alexander Vousboukis**, currently stationed at the NCIS NW Field Office, in Silverdale WA, reviewed the original surveillance video footage and reported to OCSD that Mr. Wright was in the back seat of Mr. Linniman's vehicle when they returned to the base. (Attachment I, p. 22). However, he later testified at Mr. Wright's trial that, "it was too dark and there wasn't enough light off the gate camera to identify anybody in the vehicle." (Attachment C 9/9, p. 944). The video and photographs of Mr. Linniman returning to the base through the Piney Green Gate show clearly that Mr. Linniman was alone in his car at that time. (Attachment H). If the missing video of Mr. Linniman leaving the base through the Main Gate at 4:08 a.m. shows that Mr. Wright was not in the vehicle, the State's claim that Mr. Wright went to the victim's residence as a passenger in Mr. Linniman's car and also returned to the base in Mr. Linniman's car would be refuted. That also would refute Ms. Taulbee's claim that she saw Mr. Wright emerge from the passenger seat of Mr. Linniman's car when it arrived at her home. That effectively would negate all of the state's evidence of Mr. Wright's involvement in Mr. Taulbee's death. Consequently, the missing video footage is key evidence that bears materially on the credibility of the State's entire case against Mr. Wright.

B. THE REQUESTED SURVEILLANCE FOOTAGE EXISTED AND WAS HANDLED EXCLUSIVELY BY NCIS AGENTS.

Agent Vousboukis, currently stationed at the NCIS NW Field Office, received the surveillance video footage, reviewed it, and requested enhanced still photographs from the footage. Agent Vousboukis was also NCIS's liaison with OCSD, which turned over the

¹ The Piney Green Gate currently does not open until 5 a.m. and we have been led to believe that was also the case in 2004, although the video footage of traffic leaving by the Piney Green Gate on January 5, 2004, starts before 0400. The Main Gate is currently open 24-7 and we believe that was also the case in 2004. However, if the video footage is of the Main Gate, rather than the Piney Green Gate, then there is a question of why there are gaps in the outbound footage of video from cameras at the Main Gate for all of the periods depicted on the still photographs of cars leaving the Main Gate, including especially the time (04:06:05) when Linniman's car passed through the gate.

² In a meeting with OCSD on November 3, 2017, OCSD confirmed its belief that NCIS probably never gave them copies of the missing footage from the Main Gate and encouraged us to speak to NCIS because they had sole custody of the original video and controlled what video was shown and turned over to OCSD.

edited NCIS videos to the defense after receiving them from NCIS. We attempted to interview Agent Vousboukis on February 26, 2016, but he refused to speak with us.

OCSD Detective Dawn Jauernik reported that on January 15, 2004, NCIS Special Agent **Joseph Briggs** gave her copies of photographs of Ms. Taulbee's car entering Camp Lejeune through the Piney Green gate at 4:28 a.m. on January [5], 2004, and of Mr. Linniman and Mr. Wright entering the base through the Piney Green Gate at 4:39 a.m. (Attachment J, p. 21).³

On January 22, 2004, Agent Vousboukis received a CD-R from Cpl. David Fox (NOSB/Network Security) that contained footage of traffic entering and existing MCB, CLNC [Marine Corps Base, Camp Lejeune, NC] on January 5, 2004 between 3:45 a.m. and 5:00 a.m. (Attachment K). The same day, Agent Vousboukis called Detective Robinson of OCSD and informed him that Ruben [Mr. Wright] and Randy [Mr. Linniman] left the Main Gate at 4:08 a.m., Zenny [Ms. Taulbee] entered the Piney Green Gate at 4:28 a.m., and Randy and Ruben returned through the Piney Green Gate at 4:39 a.m. (Attachment I, p. 22). He told Detective Robinson that on the return, Randy was driving and Ruben was in the back seat. (Attachment I, p. 22).

On January 23, 2004, Agent Vousboukis reported that his review of the video obtained from Cpl. Fox appeared to show: Mr. Linniman's white Honda Accord exiting MCB, CLNC at 4:08 a.m.; Ms. Taulbee's red Pontiac entering through the Piney Green Gate at 4:28 a.m.; and Mr. Linniman's vehicle entering the Piney Green Gate at 4:39 a.m. (*Id.*). Agent Vousboukis attached thirteen photographs to the report, all screenshots made from the CD-R: one of Mr. Linniman's car exiting, six of Ms. Taulbee's car entering, and six of Mr. Linniman's car entering.

On March 23, 2004 Agent Vousboukis sent a copy of the CD-R obtained from MCB, CLNC Network Security Department to **Agent Marc Jaskolka**, of the NCIS Regional Lab (located at 9708 Hampton Blvd. Norfolk, VA 23505-1098). The accompanying report states that the CD-R contained video surveillance depicting what appeared to be vehicles driven by Mr. Linniman and Ms. Taulbee exiting and/or entering MCB, CLNC, during the early morning hours of January 5, 2004. According to the report, a copy of the CD-R was entered into the NCISRA CLNC Evidence Custody System, under log number 139-04. Agent Vousboukis requested that Agent Jaskolka enhance the video depicted on the CD-R and provide still images of unspecified vehicles. Agent Vousboukis requested that Agent Jaskolka return the CD-R after the enhancements were completed. (Attachments L & M). Based on the summary description of the request, it appears almost certain that Agent Vousboukis and Agent Jaskolka had a prior communication about the request; the report, for example, does not identify the automobiles of which Agent Vousboukis wanted enhanced photographs.

On May 24, 2004, the NCISRA Norfolk Forensic Laboratory sent Agent Vousboukis still photographs from the CD-R. We believe that five of the photographs were of Ms. Taulbee's car entering the base and four of the photos were of Mr. Linniman's car. Two days later, on May

³ On November 3, 2017, we spoke with Detective Jauernik and she confirmed that Special Agent Briggs showed her actual footage of the surveillance video during a visit to Camp Lejeune. She said what she saw was in black and white and it was not clear whether anyone was in the car.

26, 2004, Agent Vousboukis prepared another report detailing the request he had made to the NCIS forensic lab to “enhance the above video and provide the enhanced video as still photographs.” (Attachment N).

On June 22, 2004, Agent Vousboukis sent copies of the May 24, 2004 report, the enhanced photographs, and presumably the video with missing footage to OCSD and the Onslow County D.A.'s Office for “prosecution purposes.” (*Id.*).

At Mr. Wright’s trial, Agent Vousboukis testified that he had the still photographs made from the surveillance video footage, including still frames of Linniman’s car leaving from and returning to the base. (Attachment C 5/9, p. 940). Prior to having the photographs made from the video footage, Agent Vousboukis said he reviewed the original video footage “to identify any and all white vehicles that kind of matched the vehicles I was looking for exiting or coming on the base. These vehicles that I picked out matched those vehicles, the best description that I had.” (Attachment C 8/9–9/9, p. 942–43). Agent Vousboukis said he believed he “picked out [Linniman’s] vehicle, yes sir.” (*Id.* 9/9, p. 943).

Thus, there is no question that NCIS had custody of video footage of Mr. Linniman’s car leaving the base; that Agent Vousboukis had custody of and reviewed the video; and that he caused a photograph of Mr. Linniman’s car leaving the base to be made from video footage taken from a camera located at the Main Gate. That footage is now missing. Given that the footage and photographs of Mr. Linniman returning to Camp Lejeune about 30 minutes after he left show that he was in the car alone, it is imperative that NCIS account for the missing footage of Mr. Linniman’s car leaving the base. If that footage shows that Mr. Linniman was alone when he left Camp Lejeune on the early morning of January 5, 2004, the State’s theory of Mr. Wright’s participation in the murder is discredited.

C. NCIS EFFECTIVELY DENIED OUR MAY 11, 2016 FOIA REQUEST FOR THE MISSING FOOTAGE.

On May 11, 2016, we submitted a Freedom of Information Act (“FOIA”) request to NCIS requesting all records pertaining to the security videos of Zenaida Taulbee and Randy Linniman entering or leaving the Marine Corps Base, Camp Lejeune, NC, on January 5, 2004. (Attachment A). On May 19, 2016, Commander Karen Richman of NCIS advised us that NCIS had administratively closed our FOIA request because as of April 14, 2016, any responsive video footage in NCIS’s possession had been permanently transferred to OCSD. (Attachment B). That response effectively denied our request for both the missing video footage and all other records relating to the video. The record described above makes clear that NCIS generated responsive records relating to the surveillance video that NCIS has not produced in response to our FOIA request or transferred to OCSD.

The same day (May 11, 2016) we submitted our FOIA request, we also sent a letter to Ernie Lee, the District Attorney for District 4B (Onslow County) requesting that he ask the North Carolina State Bureau of Investigation to conduct an investigation into the missing and altered footage. (Attachment O). Mr. Lee declined our request in a letter dated May 24, 2016. (Attachment P). He made his decision after reviewing the files in his Office and

communicating with NCIS Supervisory Special Agent David Gardner, MCB, Camp Lejeune, NC. Agent Gardner informed Mr. Lee that the security cameras were motion-activated, which might explain the gaps. Agent Gardner stated there would have been four cameras at each gate, two catching the vehicles in-bound and two catching the vehicles out-bound; he also noted the possibility that cameras may have been down due to technical difficulties. Agent Gardner told Mr. Lee that he had contacted Agent Vousboukis on May 16, 2016; Mr. Lee did not report the substance of Agent Gardner's discussion with Agent Vousboukis. Agent Vousboukis, through Agent Gardner, again declined to speak with our clinic about the missing video footage.

We responded to Mr. Lee on May 31, 2016, informing him of our FOIA request and NCIS's claim that it had turned over to OCSD all copies of existing footage of video from cameras at the Main and Piney Green Gates, taken on the morning of January 5, 2004. (Attachment Q). We asked to meet with Mr. Lee to discuss the situation. On June 13, 2016, we met with Mr. Lee and Assistant District Attorney Michael Maulsby in their office. (Attachment R). They affirmed that NCIS had not turned over any footage of outgoing traffic from Camp Lejeune's Main Gate to OCSD, and that there were what appeared to be gaps in the footage of incoming traffic through the Piney Green Gate. When we pointed out that the photograph of Mr. Linniman's car returning showed clearly that only Mr. Linniman was in the car, both Mr. Lee and Mr. Maulsby agreed. We informed Commander Richman of this, by letter dated July 17, 2016, and requested that NCIS conduct its own investigation into the missing video footage of outbound traffic. (Attachment S).

On October 13, 2016, NCIS Agent Sean P. Devinny emailed us to advise that NCIS had assigned him to conduct an inquiry into the missing video. (Attachment T). On November 7, 2016, Agent Devinny informed us through email that he checked the NCIS files and NCIS actually had maintained a copy of a CD-R containing video of traffic exiting and entering Camp Lejeune on the morning of January 5, 2004. However, the files contained only the still photographs of outbound traffic through the Main Gate and the videos of inbound traffic through the Piney Green Gate, with missing footage during the period that Mr. Linniman left the base. The NCIS files did not contain the missing outbound footage taken at the Main Gate. On March 8, 2017, Agent Devinny informed us that he had completed his investigation of the Piney Green Gate footage and had found no nefarious explanation for the gaps. (Attachment U). To our knowledge, Mr. Devinny's investigation did not produce any explanation for the missing video of traffic exiting the Main Gate or for the missing gaps in the video footage taken at the Piney Green Gate (besides the potential for motion-activated gaps).

To follow up on NCIS's claim that it had transferred all of its files relating to Mr. Wright's case to OCSD, we arranged to review all of the video that NCIS had sent to OCSD. In the course of our review, we identified a copy of one CD-R that OCSD could neither play nor copy on its equipment. On August 4, 2017, we asked Agent Devinny to arrange for NCIS to examine the CD-R to determine if it had been corrupted. NCIS was able to play the CD-R using a VLC Media Player. Subsequently, however, OCSD was unable to play the CD-R on its VLC Media Player; nor could it copy the CD-R for the Clinic. Based on the content listed on the CD-R, however, the video on the CD-R is not from the Main Gate. The CD-R contains a folder, labelled "Piney Gate Inbound," and a JPEG file that is the screenshot of Mr. Linniman's car after it had passed through the Main Gate. (Attachment V). The "Piney Green Inbound" folder


contains several photographs of the Linniman and Taulbee cars entering the base through the Piney Green Gate, and three videos of the two cars entering the gate. (Attachment V). OCSD could not play any of the video clips.

Our subsequent efforts to obtain records from NCIS have been unsuccessful. By email, we requested an opportunity to interview Agent Vousboukis and a person who could explain how NCIS or the military base at Camp Lejeune stored surveillance footage. (Attachment W). We explained this was necessary to determine what happened to the missing footage that indisputably had once been in NCIS custody. On September 25, 2017, Agent Devinny informed us that he had forwarded our request to NCIS headquarters since Agent Vousboukis was no longer assigned to Camp Lejeune. On September 28, 2017, NCIS Agent Andrew Goodridge informed us that our request to interview Agent Vousboukis had been denied. He gave us the Directory Assistance phone number for assistance regarding our inquiry about how the Military Base maintained surveillance video at Camp Lejeune. (Attachment X). We responded the same day, requesting instead that NCIS conduct the interview of Agent Vousboukis. We were advised to direct any further inquiries to Commander Richman, who subsequently informed me orally that we could not interview Agent Vousboukis and NCIS would take no further action on this matter.

We have exhausted every conceivable avenue to obtain the missing records relating to the Main Gate outbound video footage, which was the subject of our May 11, 2016 Freedom of Information Act request. Our only remaining option is this appeal. Since NCIS has failed to account for the missing video footage and has denied our interview requests and has advised us that it will make no further effort to do so, NCIS has effectively denied our FOIA request for that footage and records relating to it. We appeal that decision and request an opportunity to interview all known custodians of the missing footage in order to recover this critical evidence in our investigation of Mr. Wright's claim of actual innocence.

I look forward to your response within 20 working days, as provided by 5 U.S.C.S. § 552(a)(6)(A)(iii). Thank you for your assistance with this matter.

Very truly yours,



James E. Coleman, Jr.
Counsel for Ruben W. Wright

Duke Wrongful Convictions Clinic
Legal Assistants:

Irene Kim
Sarah Milkovich
Jennifer Thelusma
Eileen Ulate
Chia-Yen Tsai (Exchange Student)

APPENDIX

Attachment A: Freedom of Information Act Request- May 11, 2016
Attachment B: Letter from Commander Richman- May 19, 2016
Attachment C: Trial Transcript- pages 853, 940-44
Attachment D: Detective Shivers Supplemental Report
Attachment E: CD-R Package and Sleeve to OCSD
Attachment F: Inbound Photographs 1-12
Attachment G: Outbound Photographs 1-6
Attachment H: Enhanced Inbound Photograph
Attachment I: Detective Robinson Supplemental Report
Attachment J: Detective Jauernik Arrest Report
Attachment: K: Agent Vousboukis Report- January 23, 2004
Attachment L: Agent Vousboukis Request to Norfolk Lab
Attachment M: Agent Vousboukis Report- March 24, 2004
Attachment N: Agent Vousboukis Report- Receipt of Enhanced Photographs
Attachment O: Letter to Ernie Lee- May 11, 2016
Attachment P: Letter from Ernie Lee- May 24, 2016
Attachment Q: Letter to Ernie Lee- May 31, 2016
Attachment R: Memorandum- June 14, 2016
Attachment S: Letter to Commander Richman- July 17, 2016
Attachment T: Email from Agent Devinny- October 13, 2016
Attachment U: Email from Agent Devinny- March 8, 2017
Attachment V: Video Labelling
Attachment W: Email request to Agent Devinny- September 24, 2017
Attachment X: Email from Agent Goodridge- September 28, 2017



WRONGFUL CONVICTIONS CLINIC
DUKE UNIVERSITY SCHOOL OF LAW
SCIENCE DRIVE AND TOWERVIEW ROAD
BOX 90360 • DURHAM, NC 27708-0360
(919) 613-7057 • FACSIMILE (919) 613-7262
[JCOLEMAN@LAW.DUKE.EDU](mailto:jcoleman@law.duke.edu)

JAMES E. COLEMAN, JR.
CO-DIRECTOR

May 11, 2016

BY FACSIMILE (571) 305-9867
Naval Criminal Investigative Services Resident Agency
H-32 Julian C. Smith Drive
Camp Lejeune, NC 28547-1603

Re: FREEDOM OF INFORMATION ACT REQUEST

Dear FOIA Officer:

I am co-director of the Duke Wrongful Convictions Clinic. We represent Ruben Wright, formerly CWO4 USMC, who was convicted of first degree murder by a civilian jury on January 20, 2006.

Pursuant to the Freedom of Information Act (5 U.S.C. § 552), I request all records pertaining to security camera videos of Zenaida Taulbee and Randy Linneman leaving the Marine Corps Base, Camp Lejeune, NC on January 5, 2004. NCIS apparently sent copies of the videotapes to the Onslow County Sherriff Department (OCSD), which subsequently sent them to the District Attorney who prosecuted the case and to Mr. Wright's defense counsel. However, as far as we can determine, the DA and the defense counsel received only tapes that have been altered to edit out the relevant portion that shows Linniman's car leaving the base around 4:06am on January 5, 2004.

The videotapes are marked "Camera One," "Camera Two," and "Camera Three." The video from Camera One is missing the following times: 04:05:45 – 04:10:34; 04:11:07 – 04:13:08; and 04:13:44 – 04:19:00. The video from Camera Two is missing the following times: 04:01:20 – 04:18:34; 04:30:30 – 04:41:35; and 04:41:47 – 04:48:43. The video from Camera Three is missing the period from 04:05:21 – 04:18:38. The missing segments likely are exculpatory.

We made a similar request for these records on October 27, 2014, which NCIS denied on March 13, 2015, on the ground of third party privacy, pursuant to 5 U.S.C § 552(b)(6) and (b)(7)(C). Since then, however, we discovered new evidence indicating that the public interest in disclosure of the unaltered tapes outweighs any personal privacy interest and that significant public benefit would result from disclosure of the requested records.

As the enclosed documents show, NCIS Special Agent Scott Vousboukis sent the unedited videos to Special Agent Marc Jaskolka, along with a request for assistance on March 24, 2004.

Copies of the videos were entered into the NCISRA CLNC Evidence Custody System, under log number 139-04, and was sent by registered mail to NCISRFL Norfolk, VA. Special Agent Vousboukis asked the lab to enhance the video and provide still images.

As part of our investigation, we reviewed the videotapes taken by security cameras at the Piney Green Gate to the Camp Lejeune military base between 0345 and 0500 hours on January 5, 2004. We have a single still photograph, taken from one of the videotapes, showing another suspect in the case, Marine Sgt. Randy Linniman, leaving the base at around 04:06:05. According to a statement Linniman gave to NCIS, he drove Mr. Wright to Ms. Taulbee's home that morning, unaware that Mr. Wright allegedly intended to kill Mr. Taulbee. The State accepted Linniman's statement as truthful; as a result, he was tried separately as an accessory after the fact.

Inexplicably, the copies of the videotapes that we have are missing large chunks of time, including all of the period when Linniman approached the Piney Green Gate to leave and when he stopped at the guard before exiting. The still photograph that Special Agent Vousboukis presented at Mr. Wright's murder trial shows Linniman's car after it had exited the Gate and was moving away from the camera, when it was no longer possible to determine if there was a passenger in the car. I have enclosed a copy of that photograph. The videotapes also show Zenne Taulbee, wife of the murder victim who pled guilty to his murder, entering the base through the Main gate in her red Pontiac Grand Am at 04:28:35; and they show Linniman returning to the base through the Piney Green Gate at 04:39. Contrary to Linniman's statement to NCIS, he appears to be alone in the car.

At trial, NCIS Special Agent Scott Alexander Vousboukis testified for the State about still photographs made from the Camp Lejeune security videos, taken of a car driven by Linniman leaving and entering Camp Lejeune on the early morning of January 5, 2004. However, Special Agent Vousboukis did not disclose that the tape has been altered. There was only one photograph of Linniman's car leaving, taken of the rear of the car at about 4:06 a.m., after the car had cleared the gate. Special Agent Vousboukis testified: "That should have been them exiting the base, sir."

Ms. Taulbee testified that she saw Mr. Wright get out of the passenger side of Linniman's car in the driveway to her home sometime around 04:15 on the morning her husband was killed. Linniman's statement to NCIS about his role in the case and the trial testimony of Ms. Taulbee and Agent Vousboukis make the question of whether Mr. Wright was in Linniman's car when it left the base that morning extremely relevant; the missing videotape may definitively answer that question. If Ruben was not in the car, it would directly refute the State's case against Ruben and support his claim of innocence.

On April 1, 2016, two students from the Wrongful Convictions Clinic traveled to Jacksonville to investigate the missing segments of the videotape. They interviewed the Assistant DA Mike Maultsby who prosecuted the case and defense counsel Ernie Wright. They learned that neither the prosecutor nor the defense counsel had a copy of the unaltered tape, suggesting that it may have been altered before Special Agent Vousboukis turned it over to state authorities.

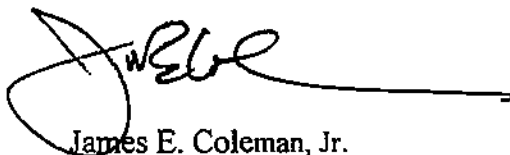
We believe this new information that we have learned since our last FOIA request warrants disclosure of the requested records by NCIS. Since we have only a copy of the Camp Lejeune tapes that have been tempered with, there is a clear demonstration that public interest in disclosure of the unaltered tape outweighs any third person privacy interest, especially if it turns out that the Military was responsible for altering the tape before turning it over to the civilian authorities. The unedited tape also may refute Linniman's statement to NCIS, Ms. Taulbee's testimony, and the implications of Special Agent Vousboukis' testimony.

We will pay fees for this request up to a maximum of \$100.00. If you estimate that the fees will exceed this limit, please inform me first.

I have enclosed an investigative report on the video in question written by NCIS Special Agent Scott Vousboukis, a Request for Assistance made by Special Agent Scott Vousboukis to NCIS Video Imaging Laboratory, a Forensic Examination Request made by Special Agent Scott Vousboukis to NCIS Regional Lab, and a general consent for release of information signed by Mr. Wright.

I look forward to your response within 20 working days, as provided by statute. Thank you for your assistance with this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Coleman", with a long horizontal line extending to the right.

James E. Coleman, Jr.

INVESTIGATIVE ACTION

23JAN04

CONTROL: 06JAN04-CALE-0007-7HMA

S/WRIGHT, RUBEN WORLEY/CRO4 USMC
M/B/MW04/T/306-66-2966/10JUN58/SOUTH BEND, IN
SUPP: HQ COMPANY, 6TH MARINES

RECEIPT OF MCB, CLNC VIDEO

1. On 22Jan04, CPL David FOX, USMC, Marine Corps Base, (MCB) Camp Lejeune, NC (CLNC) NOSSB/Network Security provided Reporting Agent (RA) with a CD-R disk containing video of traffic exiting and entering MCB, CLNC on 05Jan04 between 0345 and 0500.
2. For background information on 05Jan04, V/TAULBEE was discovered deceased with two small caliber gunshot wounds to the head. OCSO, preliminary investigation discovered V/TAULBEE's spouse, X/TAULBEE was having an adulteress affair with S/WRIGHT. Interviews with X/TAULBEE surface information wherein S/WRIGHT and X/LINNIMAN became a logical suspect in the death of V/TAULBEE. Reportedly, X/LINNIMAN and S/WRIGHT exited MCB, CLNC, via the main gate, went to V/TAULBEE's residence off of Piney Green Road, Jacksonville, NC and returned to MCB, CLNC via the Piney Green Road MCB, CLNC gate.
3. A review of the provided video depicted what appears to be X/LINNIMAN's vehicle, a white Honda Accord, exiting the MCB, CLNC at 0408.05 on 05Jan04; enclosure (A) pertains. At 0428.35, X/TAULBEE is depicted entering MCB, CLNC via the Piney Green Gate in her Red Pontiac Grand Am. It appears that X/TAULBEE smiles at the MCB, CLNC gate guard while handing the guard her Military Identification Card; enclosure (B) pertains.
4. A review of the video further depicts X/LINNIMAN entering MCB, CLNC via the Piney Green Gate in his white Honda Accord at approximately 0439; enclosure (C) pertains.

ENCLOSURE (S)

- (A) One Photograph Depicting X/LINNIMAN's vehicle exiting MCB, CLNC/05Jan04
- (B) One Set of 6 photographs Depicting X/TAULBEE's vehicle entering MCB, CLNC/05Jan04
- (C) One Set of 6 photographs Depicting X/LINNIMAN's vehicle entering MCB, CLNC/05Jan04

REPORTED BY: Scott Vouaboukis, Special Agent
OFFICE: NCISRA Camp Lejeune, NC

2/26/04
SEARCHED
SERIALIZED
INDEXED
FILED

EXHIBIT (49)

FOR OFFICIAL USE ONLY

Page 1 LAST TWB V2 LNN

WARNING

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS
HEREIN. CONTENTS MAY NOT BE DISCLOSED TO THE PRESS OR CONCERNED WITHOUT SPECIFIC
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

1457

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
INVESTIGATIVE ACTION

24MAR04

CONTROL: 06JAN04-CBLE-0007-7EMA

S/WRIGHT, RUBEN WORLEY/CWO4 USMC
N/B/HWQ4/T/306-66-2966/10JUN58/SOUTH BEND, IN
SUPP: HQ COMPANY, 6TH MARINES

REQUEST FOR ASSISTANCE BY NCIS VIDEO IMAGING LABORATORY

1. On 23Mar04, Reporting Agent (RA) provided Mr Marc JASKOLKA, Forensic Examiner, Video Imaging, NCIS Regional Forensic Laboratory (NCISRPL), Norfolk, VA, with a copy of a CD-R disk obtained from Marine Corps Base (MCB), Camp Lejeune, NC (CLNC) Network Security Department. This specific video surveillance depicts what appear to be X/LINNIMAN and X/TAULBEE's vehicle exiting and/or entering MCB, CLNC during the early morning hours of 05Jan04. This copy was entered into the NCISRA CLNC Evidence Custody System, under log number 139-04 and was sent via registered mail to the NCISRPL Norfolk, VA. RA requested JASKOLKA to enhance video depicted on the CD-R and to provide still images of depicted vehicles.

2. For background information on 05Jan04, V/TAULBEE was discovered deceased with two small caliber gunshot wounds to the head. OCSO preliminary investigation discovered V/TAULBEE's spouse, X/TAULBEE was having an adulterous affair with S/WRIGHT. OCSO interviews with X/TAULBEE surfaced information wherein S/WRIGHT and X/LINNIMAN became logical suspects in the death of V/TAULBEE. Reportedly, X/LINNIMAN provided S/WRIGHT with a modified firearm, which was used in the death of V/TAULBEE.

ENCLOSURE(S)
(A) NCIS Forensic Examination Request Form/23Mar04

REPORTED BY: Scott Voushoukis, Special Agent
OFFICE: NCISRA Camp Lejeune, NC

EXHIBIT (6)

FOR OFFICIAL USE ONLY
Page 1 LAST TWB V2LNN

WARNING
THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS
HEREIN. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY CONCERNED WITHOUT SPECIFIC
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

74A

**NAVY CRIMINAL INVESTIGATIVE SERVICE
FORENSIC EXAMINATION REQUEST**

To : NCIS Regional Lab
9079 Hampton Blvd
Norfolk, Virginia 23505-1098

From : Special Agent Scott Vousboukis
(Address) H-32 Julian C. Smith
Camp Lejeune, NC

Attn : Special Agent Marc Jaskolka

Brief description of case facts which would pertain to the requested examination and which may assist laboratory personnel in processing the evidence. Include date and place of crime.

On 05Jan04, S/WRIGHT and X/L INNIMAN exited Marine Corps Base, Camp Lejeune, NC in X/LINNIMAN's vehicle; a white Honda Accord. Apparently, this vehicle is seen exiting MCB, at 0408 and then entering at 0439 on 05Jan04.

Evidence Submitted:

ECD No.	Item	Item Description
139-04	A	One brown paper bag containing one CD-R

Examinations and/or comparisons requested (attach separate sheet if additional space needed):
Enhance video, and provide still photographs.

Type of Offense:	DEATH
Suspect(s)	Victim(s)
S/WRIGHT, RUBEN WORLEY/CWO4 USMC	V/TAULBEE, JAMES PATRICK/CIV
X/TAULBEE, ZENaida S/CIV	
X/LINNIMAN, RANDY J/GYSGTUSMC	

One copy of Evidence Custody Document enclosed? Yes No
 Other evidence previously submitted for this case? Yes No
 If Yes, list Laboratory Report No.:

Agency Case Control Number: 06JAN04-CALE-0007-7HMA

Investigator's Name: Scott Vousboukis

E-Mail Address : svousbou@ncis.navy.mil

Office Telephone (Comm/DSN): 910-451-6542

Fax Number : 910-451-8206

Disposition of evidence after analysis/comparison:
 Return Retain at RFL Forward to another field element

Considered priority of requested examination(s): Routine As soon as possible Urgent*

* IF URGENT, SUPERVISOR'S EXPLANATION AND SIGNATURE REQUIRED :
 X/WRIGHT AND X/TAULBEE ARE PLACED IN PRE-TRIAL CONFINEMENT AT ONSLOW COUNTY JAIL. NO COURT DATE HAS BEEN SET.

Signature of Supervisor

The above-mentioned evidence has not been subjected to examination by other experts for the prosecution in the same scientific field as requested herein.

Typed/Printed Name of Requestor: Scott Vousboukis

Date of Request: March 23, 2003

Signature of Requestor

From:

11/07/2012 12:35

#776 P.002/002

2012-11-05 15:08

919

919 6137262 >>

P 3/3

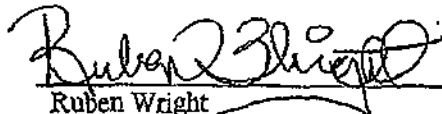


WRONGFUL CONVICTIONS CLINIC
DUKE UNIVERSITY SCHOOL OF LAW
SCIENCE DRIVE AND TOWERVIEW ROAD
BOX 90360 • DURHAM, NC 27708-0360
(919) 513-7057 • FACSIMILE (919) 613-7262

JAMES E. COLEMAN, JR. JAMIE T. LAU
THERESA A. NEWMAN SUPERVISING ATTORNEY
CO-DIRECTORS


**CONSENT FOR RELEASE OF INFORMATION and
WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE**

I, Ruben Wright, hereby authorize any and all entities and persons, including specifically my former attorney Colonel Stephen Newman US Navy JAG, and all other former attorneys who have represented me, to release to The Duke Law School Wrongful Convictions Clinic, or to their staff or student representatives or other agents acting at their direction or under their supervision, any and all records, files, reports, notes, medical records, mental health records, psychiatric records, clinical/clinician notes, attorney notes, prescription records and any other information acquired on my behalf or from me, my agents, or third-parties, and, with respect to any lawyer who previously represented me, including Colonel Newman, to discuss, without limitation, his or her former representation of me with The Duke Law School Wrongful Convictions Clinic, or its staff or student representatives or other agents acting at their direction or under their supervision. I fully understand that there may be statutes, rules, and/or regulations that protect the confidentiality of some of the records, files, reports, and information covered by this release; it is my specific intent to waive the protection of all such statutes, rules, and regulations. By my signature below, I represent that this waiver is voluntary and given without any reservation.



Ruben Wright

12/11/06
Date



Witness Signature

11/6/12
Date



DEPARTMENT OF THE NAVY
HEADQUARTERS
NAVAL CRIMINAL INVESTIGATIVE SERVICE
27130 TELEGRAPH ROAD
QUANTICO VA 22134-2253

5720 2016-006502
SER00LJF/16U0737

MAY 19 2016

Mr. James Coleman
Duke University School of Law
Wrongful Convictions Clinic
Box 90360
Durham, NC 27708

Dear Mr. Coleman:

This responds to your May 11, 2016 Freedom of Information Act (FOIA) request seeking all records pertaining to security camera video footage from January 5, 2004 on Marine Corps Base Camp Lejeune relating to your client, Mr. Ruben Wright's, investigation. We received your request on May 12, 2016.

After coordination with the Naval Criminal Investigative Service (NCIS) Criminal Investigations Directorate, contact was made with the NCIS Carolinas Field Office consolidated evidence facility. It was determined that on April 14, 2016 the requested video footage was permanently transferred to the Onslow County Sheriff's Office. NCIS no longer maintains a copy.

In view of the above, no further action will be taken and your request will be administratively closed.

If you have any questions concerning this matter, please do not hesitate to contact our office at (571) 305-9092 or via email at ncis_foia@ncis.navy.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl", is written over the typed name.

KAREN RICHMAN
CDR, JAGC, USN

Vol. 1

1	STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE
		SUPERIOR COURT DIVISION
2	COUNTY OF ONSLOW	04 CrS 50533

3
4 STATE OF NORTH CAROLINA

5 vs. T R A N S C R I P T

6 RUBEN WRIGHT

7 APPEARANCES:

8 Ernie Lee
 9 Michael Maultsby
 Assistant District Attorneys
 632 Court Street
 10 Jacksonville, NC 28540
 on behalf of the State

11
 12 Ernest J. Wright
 Attorney at Law
 13 410 New Bridge Street
 Jacksonville, NC 28540
 14 on behalf of the Defendant.

15
16 * * * * *

17 This matter came on to be heard before the Honorable
 18 Charles H. Henry at the October 31, 2005 Criminal Session
 19 Of Superior Court for Onslow County.

20 The following proceedings were had, to wit:

21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

Direct Cross Red. Rec. Red. Rec.

State's Evidence:

Thomas Robinson	13	25	32	33		
Mark Shivers	35	48	55	55		
Joseph Briggs	57	75	87	90	94	
Thomas Smith	96	101				
Ed Brown	106	114	119	121		
Thomas Robinson	122	124	126	129		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

	<u>Marked for Identification</u>	<u>Admitted into Evidence</u>
State's voir dire exhibit:		
1 - interview sheet	16	17
2 - NCIS military suspect's acknowledgement and waiver of rights	63	64
3 - confinement order	88	90
4 - interview sheet	127	129
Defendant's voir dire exhibit:		
1 - interview sheet	116	132
2 - interview sheet	130	132

1 Q. What -- where was the car coming from? Was it
2 driving down your street towards the cul-de-sac?

3 A. Yes.

4 Q. What did you see the car do?

5 A. Ahm, when I saw it at the very end of the
6 cul-de-sac, the car turned around and parked
7 inbetween our houses and the other house, our
8 neighbor.

9 Q. Could you see who was driving the car?

10 A. Ahm, I seen is white arm.

11 Q. Saw a white arm? Was the window down?

12 A. Yes.

13 Q. Where was the white arm?

14 A. Sticking out of the window of the driver's
15 side.

16 Q. What happened then?

17 A. And what happened then, when I was backing up
18 they parked between the houses, then I back up and
19 when I left the driveway they forward close to our
20 driveway.

21 Q. Did you look in your rearview mirror?

22 A. Yes, I have.

23 Q. What did you see?

24 A. I saw Ruben come out of the car.

25 Q. What was Ruben wearing?

1 her say that on the stand?

2 A. I don't recall, sir.

3 Q. You don't recall her saying a hundred percent
4 sure, do you?

5 A. I don't recall her saying that.

6 Q. The other thing is there was a video tape from
7 the gate that you obtained, wasn't there?

8 A. Yes, sir.

9 Q. And it showed the entrance of the vehicles on
10 the base and off the base, in particular, Taulbee's,
11 Ms. Zenaida Taulbee's vehicle on the base and
12 Mr. Linniman's vehicle coming on and off the base?

13 A. There was camera set up on the main gate and
14 Piney Green gate where I obtained photographs of
15 vehicles associated with this investigation.

16 Q. And it showed Ms. Zenaida Taulbee coming in
17 the gate smiling and laughing on or about, if I may
18 finish, sir, on or about 04:28 on the 5th of
19 January, 2004?

20 A. I know there's a photograph that shows
21 Ms. Taulbee coming in though the gate. This is a
22 still and has no sound, so I don't know know if she
23 was laughing.

24 Q. It's a red Pontiac.

25 A. It was a red Pontiac.

1 Q. And there was also a picture, I believe, that
2 you had of Randy Linniman's car coming on and off
3 the base?

4 A. Yes, sir.

5 Q. That you obtained.

6 A. I obtained a photo, yes.

7 Q. One picture was at 04:06?

8 A. That should have been them exiting the base,
9 sir.

10 Q. Right. Now, this is a picture of Linniman
11 leaving the base?

12 Q. Linniman's car leaving the base.

13 A. This is a picture of a white Honda that
14 appears to be Linniman's vehicle exiting the base,
15 yes.

16 Q. And then there's six pictures you took of that
17 same vehicle re-entering the base at 04:39?

18 A. There was pictures that I obtained from the
19 base with a white Honda coming into the base through
20 the Piney Green gate following Zene Taulbee.

21 Q. Isn't it true, sir, in none of those pictures
22 is the face of Ruben Wright in any of those
23 pictures?

24 A. No, sir. You cannot identify the people in
25 the vehicle.

1 Q. As a matter of fact, you were able to identify
2 a white male driving Linniman's car and appears to
3 be a Phillipine woman driving Zene Taulbee's car.

4 A. That's what the photographs depict, sir.

5 MR. WRIGHT: That's all I have, sir.

6 REDIRECT EXAMINATION BY MR. LEE:

7 Q. Sir, it isn't true on those photographs from
8 the base, sir, that, in fact, there's lot of white
9 cars going through the gate that date --

10 A. I would assume so, sir.

11 Q. -- throughout the day. Are you able to
12 determine who is in the vehicle that's purported to
13 be Randy Linniman's vehicle?

14 A. No, sir.

15 Q. Can you even see the faces?

16 A. I don't think you can, sir.

17 Q. Okay.

18 MR. LEE: No further questions.

19 RECROSS-EXAMINATION BY MR. WRIGHT:

20 Q. Now, how many -- if I may, Your Honor, how
21 many white vehicles coming in at a specific time
22 through the main gate?

23 A. I know I screened, when I say screened, I
24 tried to identify any and all white vehicles that
25 kind of matched the vehicles I was looking for

1 exiting or coming on the base. These vehicles that
2 I picked out matched those vehicles, the best
3 description that I had.

4 Q. So, it wasn't as though there were like twenty
5 white vehicles coming through at 04:39 the morning
6 of 5 January, 2004?

7 A. I don't think there was many vehicles exiting
8 or leaving the base.

9 Q. At that time of the morning?

10 A. At that time of the morning. It's just the
11 beginning of people coming to base, and I don't
12 think there was that many vehicles.

13 MR. WRIGHT: That's all I have.

14 THE COURT: Okay. Approach the bench,
15 gentleman.

16 (COUNSEL APPROACH BENCH).

17 THE COURT: Okay. Mr. Lee, any further
18 questions with regard to this witness?

19 REDIRECT EXAMINATION BY MR. LEE:

20 Q. Sir, on the vehicles coming back inside the
21 gates, were you able to see the license plates on
22 any of those vehicles?

23 A. I don't recall. I think we were. I have to
24 see the photographs. I don't recall off the top of
25 my head.

1 Q. Could you actually pick out Randy Linniman's
2 vehicle, sir?

3 A. To the best of my ability, we picked out his
4 vehicle, yes, sir.

5 Q. Could you see if anybody was in the back seat
6 of that vehicle?

7 A. It was too dark and there wasn't enough light
8 off the gate camera to identify anybody in the
9 vehicle.

10 Q. Okay.

11 MR. LEE: No further questions.

12 MR. WRIGHT: Judge --

13 RECROSS-EXAMINATION BY MR. WRIGHT:

14 Q. The fact of the matter is that you couldn't
15 identify anybody in Randy Linniman's vehicle other
16 than the driver?

17 A. We knew there was a driver in that vehicle,
18 sir.

19 MR. WRIGHT: That's all.

20 THE COURT: You may step down. Thank you,
21 sir.

22 (WITNESS EXCUSED).

23 THE COURT: Next witness, please?

24 MR. LEE: State's going to call Tom
25 Robinson.

CASE # 04CI007
INCIDENT # 010504151.AP239
DR # 200400374
ORIGINATING DEPUTY: Keith E. Whaley
INCIDENT DATE: 01-05-04
REPORT DATE: 03-17-04
REPORTING DETECTIVE: Captain Mark A. Shivers
SUPPLEMENTAL REPORT

VictimJames Patrick Taulbee
Witness 1.....Evelyn Koch
Witness 2.....Michelle Parrish
Witness 3.....Keith Whaley (OCSO)
Witness 4.....Captain John Mathews (OCSO)
Witness 5.....David Neumann (OCSO)
Witness 6.....Patrick Garvey (OCSO)
Witness 7.....Lt. Col. Keith Bryan (OCSO)
Witness 8.....Detective Dawn Jauernik (OCSO)
Witness 9.....Detective Tom Robinson (OCSO)
Witness 10Detective Sgt. Harold Major (OCSO)
Witness 11Lt. Col. Keith Bryan (OCSO)
Witness 12Linwood Foy (OCSO)
Witness 13.....Sheriff Ed Brown (OCSO)
Witness 14Jim Metro (Rescue)
Witness 15.....Austin Lentz (Rescue)
Witness 16Rita Zimmer (Rescue)
Witness 17Michael (Mike) Taulbee
Witness 18.....Agent Tom Smith (NCIS)
Witness 19.....Agent Scott Vousboukis (NCIS)
Witness 20.....Agent Kevin Dodds (NCIS)
Witness 21.....Stanley Foster
Witness 22.....Morina Foster
Arrestee 1.....Ruben Wright Jr.
Arrestee 2.....Zenaida Taulbee
Arrestee 3.....Randy Linnimen

PROPERTY:

1-Damaged Door Jamb, wood, valued at \$100.00, belonging to V/James P. Taulbee.

1-Pistol, model D-32 Caliber automatic, Davis Industries, Serial # 334674, Silver and Brown in color, valued at \$200.00, belonging to W/Morina Foster.

DETAILS:

On 01-06-04, at approximately 8:30 a.m., Captain Frank Terwilliger, the Chief of Investigations, held a meeting with the Detective Unit at the Sheriff's Office in the Conference Room. There, I learned of the homicide of V/James Taulbee and was given details of the crime scene.

Captain Terwilliger then requested that I go with Detective Dawn Jauernik, the lead investigator, to W/Evelyn Koch's residence at 108 Chestnut Court to interview A/Zenaida Taulbee.

At approximately 12:30 p.m., Detective Jauernik and I arrived at 107 Chestnut Court. There was a deputy parked in his patrol vehicle out in front of V/Taulbee's residence. We spoke with him briefly and went over to W/Koch's residence to interview A/Taulbee. Upon arrival we checked on A/Taulbee. She was sitting on the couch in the living room crying and appeared to be very emotional.

Detective Jauernik introduced me to W/Koch and A/Taulbee. It appeared that we would not be able to interview A/Taulbee at that time, so Detective Jauernik spoke briefly with her. I then interviewed W/Koch while Detective Jauernik interviewed W/Koch's husband who was also present.

W/Koch stated that A/Taulbee did not get a lot of sleep and was very emotional. She stated that she had not attempted to talk to her, but to just comfort her at the moment. I began to ask W/Koch questions about the homicide and if she had notice anything out of the ordinary on 01-05-04.

W/Koch stated that on 01-05-03, at approximately 4:30 p.m., she was upstairs smoking and was putting her bedroom window down or up and noticed a white male approximately 6 foot tall, with black curly hair, approximately 140-160 pounds, wearing gray pants and a beige colored short sleeved shirt with stripes on it, standing outside of V/Taulbee's residence near the mailbox pacing back and forth. W/Koch stated that the subject she saw was driving a tan in color small newer (2000) model car.

W/Koch described the tan colored car as being parked on Chestnut Court approximately 25 yards from V/Taulbee's residence. She said that she has seen a similar vehicle at V/Taulbee's residence 4-5 times in the past late at night. She stated that it would at times be parked in V/Taulbee's driveway. W/Koch said that she would be able to identify the white male if she saw him again.

W/Koch stated that one day A/Taulbee came over to her and told her that if V/Taulbee ever asked her about her (A/Taulbee) guest to just tell him that she did not have any company. W/Koch said that A/Taulbee also told her to just tell V/Taulbee that she went to work and back home. W/Koch stated that she suspected A/Taulbee and her friend. She said that she does not know A/Taulbee's friend, but he did not appear to be a Marine.

W/Koch stated that her husband did not want her to say anything to us, but she felt that she needed to. She said that she would write a statement and that I could pick it up at a later date. I ended the interview with W/Koch and thanked her for talking with me.

On 01-06-04, at approximately 1:35 p.m., I conducted an interview with W/Marian Hardin, who worked for W/Koch as a house cleaner. She stated that on 01-05-04, she was at work from 9:00 a.m. to 6:00 p.m. W/Hardin said that she usually walks back and forth from 102 Chestnut Court to 108 Chestnut Court cleaning both homes.

W/Hardin stated she did not notice anything out of the ordinary on 01-05-04. She stated that at approximately 4:30 p.m., on 01-05-04, she saw V/Taulbee drive up in his red Ford Explorer, but she did not see him get out. W/Hardin stated that she was backing out of W/Koch's driveway as V/Taulbee was pulling into his driveway. She said that she never sees V/Taulbee and A/Taulbee outside. W/Hardin stated that she really did not know A/Taulbee. She wrote a statement and I ended the interview.

On 01-06-04, at approximately 5:00 p.m., Sheriff Brown and the following Detectives met at the Sheriff's Office for an update on case leads. Me, Captain Terwilliger, Lt. Col. Bryan, Sgt. Harold Major, Sgt. Linwood Darden, Detective T.J. Cavanagh, Deputy Patrick Garvey, Detective Robert Matthews, Detective Tom Robinson, Detective Jauernik, and Detective John Dubois were present.

On 01-07-04, at approximately 9:00 a.m., Detective Sgt. Major and I went to the Microtel Inn and Suites at 2411 Commerce Road, Jacksonville, NC, to check the parking lot for tan colored vehicles. After checking the parking lot we went to the area of V/Taulbee's residence at 107 Chestnut Court to conduct field interviews.

At approximately 9:20 a.m., we went to 105 Chestnut Court and knocked on the front door, but received no answer. Three vehicles were parked in the driveway, but no one appeared to be at home. We left a business card on the front door. At approximately 9:25 a.m., Detective Major and I went to 109 Chestnut Court. Upon arrival we attempted to make contact with the homeowners, but received no answer. We left a business card on the front door.

At approximately 9:30 a.m., Detective Major and I went to 111 Chestnut Court. Upon arrival we conducted an interview with Ebonee' Humphreys who lived there. She stated that her mother remembered seeing a strange tan colored vehicle in the residential area on 01-05-04, but we would need to talk to her mother about the details. We thanked her for the information and ended our interview.

At approximately 10:00 a.m., Detective Major and I went to 113 Chestnut Court. We spoke with the residence owner, but she did not notice anything out of the ordinary on 01-05-04. At approximately 10:20 a.m., we went to 116 Chestnut Court and knocked on the front door, but received no answer. We left a business card on the front door.

At approximately 10:25 a.m., Detective Major and I went to 112 Chestnut Court. We knocked on the front door, but received no answer. We left a business card on the front door. At approximately 10:30 a.m., we went to W/Koch's residence at 108 Chestnut Court. We knocked on the front door, but received no answer. I telephoned W/Koch and she answered the phone stating that she was asleep. I asked her approximately how old the white male was that she witnessed on 01-05-04, at V/Taulbee's residence. She stated that he was approximately 39 years old. I thanked her again and ended our conversation.

At approximately 10:40 p.m., Detective Major and I went to 121 Broadleaf Road and we knocked on the front door. The homeowner came to the door. We asked her if she noticed anything out of the ordinary on 01-05-04, and she stated no. We thanked her for her time and ended the interview.

At approximately 10:55 a.m., we went to 119 Broadleaf Road. Upon arrival we knocked on the front door. The owner of the residence answered the door. We asked her if she noticed anything suspicious on 01-05-04, in the residential area and she stated no. We thanked her for her time and ended our interview.

On 01-07-04, at approximately 11:05 a.m., Detective Major and I met with Michael (Mike) Taulbee (V/Taulbee's brother) at V/Taulbee's residence. Upon arrival I interviewed W/Taulbee. He stated that he suspected A/Taulbee had something to do with his brother's homicide. W/Taulbee said that V/Taulbee and A/Taulbee were having marital problems. He stated that V/Taulbee suspected that A/Taulbee was having an affair.

W/Taulbee stated that Denise, he and V/Taulbee's sister, knew a lot more than he did because V/Taulbee and she talked a lot. W/Taulbee said that V/Taulbee would show up out of the blue at Denise's residence. I ended the interview and thanked W/Taulbee for the information. I also assured him that we would do our best to find out who murdered his brother.

At approximately 11:30 a.m., Detective Major and I went to W/Koch's residence to pick up her statement. Upon arrival W/Koch advised us that she was not finished with her statement. W/Koch stated she suspected that A/Taulbee was having an affair. We told W/Koch to give us a call when she finished her statement and ended our interview. Detective Major and I then departed the area.

On 01-07-04, at approximately 1:00 p.m., I conducted an interview with A/Taulbee at the Sheriff's Office. A/Taulbee did not admit or confess to having an affair or knowing anything about V/Taulbee's murder. After approximately an hour, we took a break.

After approximately 15 minutes we continued the interview. After a reasonable amount of time, and A/Taulbee not giving any information about her affair, I ended the interview at approximately 3:15 p.m., A/Taulbee stated that she would take a polygraph examination, but it would have to be done on 01-08-04. I thanked her for coming in and told her that I would see her on 01-08-04. The cassette-taped interview was given to Detective Jauernik.

After the interview, I briefed Captain Terwilliger, Lt. Col. Bryan, Detectives Jauernik, Anderson, Robinson, and Cavanagh. At approximately 4:40 p.m., Sheriff Brown and the Detective Unit met in the Conference Room of the Sheriff's Office for an update on the case.

On 01-08-04, at approximately 8:00 a.m., Sheriff Brown conducted a meeting with the Detective Unit in the Conference Room at the Sheriff's Office. Crime Scene Investigators Neumann, William Meredith, and Harry Weatherly were also present. It was stated that Deputy Whaley was the first person to arrive on scene and he explained what he saw upon his arrival.

On 01-08-04, at approximately 11:10 a.m., Detective Anderson and I went to the Microtel Inn in reference to making contact with A/Taulbee to have a consent form signed allowing us back into her residence. She signed the consent form and stated that V/Taulbee did walk around nude in the house. A/Taulbee said that V/Taulbee slept on the left side of their bed. At approximately 11:45 a.m., I made contact with Sheriff Brown letting him know that I was in possession a signed consent from A/Taulbee giving us permission to re-enter her residence. Sheriff Brown stated he would meet with me at the Taulbee's residence.

At approximately 12:50 p.m., Detective Anderson and I arrived at V/Taulbee's residence at 107 Chestnut Court. Upon arrival I met Burrel Taulbee (V/Taulbee's father) and V/Taulbee's son, Jason. Sheriff Brown arrived shortly afterwards. Jason was in possession of the residence key and he escorted us into the residence. Sheriff Brown looked around in the master bedroom and at the front door.

SBI Agents Steve Combs and Mike Degarlis were called to V/Taulbee's residence in reference to a Luminol test and arrived at approximately 3:15 p.m. Agent Combs examined the master bedroom and determined that the presence of blood was already visible and determined that there was no reason for a Luminol test.

At approximately 3:30 p.m., Detective Sgt. Major and I went to 110 Chestnut Court in reference to a field interview. Upon arrival we made contact with (Marilyn) the residence owner. She did not notice anything out of the ordinary on 01-05-04. I thanked her for her time and we left.

At approximately 4:00 p.m., Detective Sgt. Major and I went to W/Koch's residence to pickup her statement. Detective Anderson and Sheriff Brown were with me. W/Koch showed sheriff Brown how she witnessed the covers on V/Taulbee's bed when she found him on 01-05-04. As she showed Sheriff Brown demonstrating using her bed, the covers were ruffled, but pulled up on him. Sheriff Brown thanked W/Koch for her demonstration and we left.

At approximately 4:50 p.m., Detective Anderson and I went back to the Microtel Inn. Upon arrival we made contact with A/Taulbee in reference to her taking a polygraph examination. A/Taulbee stated that she would come in on 01-08-04, at 7:00 p.m. to take a polygraph examination. Detective Anderson and I left the motel.

On 10-08-04, at approximately 5:30 p.m., Sheriff Brown held a meeting with the Detective Unit for case updates. Sheriff Brown received the updates and advised us to continue to "march". At 7:00 p.m., A/Taulbee arrived at the Sheriff's Office for her examination.

I conducted the examination that lasted for approximately three hours. A/Taulbee did not pass the examination. I reaffirmed her Miranda Rights and interviewed her. A/Taulbee did not confess or admit to murdering or having anything to do with the murder of V/Taulbee. After a reasonable amount of time, I ended the examination. Sheriff Brown and Captain Terwilliger were advised of A/Taulbee's polygraph results.

At approximately 9:45 p.m., I continued the interview of A/Taulbee with Detective Robinson assisting me. She denied having an affair with anyone. A/Taulbee said that she called the special meeting Monday, 01-06-04 at her job to organize her managers. She stated that she sometimes goes out of town for business meetings and she rides with a co-worker.

When asked about her meeting and kissing a black male at her job (Burger King), A/Taulbee said that she had never kissed anyone at her workplace. She stated that she sometimes goes out with girlfriends at Sywanyks at 222

Henderson Drive, Jacksonville, NC. A/Taulbee said that she sends money home to her family in the Philippines each month and has been for 11 years.

1/8/04 At 11:45 p.m., I conferred with Sheriff Brown advising him that she was beginning to open up, but at a very slow rate. At approximately 12:00 midnight, Detective Anderson and I further interviewed A/Taulbee.

A/Taulbee stated that two Marines named Randy (W/M) and Wright (B/M) would come into Burger King to see her, but they were just friends. She also admitted to having an affair with Ronnie Hancock, a black male that was not a Marine. A/Taulbee stated that she last talked with Mr. Hancock the first week of December 2003. She said that he told her that he could be with her if he killed her husband, so she felt like he might have killed V/Taulbee.

A/Taulbee stated that Mr. Hancock knew a lot about the color of her house and where she lived. She said that she was not involved with the murder of V/Taulbee.

I asked A/Taulbee about Wright and she stated that he was just a regular customer at Burger King. She said that he was also married. A/Taulbee stated that Mr. Hancock was not married and that he and his son lived together. She would not confess to murdering V/Taulbee or to having anything to do with his murder.

I asked A/Taulbee why she conducted a meeting on Monday, 01-06-04, and she stated that she wanted to have a good visitation from her supervisor who was coming in to inspect the business.

I asked A/Taulbee to tell me which side of the bed she slept on and she stated the left side of the bed. I confirmed it and drew a picture of it showing her side and V/Taulbee's side of the bed. A/Taulbee said that she did not talk with V/Taulbee Monday morning, 01-05-04, while at work, but she did attempt to call him.

I asked A/Taulbee about V/Taulbee's clothing being left downstairs and she stated that it was not unusual for him to leave his clothing down stairs. She said that V/Taulbee would most often come to bed from the computer room. A/Taulbee stated that V/Taulbee performed unusual sex acts on her. She said that he would use objects at times.

A/Taulbee stated that she and V/Taulbee usually had sexual intercourse approximately three times a week, "normal and abnormal". She said that V/Taulbee was spending a lot of time on his computer both day and night. She stated that she couldn't kill him.

A/Taulbee said that Mr. Hancock was the only person she suspected in the murder of V/Taulbee. She stated that Mr. Hancock would do anything. A/Taulbee said that Mr. Hancock usually wears short T-Shirts and sometimes he wears long sleeve shirts without a collar.

I asked A/Taulbee if she and V/Taulbee ever argued. She stated that V/Taulbee would get upset at times, the last time being in December 2003. A/Taulbee stated that she has never lied to Law Enforcement and that she was not lying during her interview. I ended the interview and A/Taulbee left. I reported my findings to Sheriff Brown and Captain Terwilliger.

On 01-12-04, at approximately 3:00 p.m., I went to W/Koch's residence to collect her statement, but she was not at home. At approximately 4:20 p.m., I made contact with W/Koch by telephone. She stated that she did see a white male talking to V/Taulbee outside, but she was not certain if she saw him Monday morning, 01-05-04, at approximately 10:00 a.m., while opening her window or if it was in the afternoon.

W/Koch stated that she had also seen the white male in a small white vehicle before at V/Taulbee's residence. She said that V/Taulbee had to know the white male because she has seen V/Taulbee outside at the subject's vehicle (small white car) before. W/Koch stated she had seen the white male at least three times before at V/Taulbee's residence.

W/Koch said that the subject never got out of his car except for Monday, 01-05-04. She stated that she would complete her statement and that I could pick it up on January 13, 2004. I ended my conversation with W/Koch.

On 01-13-04, at approximately 12:35 a.m., I conducted an interview with A/Ruben Wright. Sheriff Brown and Detective Robinson assisted me at times with the interview. I started by explaining to A/Wright that he was at the Sheriff's Office being interviewed in reference to the murder of V/Taulbee. I asked him if he knew A/Taulbee and he stated "yes". A/Wright stated that A/Taulbee was just a friend. He denied having any relationship with A/Taulbee at first.

A/Wright said that A/Taulbee did talk about moving to Hawaii and that he believes that A/Taulbee killed V/Taulbee. A/Wright later in the interview did admit to having an affair with A/Taulbee. He stated that he did meet her a lot at the Burger King on Camp Lejeune. A/Wright stated he and A/Taulbee would sometimes meet at the BAQ aboard Camp Lejeune to shower after working out. He said that the employees would often see them talking at Burger King.

I asked A/Wright if he called A/Taulbee the morning of the murder of V/Taulbee and he stated that he did call her to check on her. I asked A/Wright if her went to V/Taulbee's residence on 01-05-04, the morning of the murder and he stated that he did not go to V/Taulbee's house that morning.

I asked A/Wright if he wanted to assist the District Attorney's Office in the case. He stated, "IF I were smart, I would give up A/Taulbee and the other person". A/Wright agreed that a white person killed V/Taulbee.

A/Wright stated that he did befriend A/Taulbee in the wrong way. He said that he did not talk her into shooting V/Taulbee. I asked him what he meant when he stated that he would have to go through the same thing in a couple of months himself in a telephone conversation while talking to A/Taulbee. He could not really give me an answer.

I asked A/Wright to give me his chain of events on Monday, 01-05-04. He stated that he left his residence at approximately 4:00 a.m. enroute to the Area II Gym and arrived there at approximately 4:30 a.m. He said that he worked out for approximately one hour. A/Wright stated that he took a shower in the gym after working out and went to work arriving at work at approximately 6:00 a.m. A/Wright stated he went home at approximately 10:30 a.m., and returned to work at approximately 12:30 p.m., on 01-05-04. He said that he left work at approximately 4:30 p.m. on 01-05-04, and went home. A/Wright stated that he did make a call home before 3:00 p.m., but no one was there.

A/Wright said that he arrived home and his wife arrived home at approximately 6:00 p.m. He stated he called A/Taulbee at approximately 6:30 p.m. and again at approximately 7:30 p.m. A/Wright said that he went back to the office at approximately 10:00 p.m., on 01-05-04. He stated that he called A/Taulbee again. A/Wright called A/Taulbee at 11:30 p.m., on 01-05-04, and again at 12:30 a.m., on 01-06-04.

It was very obvious that A/Wright knew that something had happened concerning A/Taulbee by his telephone conversations with her as we listened to the tape recorded conversations. A/Wright made the following statement to me after listening to the cassette taped telephone conversations between him and A/Taulbee on 01-05-04, "I guess I'm going down, but I didn't pull the trigger!"

I asked A/Wright who the third person was and he stated that he wished that he could tell me. Later in the interview with A/Wright, he told me that A/Randy Linnimen, a Marine and close friend of his, was the other person. I ended the interview with A/Wright and requested that he wait in the interview room for further questioning if any further questions came up. A/Wright stated that he had no problem with waiting.

At approximately 2:30 p.m., on 01-13-04, Sheriff Brown, Captain Terwilliger and I met with Assistant District Attorney Ernie Lee and Michael Maultsby to update them on the Taulbee case.

On 01-13-04, at approximately 3:55 p.m., I was interviewing A/Wright with the assistance of Sheriff Brown. I audiotaped a message to A/Taulbee from A/Wright. A/Wright did tell us to ask A/Taulbee about "the key".

At approximately 4:15 p.m., I conducted an interview with A/Taulbee at the Sheriff's Office. Sheriff Brown assisted me. I allowed A/Taulbee to hear the message sent to her by A/Wright and she responded with her own message. Assistant District Attorney's Lee and Maulsby were also present during the interview. I recorded A/Taulbee's message to A/Wright on a cassette tape.

I asked A/Taulbee about "the key" and she stated that the key belonged to a room in the Barracks aboard Camp Lejeune. She also stated that she and A/Wright would often meet there after working out. She stated that the room belonged to a Marine named Stanley Foster, a friend of A/Wright.

On 01-14-04, at approximately 9:00 a.m., I handed over three cassette-taped interviews of A/Taulbee on 01-07-04, A/Wright on 01-13-04, and both of them on 01-13-04, to Detective Jauernik, the lead Investigator.

On 01-14-04, at approximately 2:29 p.m., Lt. Col. Bryan made contact with me by cellular phone advising me to go to NCIS aboard Camp Lejeune as soon as possible for a telephone conference. I was instructed to make contact with Agent Tom Smith upon arrival.

I went to NCIS and met with Agent Smith in reference to the telephone conference. He advised me that Detective Robinson was also there speaking with Agent Scott Vousboukis. I made contact with Agent Vousboukis and was updated on what was about to take place. Agent Vousboukis stated that Agents in 29 Palms California had already made contact with A/Linnimen and that he was being detained there.

Agent Vousboukis said that the Agents in 29 Palms California were going to conduct an interview in reference to the murder of V/Taulbee, but they wanted the details, so that they would be better equipped to conduct the interview/interrogation. I knew that Sheriff Brown wanted to send Investigators to 29 Palms to conduct the interview personally, so I relayed the same to Agent Vousboukis. He referred me to his supervisor in charge, Agent Kevin Dodds.

I spoke with Agent Dodds letting him know that Sheriff Brown was willing to send Investigators for the County to 29 Palms to conduct the interview/interrogation with A/Linnimen and that he preferred it this way. Agent Dodds stated that the Agents in California were very qualified and that they had to conduct the interview since they had already picked A/Linnimen up.

I asked Agent Dodds who requested that they pick up A/Linnimen and he responded Detective Robinson. I confirmed it with Detective Robinson and he did make the request. I then requested to Agent Dodds that they wait until we could get there to be a part of the interview with A/Linnimen, but he stated they were not going to wait.

I made contact with Sheriff Brown letting him know what was going on and again to let Agent Dodds know that Sheriff Brown's request was that they wait. Agent Dodds stated that his request was noted, but they would not be waiting. He stated he saw no need to wait. I told him that the Investigator in 29 Palms did not have the detailed information and would not be as effective as someone who did. I explained to Agent Dodds that there were already a number of charges that they could charge A/Linnimen with from the serving of an earlier search warrant of his residence on base. A lot of weapons and military equipment was located and recovered from his residence hours earlier aboard Camp Lejeune. He was still not going to wait.

I made contact with Sheriff Brown and Captain Terwilliger letting them know that the Agents in 29 Palms were about to conduct the interview with A/Linnimen and that they were not willing to wait.

Sheriff Brown then requested that they videotape the interview. Agent Dodds stated that Agent Smith would attempt to make it happen, but their policy was that they did not usually videotape interviews. Agent Smith made a telephone call and requested the taped interview. Agent Smith stated they would videotape the interview/interrogation, due to our request, as long as it did not interfere with the interview.

At approximately 4:31 p.m. Agent Smith received a call and after his conversation he stated they would not be videotaping the interview. His reasons were because the interview room was too small for the video camera and that the Agents doing the interview did not feel comfortable with the videotape. I thanked him for his efforts anyway.

On 01-14-04, while at NCIS, I learned that A/Wright would be released to the Brig on 01-15-04, and I made a note of it. I also learned that A/Linnimen would be placed in pretrial confinement and sent back to Camp Lejeune.

At approximately 6:15 p.m., Agent Vouboukis received an update on the interview with A/Linnimen in 29 Palms. A/Linnimen told the Agents that A/Wright rented a U-Haul on 01-05-04, from a location on Piney Green Road. He denied any involvement in V/Taulbee's murder. A/Linnimen said that A/Taulbee was introduced to him as A/Wright's wife and he thought that she was, to his knowledge.

Agents in 29 Palms stated that A/Linnimen owned a 410 shotgun that was sawed off, with a brass object on the barrel (end), with crystal substances on the end of the barrel. They stated he talked about the weapon and that it seemed to bother him.

Agents in 29 Palms stated they would polygraph A/Linnimen if he would take it. At approximately 7:15 p.m., they reported that he refused to polygraph. At approximately 9:45 p.m., Agents in 29 Palms reported that A/Linnimen requested a five minute break and to talk to his wife. The agents stated they took a break and allowed A/Linnimen to call his wife. The agents felt that he was about to "give it up" after the break due to him making the statement "I'm fucked either way!"

On 01-14-04, while at NCIS, I obtained W/Stanley Foster's (A Marine gunner and friend of A/Wright's) information for future references. At approximately 10:10 p.m., Agent Smith received word from Agents in 29 Palms stating that after returning from the break A/Linnimen requested a lawyer and they stopped the interview.

At approximately 10:55 p.m., I made contact with Sheriff Brown and Captain Terwilliger updating them on the interview. I departed NCIS and went to W/Foster's residence at 113 Quail Creek Drive, Hubert, NC, to interview him. I arrived at W/Foster's residence at approximately 12:10 a.m. Deputy Robert Ides assisted me with making initial contact with W/Foster.

W/Foster stated that he did know A/Wright as Gunner Wright. He said that he called the Naval Hospital on 01-14-04, after finding out that A/Wright was there, to check on him. W/Foster stated that A/Wright told him that he needed to pray for him. He said that A/Wright did not sound like himself. W/Foster stated that A/Wright told him that he was having an affair. He said that it was approximately 6:05 p.m. when he called.

W/Foster stated that around February 1, 2003 he did give A/Wright his room key to turn in for him prior to going to TBS (Warrant Officer School) Quantico, Va. He said that he was in a rush as he was moving out and A/Wright volunteered to turn his key in for him.

W/Foster stated he did not know anything about the homicide. He said that no one had told him about it until now. W/Foster stated that he did not know A/Taulbee and did not know that A/Wright was having an affair until A/Wright told him during their telephone conversation earlier. He said that he was very surprised A/Wright was having an affair. W/Foster stated that he had met A/Wright's wife and that she was a nice lady.

I requested a recap of W/Foster's day on 01-05-04. He stated that at approximately 6:00 a.m., he was at work preparing for a Battalion field exercise. W/Foster said that he did not go out to eat lunch. He stated he left work at approximately 5:30 p.m., and arrived home at approximately 6:30 p.m. W/Foster said that he had not loaned A/Wright a weapon on or off the job. He stated he did not own a weapon.

W/Foster said that he did not know V/Taulbee and to his knowledge has never see him. He stated that he did not see A/Wright on 01-05-04, at all. W/Foster wrote a statement and I ended the interview.

At approximately 1:45 a.m., I conducted an interview with W/Morina Foster, who was W/Stanley Foster's wife and also a Marine gunner. W/Foster stated that she was overwhelmed. She said that she had met A/Wright's wife at her wedding on September 13, 2003. W/Foster stated that A/Wright or his wife have ever visited them at home. She said that she did not know anything about the homicide. W/Foster stated that she has seen A/Wright a number of times on the job. She said that she finds it very hard to believe that A/Wright would be involved in an affair or a homicide. W/Foster stated she met A/Wright for the first time in 1996 at 29 Palms, California. She said that she really looks up to A/Wright.

W/Foster stated that A/Wright was always instructing others and very professional with family values. She said that she only knows what she has read in the newspaper. I asked W/Foster to retrace her events on 01-05-04. She stated that she left for work at approximately 6:45 a.m., on 01-05-04. W/Foster said that she arrived at work on the Air Station at approximately 7:45 a.m.

W/Foster stated she did some physical training from 10:30 a.m. to 12:00 noon. She stated she bagged her lunch that day and she eat it afterwards. At approximately 1:00 p.m. she was back at work. At approximately 4:45 p.m., she left enroute to her residence and arrived home at approximately 5:15 p.m.

W/Foster stated she did own a .22 caliber handgun that her late father left her. She allowed me to look at it. W/Foster said that the weapon would not fire the last time she attempted to fire it. I observed that the weapon had not been fired recently.

I collected the model D-32 pistol and gave her a receipt for her weapon. I told W/Foster that the weapon would be returned to her if not needed. W/Foster stated that her husband did tell her that he had called A/Wright at Naval on 01-14-04. I ended the interview, thanked the Foster's for their time, and departed the area.

On 01-15-04, at approximately 10:05 a.m., I made contact with Agent Smith at NCIS. I requested a copy of A/Linnimen's interview/interrogation as soon as

possible. Agent Smith stated he had them in his possession and that he would fax a copy to me as soon as possible.

At approximately 9:00 a.m., I turned in the weapon that I collected from W/Foster to the Crime Scene Investigation Unit. At approximately 2:50 p.m. Crime Scene Investigator Garvey called stating that he needed V/Taulbee's, A/Linnimen's, and A/Wright's information. He said that he was on his way to the SBI Lab in Raleigh, NC, and needed to have it. I gathered the information and gave it to him.

On 01-16-04, at approximately 7:45 a.m., Sheriff Brown held a meeting with the Investigation Unit of the Sheriff's Office. Agent Vousboukis had been invited and attended the meeting. We received an update on the case and determined the next course of action in the investigation.

On 01-20-04, at approximately 2:00 p.m., I went to NCIS and made contact with Agent Vousboukis in reference to making contact with A/Linnimen who was now in the Camp Lejeune Brig. Detective Robinson was with me. We followed Agent Vousboukis to the Camp Lejeune Brig.

At approximately 2:30 p.m., we arrived at the Brig. Upon arrival Agent Vousboukis made arrangements for Detective Robinson and I to interview A/Linnimen. Detective Robinson basically explained to A/Linnimen why we were interviewing him. He was advised of his Miranda rights and agreed to speak with us.

A/Linnimen stated that he would tell all but he wanted to first make contact with his attorney. He did speak in the third person to us. A/Linnimen stated that he would talk with the District Attorney's Office. I made contact with Sheriff Brown by telephone and allowed A/Linnimen to speak with Sheriff Brown. A/Linnimen told Sheriff Brown that he was willing to cooperate in the investigation. We ended the interview shortly after A/Linnimen finished talking to Sheriff Brown.

At approximately 4:50 p.m., Detective Robinson and I reported to Sheriff Brown and Captain Terwilliger that A/Linnimen was willing and to assist in the investigation as a witness.

On 01-20-04, at approximately 6:10 p.m., Sheriff Brown, Detective Robinson, Agent Vousboukis, and I went to the Brig to conduct an interview with A/Linnimen. Sheriff Brown explained to A/Linnimen that he wanted to talk with him about the murder of V/Taulbee. Sheriff Brown also explained to him that he did not have to answer any of his questions if he did not want to.

A/Linnimen stated he understood and was aware of his Miranda rights. He agreed to talk with Sheriff Brown. Sheriff Brown told him that their interview would be taped and they began to talk. A/Linnimen stated in November 2002

A/Wright approached him asking him to make him a flash suppressor, but he told him no. A/Linnimen said that he did research the making of the flash suppressor.

A/Linnimen stated they went to Iraq and returned around September 9, 2003. He said that he attempted an experiment at his residence with a 410 slug, but it did not work to well. Sheriff Brown spoke about a rifle. A/Linnimen stated he purchased a rifle from the Base Exchange. He said that he made another flash suppressor, tried it, and it worked. A/Linnimen stated he gave the flash suppressor and weapon to A/Wright.

A/Linnimen said that on January 4, 2004, while at their 18:00 (6:00 p.m.) formation, A/Wright asked him for help on January 5, 2004. He stated that A/Wright told him to meet with him at the Area II Gym the morning of 01-05-04, at 4:00 a.m. A/Linnimen said that he agreed to meet with A/Wright.

A/Linnimen stated that on 01-05-04, at approximately 4:05 a.m., he met A/Wright at the Area II Gym in his small white 1990 Honda Accord. At approximately 4:10 a.m., he and A/Wright drove off base to the Piney Green area. A/Linnimen stated they went to V/Taulbee's residence because it appeared to be the same residence that was shown in the newspaper.

A/Linnimen said that upon arrival at V/Taulbee's residence on 01-05-04, he saw A/Taulbee opening the door. He stated that A/Taulbee went to V/Taulbee's vehicle and opened the door. A/Linnimen said that he did not see if she took something out or placed something into the vehicle. He stated that A/Taulbee got into her red in color Grand Am and drove off.

A/Linnimen stated that A/Wright, who was riding with him, grabbed a black bag and got out going into V/Taulbee's residence. A/Linnimen said that A/Wright was only gone for a couple of minutes and he returned. Upon arriving back in the car, A/Wright stated, "I already took care of things, let's go!" A/Linnimen said that he and A/Wright drove back to the Area II Gym where he dropped off A/Wright.

A/Linnimen stated that A/Wright gave him the black bag and told him to get rid of it. He said that A/Wright also told him that, "Your family could die real easy!" A/Linnimen stated he took the 22 magnum rifle home. He said that he drilled the barrel out half way and stopped. A/Linnimen stated he got rid of the barrel.

A/Linnimen stated that prior to leaving 29 Palms California, A/Wright stopped to see him and told him to keep his mouth shut and threatened his daughter with the same thing. He said that he used the same device (expanding foam) for the rifle barrel. A/Linnimen then explained how he made the devices.

A/Linnimen drew Sheriff Brown a map of how he and A/Wright drove to V/Taulbee's residence on the morning of 01-05-04. He stated he and A/Wright pulled up and A/Taulbee was outside in V/Taulbee's red Ford Explorer. He said

that the door was open. A/Linnimen stated that A/Taulbee talked to A/Wright briefly and went into the house. A couple minutes later, A/Wright returned to his vehicle, got in, and they left.

A/Linnimen stated he could see the front door of V/Taulbee's residence was open. He said that he just waited in the car until A/Wright returned. The tape stopped and Sheriff Brown flipped it over and continued.

A/Linnimen stated he did not notice anything strange with A/Wright when he returned to his vehicle. He said that A/Taulbee was outside and opened the door to V/Taulbee's Ford Explorer. A/Linnimen stated that A/Taulbee talked to A/Wright for a moment and she left in her vehicle. A/Linnimen said that A/Taulbee was backing out of the driveway and that A/Wright was going into V/Taulbee's residence at 107 Chestnut Court. A/Wright was carrying a black nylon bag in his hand.

A/Linnimen stated that the bullets came from him and that he purchased them in November 2003 at Walmart in Jacksonville, NC. He said that we probably could check his credit card receipts on base.

A/Linnimen stated that 01-05-04, was the last time he saw the gun that he made for A/Wright. He was unsure where the gun was, but stated the barrel was thrown away on base by him. A/Linnimen stated that we already have the stock and that it was recovered from his residence during the search warrant. He stated that he kept the 22 Magnum 12gauge shotgun, but threw the barrel away.

A/Linnimen said that he threw the suppression device in the dumpster on base on 01-05-04. He explained that the single shot 12 gauge could be converted to a 22 Magnum. A/Linnimen stated he drilled approximately half way the barrel and stopped to alter the chamber.

A/Linnimen stated he never made the device to kill V/Taulbee. He said that he could show us where he threw the barrel, but it would be hard to give us directions. A/Linnimen explained to us that for 6 months A/Wright took care of his family while he was deployed, so he just gave him a ride and made the weapon for him.

A/Linnimen talked about he and A/Wright's conversation while at 29 Palms, California prior to A/Wright's return to Camp Lejeune. He stated they just talked about ranges, but A/Wright told him to keep his mouth shut.

A/Linnimen said that A/Taulbee was scheduled to come to 29 Palms, California. He stated that A/Wright asked him if he wanted his wife to come, and he told him no. A/Linnimen said that he has been to A/Wright's residence once briefly. He stated that time he pulled up, A/Wright greeted him, and they went inside. He picked up a paper and he left.

At approximately 7:25 p.m., the tape stopped. Sheriff Brown changed tapes and at approximately 7:30 p.m., he continued the interview. A/Linnimen talked about the 22 Magnum weapon again. He stated that he used a piece of male PVC pipe, 7/8" to 1/2", approximately 12" in length. A/Linnimen stated he put a wooden pistol grip on the weapon. He also stated that he threw the wooden pistol grip in the dumpster on base. A/Linnimen said that he knew something was up (had happened), so he got rid of it.

A/Linnimen talked about the black nylon bag that A/Wright gave him to get rid of and it's contents. He stated there was the gun with the suppressor on it in good shape, but the pistol grip was cracked. A/Linnimen said that the 22 Magnum with suppressor and a 9 mm pistol with the serial number scratched off were inside the bag when he looked in it.

A/Linnimen said that A/Wright told him the morning of 01-05-04, prior to dropping him off at the Area II Gym, to get rid of the black nylon bag. He stated that A/Wright threatened to harm his family when he started to ask questions. A/Linnimen said he first knew that V/Taulbee was dead when he read about it in 29 Palms, California in the daily news by way of the Internet.

A/Linnimen stated the barrel length of the 22 Magnum was approximately 18" and he cut it off. He also said that he used a friction fit (device) with rivets.

A/Linnimen said that A/Taulbee has been to his residence several times. He stated that he was shocked to see A/Taulbee coming out of the house on Monday morning, 01-05-04. A/Linnimen said that the last year and a half A/Taulbee and A/Wright have been having an affair.

A/Linnimen stated that he would take a polygraph examination. He said that he and A/Wright arrived at 107 Chestnut Court at approximately 4:30 a.m., the morning of 01-05-04. A/Linnimen stated that he has been totally honest with us. He said that A/Wright paid him for the weapon that he purchased and made.

A/Linnimen stated that something went wrong with the first weapon he made. He said that he experienced too much back blast from the suppressor. A/Linnimen stated that the sealant would not hold the plastic in place.

A/Linnimen said that he used the same spray (foam spray) on both weapons. He stated the rubber ends on the weapons were wrapped with black duck tape. A/Linnimen said that the 22 Magnum worked great.

A/Linnimen stated he did not know that A/Wright had fired the weapon on 01-05-04. He said that he assumed that A/Wright had fired the weapon. A/Linnimen stated he would lead us to the missing barrel. He also stated that he would take a polygraph examination to verify his statement.

A/Linnimen said that he was not involved in the murder of V/Taulbee. Sheriff Brown stated that he would pass the information to Assistant District Attorney Ernie Lee. A/Linnimen explained to Sheriff Brown that he feared for his family's life. Sheriff Brown spoke about having proof on A/Linnimen and just how much, or to what extent.

Sheriff Brown ended the conversation by telling A/Linnimen that he would verify things and determine if he will be charged. Agent Vouboukis made arrangements with the Brig supervisor to take A/Linnimen out of the Brig, so that he could show us where he threw the barrel of the weapon on 01-05-04.

At approximately 9:02 p.m., A/Linnimen led us to Building #430 aboard Camp Lejeune. Upon arrival we attempted to locate the barrel. We looked and looked, but were not able to locate it. We decided to wait until daylight to conduct another search for the barrel. At approximately 10:30 p.m., we arrived back at the Brig. A/Linnimen was secured and we left the area. The barrel was located by NCIS.

On 01-21-04, at approximately 9:00 a.m., I went over to the District Court (Holding Cell) with Attorney Walter Paramore, A/Wright's attorney at the time. I waited outside as Attorney Paramore talked with A/Wright. Attorney Paramore advised me that A/Wright would talk with me on 01-22-04. Attorney Paramore stated that he would make contact with me on 01-22-04, for an interview.

At approximately 10:30 a.m., I advised Sheriff Brown and Captain Terwilliger of my conversation with Attorney Paramore concerning A/Wright. Sheriff Brown stated that he would talk with Attorney Paramore.

At approximately 1:45 p.m., I made contact with Attorney Paramore letting him know that Sheriff Brown wanted to speak with him. Attorney Paramore stated that he would come in to speak with Sheriff Brown at approximately 4:00 p.m.

On 01-21-04, at approximately 4:50 p.m., I was in conference with Sheriff Brown and Attorney Paramore. Attorney Paramore stated that he was speaking with his client and that he would get back with us later. At approximately 5:15 p.m., Attorney Paramore said that Attorney Ernie Wright was now representing A/Wright.

On 01-23-04, at approximately 8:15 a.m., Attorney Paramore made contact with me by telephone requesting to know if A/Taulbee was in custody. I advised him that she was in the Onslow County Jail charged with murder. Attorney Paramore then stated that he was now A/Taulbee's Attorney and that he was on his way to talk with her. I ended our conversation.

139-04 "A"

04-ZN-0132 ME

NAVAL CRIMINAL INVESTIGATIVE SERVICE EVIDENCE TAG			
			NCIS F119 (4-95)
ITEM NO.	LOG NUMBER	CODE	NAME OF SUBMITTING AGENT
A	139-04	Code	S. VOSBOUKIS
DESCRIPTION OF ARTICLE (include quantity)			
ONE BROWN BAG CONTAINING A			
CD-R DISK (COPY) OF MCB, CLNC			
VIDEO OF OUTBOUND, INBOUND			
GATE TRAFFIC, 22 MARCH, 5 AM.			
NAME OF PERSON FROM WHOM PROPERTY SEIZED			
- COPY CD-R			

S. VOSBOUKIS

EVIDENCE

22 MARCH

ADJ
NCIS

IS NCIS

OCSD Case#: 2019001388

PR# 66550

Bd: CSIRmr. V2 Bn. 209

CD-R GATE TRAFFIC

Item: 52



5/11/04

A

TNO120.04
"A" CLK

EVIDENCE

23 MARCH

UKB BAUGLB

EVIDENCE

NCIS NCIS NCIS NCIS NCIS NCIS

Handwritten notes on the left side of the bag, including "12/15/04" and "213716".

Handwritten notes on the right side of the bag, including "12/15/04" and "213716".

Ruben Wright Investigation-Videotape made at Camp Lejeune
EXIT Traffic Piney Green Gate Cameras 1 and 3
January 5, 2004

Relevant time periods missing
Inbound Piney Green Gate Camera 2
January 5, 2004 @ 4:00 am – 5:30 am
4:05:45 to 4:10:35 missing

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0428

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA .



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0428.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0428.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

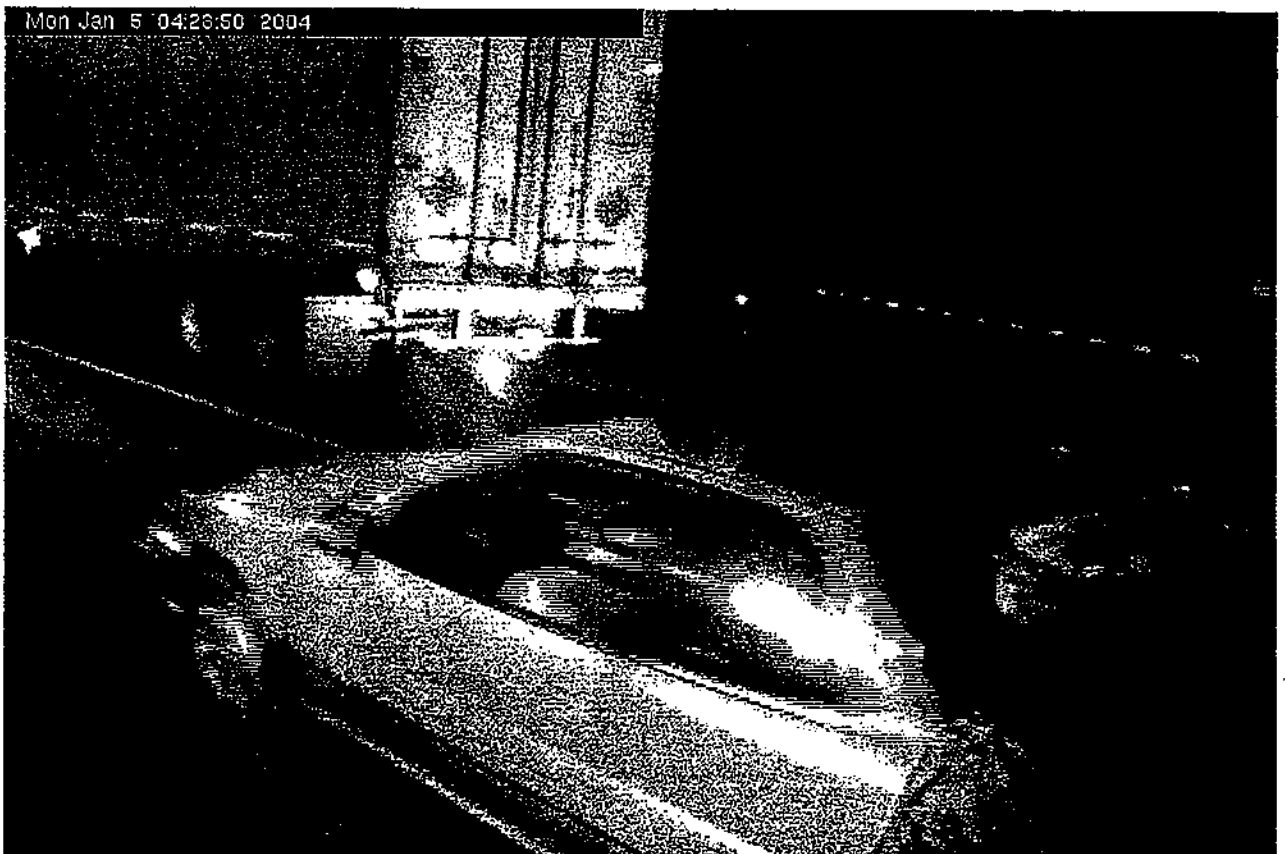
CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0428

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0428.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

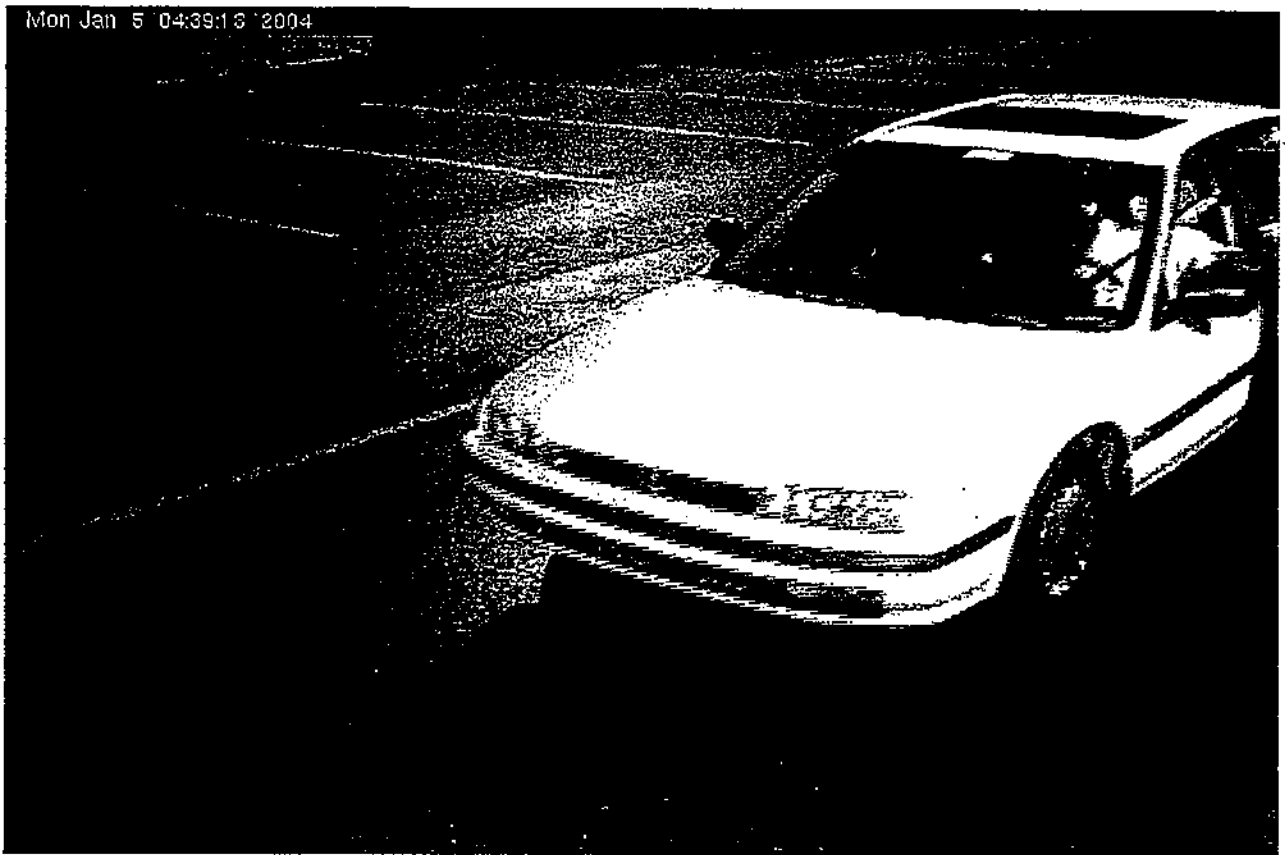
CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0428.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA .



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0439.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

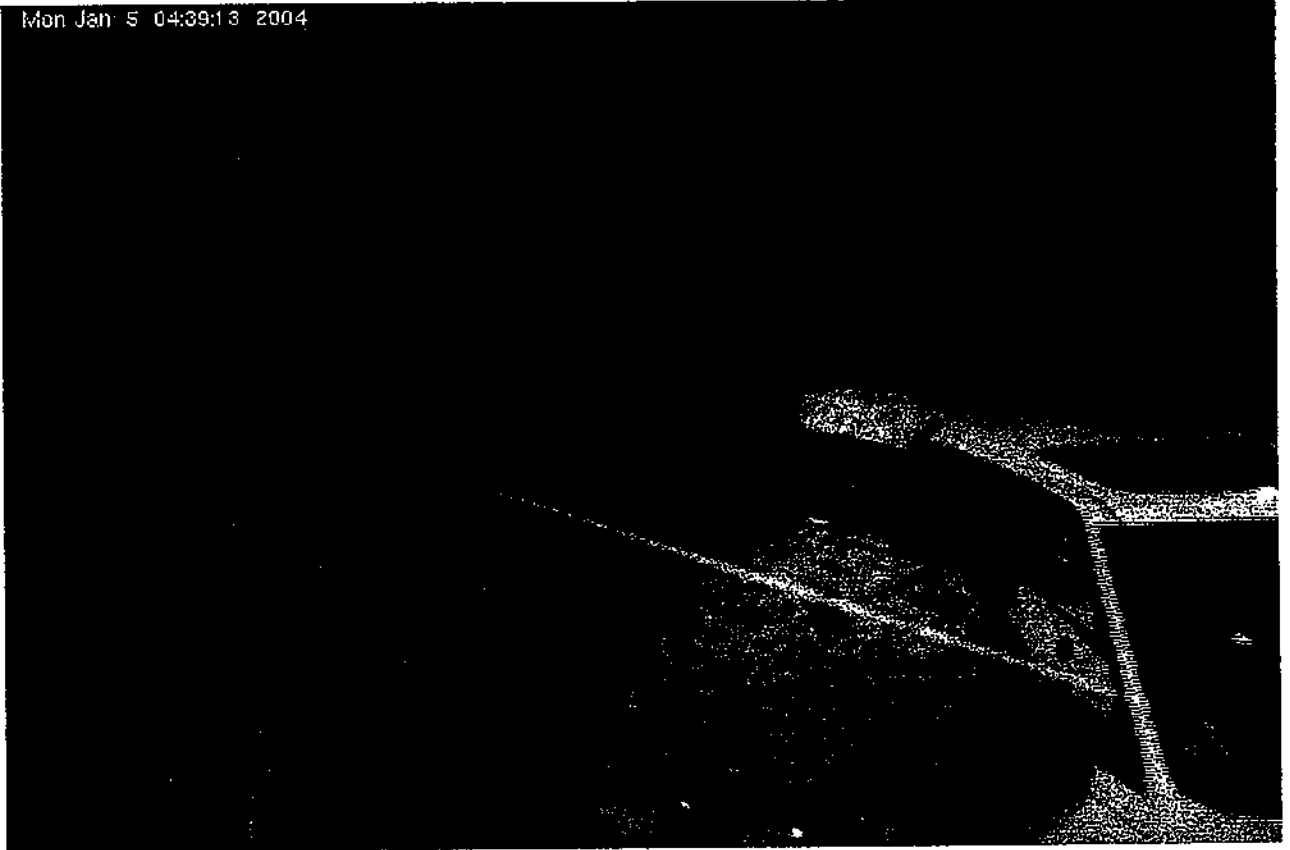
CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0439.17

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0439.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

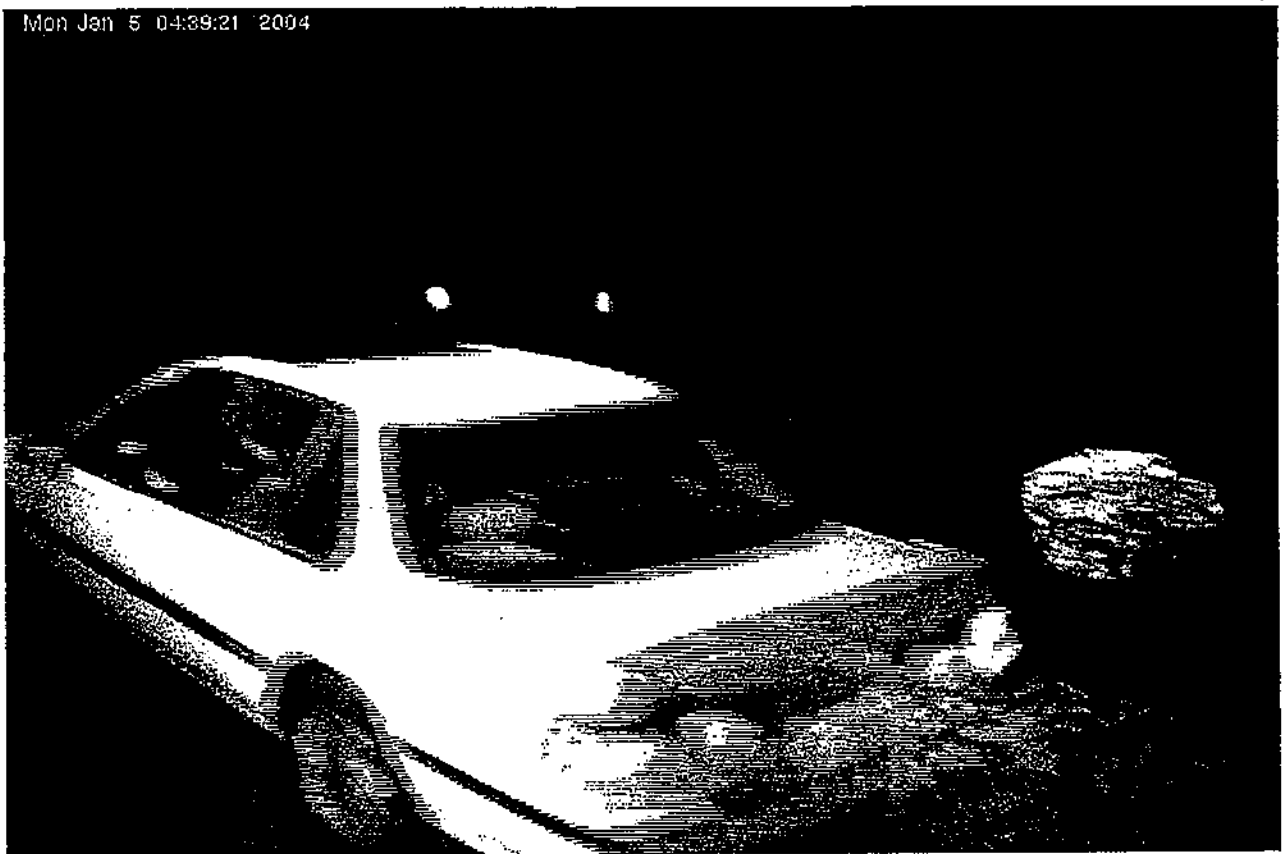
CCN: 06JAN04-CALE-0007-7HMA .



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0439.

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0439

S/WRIGHT, RUBEN W/CWO4 USMC
V/TAULBEE, JAMES PATRICK/CIV

CCN: 06JAN04-CALE-0007-7HMA



PHOTOGRAPH TAKEN BY MCB, CLNC INBOUND PINNEY GREEN GATE ON
05JAN04 AT APPROX 0439.



Main Gate, Outbound, Cam 1



Main Gate, Outbound, Cam 3 (Linniman)



Main Gate, Outbound, Cam 3



Main Gate, Outbound, Cam 3



Main Gate, Outbound, Cam 1



Main Gate, Outbound, Cam 1



Piney Green Gate Inbound, Cam

Case #04CI007
Incident #010504-151 AP309
DR #200400374
Originating Deputy: K. Whaley
Incident Date: 01-05-04
Report Date: 02-24-04
Reporting Detective: Detective T. Robinson
Supplemental Report

SYNOPSIS:

This case involves A/Ruben Wright and A/Zenaida Taulbee planning to kill V/James Taulbee on the morning of 01-05-04, and intentionally killing V/James Taulbee on that date in his residence located at 107 Chestnut Court, Jacksonville, NC. This case also involves A/Wright asking A/Randy Linniman to build a weapon for him that was used to kill V/Taulbee.

PEOPLE:

Victim James Patrick Taulbee
Witness Ron Jamieson
Witness James Ray
Witness Bayani George Mauli
Witness Jennifer Coble
Witness Heather Smith
Witness Robert Pearson
Witness Vaughn Fulton
Witness Evelyn Koch
Witness Barbara Marsh
Arrestee Zenaida Taulbee
Arrestee Ruben Worley Wright
Arrestee Randy Linniman

PROPERTY:

This filed is not applicable in this case.

DETAILS:

On 01-05-04, at approximately 8:00 p.m., I received a telephone call from Captain John Matthews requesting that I respond to 107 Chestnut Court, Jacksonville, NC, in reference to a homicide.

At approximately 8:45 p.m., I arrived at 107 Chestnut Court. Detectives Darlene Anderson, Dawn Jauernik, and Crime Scene Investigator David Neumann were already on scene. Captain Matthews and Deputy Keith Whaley briefed me.

Captain Matthews stated that V/James Taulbee's wife, A/Zenaida Taulbee, had arrived home from work at the Burger King aboard Camp LeJeune and saw a computer keyboard lying in the driveway. Captain Matthews said that A/Taulbee exited her vehicle, picked up the keyboard, and proceeded to the front door when she found the door ajar. Captain Matthews said that A/Taulbee entered the residence, put the keyboard on the floor, and proceeded upstairs.

Captain Matthews said that A/Taulbee went to the top of the stairs and looked in the computer room. Captain Matthews said that A/Taulbee found the computer room in disarray and called V/Taulbee's name. Captain Matthews said that when V/Taulbee did not answer A/Taulbee, she went next door to 105 Chestnut Court and told the resident her home had been broken in to.

Captain Matthews said the neighbor called 911 at that time. Captain Matthews said that the residence was entered again by A/Taulbee and her neighbor, W/Evelyn Koch who lived at 108 Chestnut Court. Captain Matthews said that V/Taulbee and W/Koch went back upstairs at which time W/Koch entered the master bedroom and found V/Taulbee lying in bed in a pool of blood. Captain Matthews said that A/Taulbee and W/Koch exited the residence and a second 911 call was made indicating that someone had been shot.

Deputy Whaley stated that when he arrived on scene he entered the residence and began a room by room clearing to ensure a suspect was not still inside the residence. Deputy Whaley said that when he entered the master bedroom, he saw V/Taulbee lying in bed in a pool of blood with what appeared to be a gunshot to the head.

Deputy Whaley said that he exited the residence, informed Captain Matthews of what he had found, and placed yellow in color crime scene tape around the residence.

I instructed Detectives Jauernik and Anderson to go across the street to 108 Chestnut Court and obtain a Consent to Search from A/Taulbee to search the residence and both vehicles parked in the driveway.

At approximately 9:15 p.m., Crime Scene Investigator Neumann came out of the residence.

Crime Scene Investigator Neumann stated that he had taken digital photographs inside the residence. Detective Jauernik and I viewed the digital photographs. After viewing the photographs, Crime Scene Investigator Neumann said that he was going back inside the residence and advised that Detective Jauernik and I could enter the residence with him. A/Taulbee had signed a Consent to Search.

At approximately 9:30 a.m., Crime Scene Investigator Neumann, Detective Jauernik, and I entered the residence.

The front door was standing open. There was a piece of intact door casing on the floor with the top of the casing resting on the bottom step. The backside of the casing was facing up exposing the nails. The door casing was not broken and the nails were straight.

There were boxes on the living room floor. Nothing appeared to be out of order in the lower hallway or living room.

We proceeded upstairs and entered the computer room located at the top of the stairs across the hallway. The computer monitor had been pulled from the desk and was face down on the chair at the computer desk. The cords connecting the monitor and CPU were stretched tight and the CPU was lying on the floor on its side. Nothing else in the computer room appeared to have been disturbed. We exited the computer room and turned left toward the master bedroom.

There was another computer room located on the left prior to the master bedroom. Nothing appeared to have been disturbed in that computer room.

Upon entering the master bedroom, it appeared to be neat in appearance with nothing disturbed. There was a dresser located on the right side of the doorway. There was a glass containing a clear liquid on that dresser. There were several jewelry boxes on the dresser containing several pieces of jewelry and money that were not disturbed.

The bed was located across the room. V/Taulbee was lying on the left side of the bed, under the covers, on his right side facing the window. The covers on the right side of the bed had been pushed down giving the appearance someone had been in bed with him.

We proceeded around the bed between the bed and wall. There was a large amount of blood that had soaked the pillow, comforter, and sheets. I saw what appeared to be a gunshot wound in V/Taulbee's left cheek. I saw a second injury on V/Taulbee's forehead above his left eyebrow that was suspected to be a second gunshot wound.

The blood on V/Taulbee's face and the pool of blood on the bed had coagulated. The blood on the bed gave the appearance of thickened gelatin. Lividity was present and rigor mortis had set in V/Taulbee's body. I observed what appeared to be a bulge under the covers on the right side of the bed behind V/Taulbee.

No spent shell casings were found on top of the bed or on the floor.

Lieutenant Colonel Keith Bryan, Captain Frank Terwilliger, and Crime Scene

Investigator Patrick Neumann had arrived on scene and entered the master bedroom.

Crime Scene Investigator Garvey and I began to pull the covers away from V/Taulbee. V/Taulbee was nude. There was a pillow in front of V/Taulbee in the area of his groin to his knees. The pillow was saturated with what smelled like urine. We did not locate a spent shell casing under the covers. The bulge under the covers behind V/Taulbee was another pillow.

The comforter and top sheet were removed from the bed and collected as evidence.

An Emergency Medical Services (EMS) unit was called to the scene to transport V/Taulbee to the morgue located at Onslow Memorial Hospital. After arriving on scene, EMS personnel provided Crime Scene Investigator Garvey with a body bag.

Crime Scene Investigator Garvey and I rolled V/Taulbee to the right. As we were rolling V/Taulbee, blood was expelled from the wound in the cheek. The odor of the expelled blood was pungent indicating that the decay process had begun.

There were black in color fragments in V/Taulbee's left ear and in his hair behind the left ear. Some of those same fragments were found on the blood soaked pillow. I observed some type of crystalline fragments on V/Taulbee's head and pillow. Those fragments did not appear to be glass and they were off-white in color.

After EMS had removed V/Taulbee from the bed, the fitted sheet and pillow were collected as evidence.

I lifted the mattress and observed that the blood had soaked through the mattress and box springs. The blood had not dripped on the floor beneath the bed. I observed spots of blood on the wall to the left of the window. Those spatters traveled to the left and down and appeared to be cast off spatters.

There was a full bath with a walk-in closet connected to the master bedroom. Both the shower walls and towels were dry.

There were several pieces of what appeared to be expensive jewelry throughout the bedroom in jewelry boxes. One of the jewelry boxes contained several two-dollar bills. None of those items had been removed. There were checkbooks located in the computer room and on the kitchen counter. There were various pieces of electronic equipment in the living room. None of those items had been disturbed.

There were a pair of men's jeans laid over the back of a chair in the living room. There was a one-dollar bill and a yellow in color receipt from Cracker Barrel dated 01-04-04, in the right front pocket.

A cell phone was found on the floor on the right side of a recliner in the living room.

The number to that phone was 340-2380. There was a door leading from the living room to a small deck outside. The door was closed but unlocked.

There was an alarm panel box located in the first floor hallway. The red in color light indicating armed was not on. The green in color light indicated power was on. Each time an exterior door was opened, the alarm would verbally indicate which door had been opened.

It was observed that items of interest in a burglary had not been moved or tampered with throughout the residence.

No weapons, ammunition, or spent shell casings were found inside the residence.

After assisting in the search of the residence, I began a search of a red in color Ford Explorer bearing North Carolina registration MVZ 5646. I observed that the driver's door was closed and the passenger door was ajar. I did not find any receipts dated 01-05-04, inside the vehicle. I found V/Taulbee's wallet and United States Marine Corps Retiree Identification Card on the driver's side sun visor. No items of evidentiary value were found inside of that vehicle.

After completing the search of the Explorer, I began a search of a red in color Pontiac Grand Am bearing North Carolina registration RSB 9865. Under the driver's seat I found a cell phone. The cell phone had been turned off. I turned the cell phone on.

The first thing that displayed was the Motorola banner. The second thing that displayed was: Zene Wright 340-2354. As I held the phone in my hand, it vibrated, indicating someone was calling. As I pulled the number up, it displayed: Gunner 329-2982 and Gunner 340-2353. I took the cell phone as evidence.

I informed Detective Jauernik of what I had found. Detective's Jauernik and Anderson spoke with A/Taulbee about the cell phone found under the driver's seat.

The crime scene was left secured and a deputy was posted in front of the residence for security purposes due to the front door not being able to be secured.

On 01-06-04, at approximately 1:50 a.m., I departed 107 Chestnut Court.

At approximately 8:32 a.m., Detective Jauernik and I arrived at the Onslow Memorial Hospital Morgue.

At approximately 9:05 a.m., Doctor Charles Garrett began the autopsy of V/Taulbee.

No medical conditions were noted. No trauma other than the two gunshot wounds was found.

At the conclusion of the autopsy, Doctor Garrett stated that the two gunshot wounds were "hard contact". Doctor Garrett retrieved pieces of the projectile. An intact projectile was not recovered.

At approximately 12:30 p.m., Captain Mark Shivers, Sergeant Bud Major, Detective's Jauernik, Anderson, and I arrived at 107 Chestnut Court.

Detective Jauernik and I contacted A/Taulbee at 108 Chestnut Court. A/Taulbee was asked to come to 107 Chestnut Court and walk us through the scene as she did when she arrived home on 01-05-04. A/Taulbee agreed to do so.

A/Taulbee walked up the driveway to the door and entered the residence. A/Taulbee began to walk up the stairs. Approximately half way up the stairs, A/Taulbee said that she could not go any further. The walk through stopped at that time.

At approximately 1:31 a.m., Sergeant Major and I arrived at Naval Criminal Investigative Service (NCIS) aboard Camp LeJeune and met with Agent Tom Smith.

I briefed Agent Smith on the case and informed him that A/Taulbee had signed a Consent to Search allowing us to search V/Taulbee's boat located at Gottschalk Marina.

Agent Smith assigned Agent's Scott Eversol and Scott Vousboukis to accompany us to Gottschalk Marina.

At approximately 1:53 p.m., Sergeant Major, Agent's Eversol, Vousboukis, and I arrived at Gottschalk Marina.

The offices were closed. There was a telephone number on the door of the office. Agent Vousboukis called that telephone number and left a message on an answering machine.

We walked down the pier and located the Kalayaan in slip #47. The door to the cabin area was secured with a padlock. The Camp LeJeune Fire Department was contacted to assist in cutting the lock off the cabin door.

At approximately 2:15 p.m., I spoke with W/Ron Jamieson via telephone.

W/Jamieson stated that he was the manager at Gottschalk Marina. W/Jamieson said that the marina was closed from 12-22-03 through 01-04-04. W/Jamieson said that he remembered V/Taulbee had his boat out one time during December 2003.

An appointment was scheduled for 11:00 a.m. on 01-07-04, at the marina.

At approximately 2:24 p.m., Camp LeJeune Fire Department arrived and cut the lock on

the cabin door.

I entered the cabin area. There was a small heater operating in the cabin. There were several tools and repair items throughout the boat. There were personal hygiene items located in the bathroom. There was a small bag containing a change of clothes also found in the bathroom.

I located the purchase and registration information for the boat. The previous name of the boat was Rapture and appeared to have been purchased in Florida.

I found a padlock with a key in one of the drawers. I used that lock to secure the cabin door. I maintained custody of the key.

At approximately 2:40 p.m., the Consent Search was completed. No items of evidentiary value relating to the homicide were located aboard the boat.

At approximately 2:54 p.m., Sergeant Major, Agent's Eversol, Vousboukis, and I went to Building 201, Area 2 Gym, aboard Camp LeJeune and spoke with the manager, Mike Marion.

Mr. Marion stated that he had been the manger of Area 2 Gym since October 2003. I showed him a photograph of A/Taulbee. Mr. Marion said that he did not recognize her.

Mr. Marion said that W/Heather Smith and W/Robert Pearson work the 5:00 a.m. to 12:30 p.m. shift and may recognize the photograph. Mr. Marion said that W/Pearson also works at the Nutrition Center in the Marine Corps Exchange.

At approximately 3:08 p.m., I went to the Burger King located on Holcomb Boulevard aboard Camp LeJeune and spoke with W/Ella Ross.

W/Ross stated that she did not see V/Taulbee in Burger King at all on 01-05-04. W/Ross said that V/Taulbee came in to the Burger King two or three times a day to have breakfast and/or lunch.

W/Ross provided me with a copy of the manager's work schedule.

On 01-07-04, at approximately 10:40 a.m., I went to Gottschalk Marina and spoke with W/Jamieson.

W/Jamieson stated that he saw V/Taulbee sometime between 2:00 p.m. and 3:00 p.m. on 01-04-03, at the marina. W/Jamieson said that he did not see V/Taulbee at the marina on 01-05-04.

W/Jamieson said that sometime between 12:00 p.m. and 1:00 p.m. on 01-05-04, A/Taulbee called the marina looking for V/Taulbee. W/Jamieson said that W/Tom Ray,

W/George Maui, and W/Don Wittage were there when A/Taulbee called because he asked them if they had seen V/Taulbee.

At approximately 11:13 a.m., I spoke with W/Ray and W/Maui at the marina.

W/Ray stated that he had seen V/Taulbee at the marina on 01-04-04. W/Ray said that V/Taulbee left the marina around noon.

Both W/Ray and W/Maui said that A/Taulbee called the marina after lunch on 01-05-04, looking for V/Taulbee.

Both W/Ray and W/Maui said that V/Taulbee never mentioned anything about money problems. Both W/Ray and W/Maui said that V/Taulbee told them A/Taulbee made more money as a manager at Burger King than he did on retirement and he did not have to work. Both W/Ray and W/Maui said that V/Taulbee did odd jobs to have extra money to do repairs on his boat.

W/Ray and W/Maui described V/Taulbee as a very good loveable person who would give you the shirt off his back. W/Ray and W/Maui said that V/Taulbee was always helping people at the marina with their boats.

W/Ray and W/Maui said that A/Taulbee worked until either 8:00 p.m. or 9:00 p.m. on 12-31-03. W/Ray and W/Maui said that they had a New Years Eve party at the marina on 12-31-03. W/Ray and W/Maui said that V/Taulbee called A/Taulbee and asked her to meet him at the marina after she got off work. W/Ray and W/Maui said that V/Taulbee told A/Taulbee to call him when she got to the parking lot and he would walk her down to the party.

W/Ray and W/Maui said that when A/Taulbee arrived, she called V/Taulbee, and he went to the parking lot to get her. W/Ray and W/Maui said that V/Taulbee walked A/Taulbee to the lounge. W/Ray and W/Maui said that it did not appear V/Taulbee and A/Taulbee were having any problems.

W/Ray and W/Maui said that A/Taulbee was resting her head on V/Taulbee's shoulder while she was at the party.

W/Ray and W/Maui said that after the ball dropped, everybody went home.

At approximately 11:36 a.m., I went to the Area 2 Gym and spoke with W/Smith.

W/Smith stated that she was working at the gym at 5:00 a.m. on 01-05-04. I showed W/Smith the photograph of A/Taulbee. W/Smith said that she did not see A/Taulbee in the gym the morning of 01-05-04.

I then spoke with W/Coble.

W/Coble stated that she was also working the 5:00 a.m. shift at the gym on 01-05-04. I showed W/Coble the photograph of A/Taulbee. W/Coble said that she did not recognize A/Taulbee and had not seen her in the gym or anywhere else.

At approximately 11:52 a.m., I went to the Nutrition Shop located in the Main Exchange. I was told that W/Pearson was not there and he was scheduled to work on 01-08-04.

On 01-08-04, at approximately 12:48 p.m., I returned to the Nutrition Shop and spoke with W/Pearson.

W/Pearson stated that he was working the 5:00 a.m. shift on 01-05-04. I showed him the photograph of A/Taulbee. W/Pearson looked at the photograph for approximately one minute. W/Pearson said that he believed he did see A/Taulbee at the gym on 01-05-04.

W/Pearson said that A/Taulbee came in to the gym alone. W/Pearson said that she was wearing physical training (PT) gear when she came in and when she left. W/Pearson said that A/Taulbee did not shower at the gym.

At approximately 1:05 p.m., I went to Gottschalk Marina and spoke with W/Vaughn Fulton.

W/Fulton stated that the last time he saw V/Taulbee and A/Taulbee was at the New Years Eve party. W/Fulton said that the party was in the lounge. W/Fulton said that there did not appear to be any problems between V/Taulbee and A/Taulbee. W/Fulton said that after the ball dropped everyone went home.

W/Fulton said that V/Taulbee's contract began on 10-01-02, at the marina.

At approximately 1:20 p.m., I spoke with W/Wittage at the marina.

W/Wittage stated that V/Taulbee had his boat at the marina for approximately two years. W/Wittage said that he believed V/Taulbee purchased the boat in Fort Lauderdale, Florida as the result of a drug confiscation. W/Wittage said that the previous name of V/Taulbee's boat was Rapture.

W/Wittage said that a Marine Corps Captain helped V/Taulbee bring the boat back from Florida.

On 01-09-03, at approximately 2:15 a.m., Detective Jauernik and I spoke with W/Ross at the Onslow County Sheriff's Office.

W/Ross stated that at approximately 8:00 p.m. on 01-05-04, she received a telephone call from A/Taulbee. W/Ross said that A/Taulbee asked her to come to the house because something was wrong. W/Ross said that she jumped in her car and went

looking for A/Taulbee's house. W/Ross said that she arrived at A/Taulbee's house and she was standing in the front yard surrounded by people. W/Ross said that she got out of her car and went to A/Taulbee.

W/Ross said that A/Taulbee fell in her arms crying and saying something had happened to V/Taulbee. W/Ross said that A/Taulbee told her she wanted to see V/Taulbee. W/Ross said that A/Taulbee was highly upset.

W/Ross said that she stayed with A/Taulbee until approximately 1:30 a.m. when Debbie and Tabitha took her to the Naval Hospital.

W/Ross said that she did not have actual knowledge of the affair between A/Taulbee and A/Wright. W/Ross said that she saw the coffee and donuts and assumed they came from A/Taulbee's office.

W/Ross said that she did not have any knowledge of anyone bringing coffee and donuts to the back door of Burger King.

W/Ross said that A/Wright would come to the Burger King daily for lunch in the late afternoon. W/Ross said that A/Wright would order his food and take it to the back of the dining room. W/Ross said that A/Taulbee would take her lunch break as well.

W/Ross said that she and A/Taulbee were not close friends. W/Ross said that she felt sorry for A/Taulbee when her father died and she tried to befriend her and be more talkative. W/Ross said that she and A/Taulbee worked well together and she tried to be helpful toward her.

W/Ross said that she assumed A/Taulbee called her because she (A/Taulbee) knew Tabitha and Janine were at work and she (W/Ross) had just got off.

W/Ross said that she did not know if A/Taulbee left work on 01-05-04.

W/Ross provided a written statement.

At approximately 4:30 a.m., Lieutenant Worrell, Detectives Jauernik, Cavanagh, and I went to 1165 Shroyer Circle and met with W/Ronnie Hancock.

I asked W/Hancock to come to the Sheriff's Office in reference to speaking about A/Taulbee. W/Hancock agreed to do so after he changed his clothes. After changing his clothes, W/Hancock asked me if he could ride with me due to the weather conditions.

I transported W/Hancock to the Sheriff's Office.

At approximately 5:20 a.m., Detective Jauernik and I spoke with W/Hancock.

W/Hancock stated that he met A/Taulbee during the year of 2000, before he retired from the Marine Corps. W/Hancock said that he and A/Taulbee's relationship was nothing more than casual conversation. W/Hancock said that it eventually turned into a sexual relationship.

W/Hancock said that once he retired, he began working for a civilian company that took him out of North Carolina. W/Hancock said that when he occasionally came back, he and A/Taulbee would get together for sex only. W/Hancock said that the sexual encounters did not happen every time he came back. W/Hancock said that the sexual relationship ended in February or March 2002.

W/Hancock said that he and A/Taulbee would continue to talk on the telephone and have casual conversations. W/Hancock said that he would call A/Taulbee at work or she would call him on his cell phone.

W/Hancock stated that during the sexual relationship, A/Taulbee would tell him she did not want to be married anymore and she and her husband were having problems. W/Hancock said that he did not discuss specific problems with A/Taulbee.

W/Hancock said that when the sexual relationship ended, A/Taulbee told him she had met someone else who loved and cared for her.

W/Hancock said that on 01-05-04, he was at work in New Hill, NC. W/Hancock said that he had to be at work at 7:45 a.m. and he always arrived at 7:00 a.m. W/Hancock said that he left his job at 8:00 p.m. and drove back to Jacksonville.

W/Hancock said that it is approximately a two and a half-hour drive from New Hill and he arrived home at approximately 10:30 p.m.

W/Hancock said that his supervisor's name was Lieutenant Tittimer. W/Hancock provided me with the telephone number.

W/Hancock provided a written statement.

At approximately 5:45 a.m., I called Lieutenant Tittimer.

Lieutenant Tittimer stated that W/Hancock was at work in Cary, NC, from 7:00 a.m. to 8:00 p.m. on 01-05-04.

At approximately 6:29 a.m., I took W/Hancock back to his residence.

At approximately 2:56 p.m., I went to NCIS and met with Agent Vousboukis. Agent Vousboukis provided me with an employee list from Burger King with the names annotated of who worked on 01-05-04.

On 01-10-04, at approximately 8:30 a.m., I began calling the Burger King list.

At approximately 9:30 a.m., I returned Chief Ken Bumgarner's, Jacksonville Police Department, call.

Chief Bumgarner stated that he had received an e-mail from a friend who said that a Marine, who also worked at Burger King, had told him two managers had seen A/Taulbee kissing a Chief Warrant Officer in the back of Burger King.

Chief Bumgarner said that he would send me a copy of the e-mail.

At approximately 10:09 a.m., Detective Jauernik and I went to Johnson Funeral Home located on Henderson Drive in Jacksonville, NC, to attend V/Taulbee's funeral service.

At the conclusion of the service, Detective Jauernik and I obtained a copy of the guest registry.

On 01-11-04, at approximately 3:18 p.m., Detective Jauernik and I met with Agent Vousboukis and Agent Briggs at NCIS.

At approximately 3:35 p.m., Detective Jauernik, Agents Vousboukis, Briggs, and I went to A/Wright's residence located at 3075 Cukela Street aboard Camp LeJeune.

A/Wright's wife, Debra Wright, met us in the front yard.

Ms. Wright stated that A/Wright was not home, he was at CAX in 29 Palms, CA. Ms. Wright said that A/Wright left the residence Monday night, 01-05-04, to go to CAX. I provided Ms. Wright with a business card.

At approximately 3:38 p.m., Detective Jauernik, Agents Vousboukis, Briggs, and I returned to NCIS.

I informed Agents Vousboukis and Briggs that A/Wright was a suspect in a homicide investigation and we needed him to be returned to Camp LeJeune for questioning.

Agent Vousboukis contacted Captain Hendricks, 6th Marine Regiment, via telephone and briefed him on the investigation. Agent Vousboukis requested that Captain Hendricks contact the Regimental Commanding Officer in 29 Palms and ask him to call NCIS.

At approximately 4:40 p.m., Agent Vousboukis received a telephone call from Colonel David Garza, Commanding Officer, 6th Marine Regiment, in 29 Palms. I spoke with Colonel Garza.

I informed Colonel Garza that A/Wright was a suspect in the murder of a retired master

sergeant. I asked Colonel Garza if A/Wright could be returned to Camp LeJeune for questioning. Colonel Garza stated that he would have A/Wright on a flight back to North Carolina on 01-12-04.

Colonel Garza asked me what he should tell A/Wright as the reason he was being sent back. I told Colonel Garza to tell A/Wright he was a witness in an investigation and was needed back in North Carolina. Colonel Garza agreed to tell A/Wright what I had suggested.

At approximately 5:50 p.m., I received a telephone call from Agent Vousboukis.

Agent Vousboukis stated that A/Wright would be flying commercial airlines to Albert Ellis Airport. Agent Vousboukis said that he would call me back when he received the flight information.

~~On 01-12-04~~ at approximately 10:24 a.m., I received a telephone call from Agent Vousboukis.

Agent Vousboukis stated that he was conducting a search of A/Wright's office space and found pictures of A/Wright and an Asian female. Agent Vousboukis said that some of the pictures were dated 1998. Agent Vousboukis said that he would have a NCIS agent in 29 Palms take A/Wright's computer.

At approximately 2:57 p.m., I received a telephone call from Agent Vousboukis.

Agent Vousboukis stated that A/Wright would be arriving at Craven Regional Airport in New Bern, NC, at 11:05 p.m. on 01-12-04, aboard United Airlines flight #3524. Agent Vousboukis said that he and Agent Briggs would meet Detective Jauernik and I at the Sheriff's Office at 9:30 p.m. on 01-12-04, and follow us to the airport.

At approximately 9:30 p.m., Detective Jauernik, Agents Vousboukis, Briggs, and I met at the Sheriff's Department.

At approximately 10:50 p.m., Detective Jauernik, Agents Vousboukis, Briggs, and I arrived at Craven Regional Airport.

We met A/Wright exiting the airport. I asked A/Wright if he would ride with Detective Jauernik and I to the Onslow County Sheriff's Office. A/Wright agreed.

At approximately 11:10 p.m., Detective Jauernik, A/Wright, and I departed Craven Regional Airport.

At approximately 11:50 p.m., Detective Jauernik, A/Wright, and I arrived at the Sheriff's Office.

At approximately 11:57 p.m., Detective Jauernik and I spoke with A/Wright in Interview Room #1.

A/Wright stated that he left for CAX late Monday, 01-05-04, evening. A/Wright said that A/Randy Linniman left with him. A/Wright said that he drove his Jeep Cherokee to the Regimental Headquarters and loaded his items in the duty van. A/Wright said that the van followed him back to his house. A/Wright said that he dropped the Cherokee off and went inside to get his field insignias and bomb. A/Wright said that he came out of the house, got in the van, and they drove to Cherry Point.

A/Wright said that it was early morning when they arrived at Cherry Point and they slept in the APOE barracks. A/Wright said that his flight left at 6:30 a.m. on 01-06-04. A/Wright said they landed in Victorville, CA, either 3:00 p.m. or 4:00 p.m. that same day and drove approximately two hours to 29 Palms.

A/Wright said that he spoke to V/Taulbee in Burger King when he saw him. A/Wright said that he worked out at the Area 2 Gym. A/Wright said that A/Taulbee worked out there also. A/Wright said that he was at the Area 2 gym at 4:30 a.m. everyday.

A/Wright said that his pager number was 329-2682. A/Wright said that he turned his pager on and off.

A/Wright said that the voice mails he left on A/Wright's cell phone were messages letting her know he would see her at work.

A/Wright said that he had never been to A/Taulbee's house. A/Wright denied that A/Taulbee told him anything about wanting to kill V/Taulbee.

I concluded my interview with A/Wright. Captain Shivers, Detective T. J. Cavanagh, Detective John Dubois, and Sheriff Ed Brown spoke with A/Wright.

~~On 01-13-04~~, at approximately 5:30 p.m., A/Wright left the Sheriff's Office with Captain Hendricks.

On 01-14-04, at approximately 10:28 a.m., Detective Jauernik and I went to NCIS and spoke with Agents Vousboukis and Briggs.

At approximately 12:47 p.m., Detective Jauernik, Agents Vousboukis, Briggs, Sonya Carmical, Dan Hardesty, and I went to A/Linniman's residence located at 5838 Carolina Court, Camp LeJeune, NC.

Agent Vousboukis obtained a Permissive Search (Consent Search) from A/Linniman's wife, Mary Ann Linniman, to search the residence.

After signing the Permissive Search, Ms. Linniman received a telephone call from

A/Linniman in 29 Palms. Ms. Linniman told A/Linniman that the house was being searched. At that time, I told Agent Vousboukis to immediately contact the NCIS agents in 29 Palms and pick up A/Linniman.

Detective Jauernik, Agents Vousboukis, Briggs, and I began searching the baby's room. There were two locked cabinets in that room located on the left wall. Ms. Linniman provided keys to unlock those cabinets.

Several weapons and military property was found. A sawed-off .410 shotgun with what appeared to be a homemade suppression device was located in a gray storage container in the left closet.

At approximately 2:25 p.m., while searching the residence, I received a telephone call from Lieutenant Colonel Bryan.

Lieutenant Colonel Bryan instructed me to return to NCIS in reference to a conference call with NCIS agents in 29 Palms. Lieutenant Colonel Bryan stated that they had picked A/Linniman up.

At approximately 2:45 p.m., I returned to NCIS. Captain Shivers and Agent Vousboukis had also arrived.

At approximately 3:15 p.m., Agent Vousboukis called 29 Palms and spoke with Agents Bruce Rogers and Thomas Reed. Information on the homicide was provided to those agents to assist in their interview of A/Linniman.

Upon completion of the telephone conference, I went to the NCIS conference room to assist in logging the evidence.

When logging the .410 shotgun, I looked closer at the suppression device. There was a hardened filler inside of a copper fitting attached to the end of the sawed-off barrel. The filler appeared to be the same as the debris that was found on V/Taulbee's body and pillow.

On 01-15-04, at approximately 12:05 a.m., Detective Jauernik and I left NCIS.

At approximately 4:49 p.m., Detective Jauernik, Agent Hardesty, and I went to building HP 51 aboard Camp LeJeune.

Agent Hardesty was provided the key for Room #207 located in Barracks 1140. That was the room originally assigned to Stanley Foster but was being used by A/Taulbee and A/Wright for their affair.

At approximately 5:07 p.m., Detective Jauernik, Agent Hardesty, and I arrived at Room #207 in Barracks 1140. Agent Hardesty called Base Maintenance to have someone

assist us in removing plumbing fixtures inside that room.

A base maintenance employee arrived and removed the trap from the sink and drain cover from the shower. Agent Hardesty obtained swabs from the shower drain. A shower curtain and towel with reddish-brown stains were also collected.

The wall lockers contained casual clothing. There was food on top of and in the refrigerator. There were also drinks, water and Smirnoff Ice, in the refrigerator.

On 01-16-04, at approximately 9:15 a.m., Detective Jauernik and I went to NCIS and met with Agents Vousboukis and Briggs.

Agent Vousboukis stated that A/Linniman would be arriving at Ellis Airport at 11:00 p.m. on 01-16-04.

At approximately 10:36 a.m., Agent Briggs and I went to 5838 Carolina Court. Nobody came to the door. The white in color Honda was gone. There was a blue in color Dodge Neon bearing North Carolina registration PPD 6864 parked in the grass on the right side of the driveway.

I checked that registration through the North Carolina Department of Motor Vehicle files and learned the vehicle was registered to Craig Olszta located at 1718 Butler Drive, Midway Park, NC.

At approximately 10:56 a.m., Agent Briggs and I went to 1718 Butler Drive. Agent Vousboukis also arrived at the residence.

Agents Vousboukis and Briggs spoke with Ms. Olszta. Ms. Olszta stated that Corporal Olszta had taken Ms. Linniman grocery shopping and was expected to return at 12:00 p.m. that same day. Agent Vousboukis provided Ms. Olszta a business card and asked her to have Corporal Olszta call him when he returned.

At approximately 11:14 a.m., Agents Vousboukis, Briggs, and I returned to NCIS. A short while later, Agent Vousboukis received a telephone call from Corporal Olszta indicating that Ms. Linniman was home.

At approximately 11:51 a.m., Agent Vousboukis and I returned to 5838 Carolina Court.

Ms. Linniman signed a Permissive Search allowing us to look for additional items A/Linniman had disclosed during his interview with NCIS in 29 Palms.

A tube of model glue foam, copper fitting, and hand tools with what appeared to be an adhesive were found in a kitchen drawer. Two rolls of green in color 550 cord were taken from a locket cabinet in the baby's room. Those items were collected as evidence.

A can of spray foam was not found.

At approximately 1:32 p.m., Agent Vousboukis and I returned to NCIS.

At approximately 3:40 p.m., W/Foster came to NCIS. Agent Briggs interviewed W/Foster. Detective Jauernik and I were present.

W/Foster stated that he gave the room key (Room #207) to A/Wright to turn in for him when he went to Warrant Officer's School. W/Foster said that he did not know A/Wright had kept the key and was using the room.

W/Foster said that A/Wright called him little brother and he referred to A/Wright as big brother.

At approximately 10:21 p.m., Detective Jauernik and I arrived at Ellis Airport and met with Agent Briggs.

At approximately 10:50 p.m., A/Linniman arrived at Ellis Airport. A/Linniman was under chaser guard and taken to the Airport Security Office where change of custody paperwork was signed releasing A/Linniman for transport to the Camp LeJeune Brig.

Prior to leaving the airport, I told A/Linniman that Detective Jauernik and I were there because the NCIS agents in 29 Palms had informed us that he wanted to speak with Onslow County Authorities upon arrival to North Carolina.

A/Linniman stated he told the NCIS agents in 29 Palms that once he returned to North Carolina and obtained an attorney, he would speak with us. A/Linniman apologized for the inconvenience.

On 01-20-04, at approximately 2:26 p.m., Captain Shivers and I went to the Camp LeJeune Brig and met with A/Linniman.

I did not ask A/Linniman any questions. I informed him that A/Wright and A/Taulbee were implicating him in the homicide.

A/Linniman responded by saying that A/Wright had asked him to make a gun for him to take to Iraq. He said that he did not question A/Wright and agreed to make the weapon.

A/Linniman began speaking in third person saying that the third person could give me A/Taulbee and A/Wright at the house and the location of the weapon used in the homicide.

A/Linniman said that he did not know A/Wright wanted the weapon to commit a

homicide, if so, he would not have made it. A/Linniman said that he would be a state's witness.

Captain Shivers and I left the brig.

At approximately 6:10 p.m., Sheriff Brown, Captain Shivers, and I returned to the brig.

At approximately 6:20 p.m., Sheriff Brown spoke with A/Linniman. Captain Shivers and I were present. The conversation was taped using two tape recorders.

A/Linniman told us that he had thrown the .22 magnum barrel in the woods behind a building near the Staff Club. A/Linniman told us that he had removed the handmade silencer, copper fitting, and homemade pistol stock and threw them in the dumpster. A/Linniman told us that he had also thrown the black bag A/Wright had given him in the dumpster also. A/Linniman told us he could show us where he had thrown the barrel.

A copy of the tape was given to A/Linniman. Sheriff Brown maintained the second copy of the tape in his possession.

At approximately 9:02 p.m., Sheriff Brown, Captain Shivers, Agent Briggs, Agent Vouboukis, A/Linniman, and I went to Building 430 aboard Camp LeJeune.

A/Linniman said that he had thrown the barrel at an upward angle and approximately thirty yards in the woods.

The area was heavily overgrown. We attempted to locate the barrel but were unable to do so due to the darkness and brush. Agent Briggs stated that he would return to the area during the daylight hours with personnel and equipment to clear the area in an attempt to locate the barrel.

On 01-21-04, at approximately 11:15 a.m., A/Taulbee came to the Sheriff's Office.

A/Taulbee was read her rights according to Miranda and she waived those rights.

A/Taulbee stated she knew during January or February 2002, that A/Wright was planning to have his wife killed. A/Taulbee said that she knew what A/Wright was going to do about his wife but did not know what he was going to do to V/Taulbee.

A/Taulbee said that A/Wright was wearing green in color shorts and a gray in color shirt when he came to the gym. A/Taulbee said that she knew A/Linniman had a green in color truck but did not know he had a white in color car. A/Taulbee said that she knew A/Wright drove a white in color jeep.

A/Taulbee said that A/Wright told her he had given A/Linniman \$200.00 to buy parts for a gun.

A/Taulbee said that A/Wright introduced her to A/Linniman and his wife, Mary Ann, as his (A/Wright) wife. A/Taulbee said that was done in either January or February 2003 before A/Linniman went to Iraq. A/Taulbee said that A/Linniman was in Iraq for six months. A/Taulbee said that A/Wright referred to Stanley Foster as "little brother".

A/Taulbee said that A/Wright told her several times from August 2003, through November 2003, if he couldn't have her nobody could. A/Taulbee said that she thought A/Linniman made the gun to "knock-off" A/Wright's wife. A/Taulbee said that A/Wright gave A/Linniman \$200.00 in November to buy the gun.

A/Taulbee said that she knew subconsciously A/Wright might do something to V/Taulbee.

A/Taulbee said that she and A/Wright had sex once a day at the barracks after they finished working out at the gym.

A/Taulbee said that she and V/Taulbee went to bed at 12:00 a.m. and V/Taulbee was a light sleeper. A/Taulbee said that she gets up between 3:45 a.m. and 4:00 a.m. A/Taulbee said that V/Taulbee would sometimes get up and go to the bathroom. A/Taulbee said that she leaves her house between 4:15 a.m. and 4:20 a.m. to go to work.

A/Taulbee said that when she left the house the morning of 01-05-04, V/Taulbee was in bed facing toward the bedroom door. A/Taulbee said that when she left the house, she closed and locked the door. A/Taulbee said that she locked the door from the inside and pulled the door closed. A/Taulbee said that she did not check to see if the door had locked. A/Taulbee said that she did not pull on the door to check it.

A/Taulbee said that V/Taulbee had the alarm cut off approximately one year ago.

A/Taulbee said that the week before V/Taulbee was killed, A/Wright constantly asked her about her work schedule.

A/Taulbee said that she saw the white car in the culd-e-sac. A/Taulbee said that she pulled out of the driveway and the white car parked next to the house. A/Taulbee said that she saw A/Wright get out of the passenger side and he was dressed in all black clothing. A/Taulbee said that as she drove away from the house, she saw A/Wright walk up the driveway and to the house. A/Taulbee again said that she locked the door.

A/Taulbee said that A/Wright told her he was going to do something with the computer.

A/Taulbee said that she drove to the gym. A/Taulbee said that when A/Wright came to the barracks room he told her they messed up and would try again.

A/Taulbee continued to deny any involvement or knowledge of the murder. A/Taulbee said that she did not trust anyone. A/Taulbee said that she was afraid of A/Wright because he was big. A/Taulbee said that she knew about the flight to 29 Palms. A/Taulbee said that A/Wright had A/Linniman look up the information for the ticket.

I confronted A/Taulbee with the inconsistency of her stories. A/Taulbee continued to deny any involvement or knowledge of the murder. I asked A/Taulbee about her truthfulness on a scale of 1-10, and A/Taulbee said, "5".

A/Taulbee said that she lied about the affair and A/Wright planning to kill his wife. A/Taulbee said that she lied to V/Taulbee about the affair she was having with A/Wright.

A/Taulbee provided a written statement and was allowed to leave the Sheriff's Office.

On 01-22-04, at approximately 10:00 a.m., A/Taulbee came to the Sheriff's Office and requested to speak with me.

A/Taulbee stated that in December 2003, before Christmas, she called A/Wright and told him she was on her way to the gym. A/Taulbee said that A/Wright sounded scared and told her to meet him at the barracks room.

A/Taulbee said that when A/Wright arrived at the barracks room, A/Wright told her A/Linniman was outside of his house waiting for him. A/Taulbee said that A/Wright told her he told A/Linniman "no, not today" and A/Linniman left. A/Taulbee said that A/Wright told her his life should have been changed that day but he got scared and stopped A/Linniman from doing it. A/Taulbee said that after she and A/Wright left the barracks room, she went to work and A/Wright went to work.

A/Taulbee said she called A/Wright later that same afternoon and A/Wright told her they would go for a ride.

A/Taulbee said that A/Linniman came to the Burger King with A/Wright when he brought the coffee. A/Taulbee said that A/Wright and A/Linniman were in A/Linniman's truck.

A/Taulbee said that when her alarm went off on 01-05-04, V/Taulbee woke up and nudged her. A/Taulbee said that V/Taulbee was lying on his right side facing the window. A/Taulbee said that V/Taulbee had changed position when she came out of the bathroom and was on his left side facing the door.

A/Taulbee said that she left the bathroom, closed the bedroom door slightly, and went in to her office to put her PT clothes on. A/Taulbee said that she partially closed the bedroom door because of the light in her office.

A/Taulbee said that after she got dressed she opened the bedroom door. A/Taulbee said that she went to V/Taulbee's side of the bed, between the bed and window, and gave him a kiss goodbye. A/Taulbee said that V/Taulbee was still on his left side facing the door. A/Taulbee said that V/Taulbee told her, "Goodbye beautiful, I'll see you later, I love you." A/Taulbee said that she told V/Taulbee she loved him and walked away. A/Taulbee said that the bedroom light was not on. A/Taulbee said that the ceiling fan was on. A/Taulbee said that she turned the lights off in the bathroom and in her office.

A/Taulbee said that the only other light on in the house was the range light over the stove.

A/Taulbee said that she walked down the stairs, went to the kitchen, opened the refrigerator, and got some water. A/Taulbee said that she picked her jacket up from the back of a kitchen chair and walked to the door. A/Taulbee said that she was carrying a black in color bag and her work uniform. A/Taulbee said that the black bag contained underwear and towels.

A/Taulbee said that she opened the front door and the alarm verbally indicated front door open. A/Taulbee said that she engaged the lock on the back of the door handle and closed the door.

A/Taulbee said that she went to the rear of her car, opened the trunk, and put her black bag in the trunk. A/Taulbee said that she then walked to the driver's side of the car, pulled the tarp up to unlock the door, and put her uniform inside the car. A/Taulbee said that she pulled the cover off the car. A/Taulbee said that as she was taking the cover off, she saw the white in color car in the street. A/Taulbee said that she put the cover in the trunk and the white car had entered the cul-de-sac.

A/Taulbee said that she got in her car, started it, and began to back up. A/Taulbee said at that time, the white car was between the two houses to the right of her house. A/Taulbee said that she began to back out of the driveway and the white car pulled forward. A/Taulbee said that she pulled on to the street and began to move forward.

A/Taulbee said that the white car pulled in the area behind V/Taulbee's truck. A/Taulbee said that she was in the area of her neighbor's driveway (Parrish) when she saw A/Wright get out of the white car. A/Taulbee said that she had turned her head to the right, saw A/Wright exit the car, and walk to the house. A/Taulbee said that A/Wright was walking fast. A/Taulbee said that she did not stop her car.

A/Taulbee said that the week prior, A/Wright had told her when she saw him at her house, to keep going and not look back.

A/Taulbee said that she went on to the gym. A/Taulbee said that A/Wright came in to the gym at approximately 5:00 a.m.

A/Taulbee said that she believed A/Wright told her "they missed it" to pacify her and make her believe he had not killed V/Taulbee. A/Taulbee said that A/Wright told her to keep calling V/Taulbee like normal. A/Taulbee said that A/Wright told her they would try again after they got back. A/Taulbee said that she believed A/Wright meant after they got back from 29 Palms.

A/Taulbee said that during the week prior to V/Taulbee being killed was when A/Wright told A/Linniman to find plane ticket information.

A/Taulbee said that she tried calling V/Taulbee and never got an answer. A/Taulbee said that when she told A/Wright V/Taulbee wasn't answering, he told her to keep trying. A/Taulbee said that A/Wright told her when she got home to tell V/Taulbee she had went in and out the door three times.

A/Taulbee said that V/Taulbee was not taking any medications or sleeping pills.

I prepared a typewritten statement in the presence of A/Taulbee from the information she had provided and A/Taulbee signed the statement as true and correct.

At approximately 4:15 p.m., I called Agent Vousboukis.

Agent Vousboukis stated that he had viewed the video from the Piney Green and Main Gates from 01-05-04. Agent Vousboukis said that A/Wright and A/Linniman passed through the main gate at 4:08 a.m. Agent Vousboukis said that A/Taulbee came on base through the Piney Green gate at 04:28:49 a.m. Agent Vousboukis said that A/Linniman and A/Wright re-entered the base through the Piney Green gate at 04:39:15 a.m. Agent Vousboukis said that the video shows A/Linniman driving and A/Wright seated in the back seat.

Agent Vousboukis said that A/Linniman purchased the gun from the Marine Corps Exchange on 12-05-03, for \$134.00.

On 01-27-04, at approximately 2:30 a.m., I received a telephone call from W/Barbara Marsh.

W/Marsh stated that she had lived at her residence next door to the Taulbee's for approximately four years. W/Marsh said that she returned home from a trip on Sunday, 01-04-04. W/Marsh said at approximately 4:15 p.m. that same day, V/Taulbee brought a brass porthole to her house to show her he had purchased for his boat. W/Marsh said that she and V/Taulbee talked for a little while.

W/Marsh said that she got up at approximately 4:28 a.m. on 01-05-04. W/Marsh said that she heard two noises and thought a plaque had fallen in her house. W/Marsh said that she checked the kitchen and garage but found nothing had fallen. W/Marsh said that she did not think any more about it.

W/Marsh said that the noises were muffled and sounded like a loud "clap". W/Marsh said that she heard the first noise and approximately three seconds later she heard the second noise.

W/Marsh said prior to that a car had driven around the culd-e-sac because the lights had shined through the bedroom window.

On 02-02-04, at approximately 10:15 a.m., Lieutenant Colonel Bryan called Doctor Garrett and requested that he call the Medical Examiner's Office in Chapel Hill to request a toxicology screen for depressants be completed.

On 02-16-04, at approximately 2:25 p.m., I obtained a search warrant for A/Wright to obtain a Subject Evidence Collection Kit and major case rolled ink impressions of his hands.

At approximately 2:30 p.m., I obtained a search warrant for A/Taulbee to obtain a Subject Evidence Collection Kit and major case rolled ink impressions of her hands.

On 02-17-04, at approximately 9:30 a.m., I executed the search warrant for A/Taulbee in the Onslow County Jail. Crime Scene Investigator Garvey obtained major case rolled ink impressions from A/Taulbee in the Onslow County Jail. Nurse Judy Willsey obtained the Subject Evidence Collection Kit from A/Taulbee in the jail.

At approximately 10:15 a.m., I executed the search warrant for A/Wright in the Onslow County Jail. Crime Scene Investigator Garvey obtained major case rolled ink impressions from A/Wright in the jail. Nurse Willsey obtained the Subject Evidence Collection Kit from A/Wright in the jail.

Prior to the collection of evidence from A/Wright, he requested to call his attorney. I allowed A/Wright to do so and Attorney Ernie Wright came to the jail.

At approximately 12:00 p.m., the Subject Evidence Collection Kits and major case rolled ink impressions obtained from A/Taulbee and A/Wright were placed in the Crime Scene Investigation Unit.

At approximately 12:45 p.m., I went to the Magistrate's Office and returned service on the search warrants executed on A/Taulbee and A/Wright.

On 02-20-04, at approximately 1:00 p.m., I met with Agent Vousboukis at NCIS aboard Camp LeJeune.

Evidence Custodian Terri Jenkins released two brown in color paper bags to me. Both bags were sealed with evidence tape. The inventory sheet, ECR Card, indicated that one bag contained A/Wright's tennis shoes and the second bag contained the black

workout suit A/Wright wore the morning of 01-05-04.

At approximately 2:50 p.m., the two brown in color bags sealed with evidence tape were placed in the Crime Scene Investigation Unit.

On 02-24-04, at approximately 8:54 a.m., I obtained a search warrant for A/Linniman to collect a Subject Evidence Collection Kit and major case rolled ink impressions of his hands.

At approximately 9:30 a.m., A/Linniman arrived at the Sheriff's Office with his attorney, Ed Bailey.

At approximately 9:35 a.m., I executed the search warrant on A/Linniman. A/Linniman was taken to the Crime Scene Investigation Unit and I obtained major case rolled ink impressions of his hands.

At approximately 10:15 a.m., I arrived at Onslow Memorial Hospital with A/Linniman.

At approximately 11:35 p.m., Registered Nurse Sherrie Francis obtained the Subject Evidence Collection Kit from A/Linniman. Upon completion of the kit, Registered Nurse Francis released the Subject Evidence Collection Kit to me.

At approximately 1:00 p.m., the Subject Evidence Collection Kit was placed in the Crime Scene Investigation Unit.

At approximately 1:15 p.m., I returned service on the search warrant for A/Linniman.

EVIDENCE:

Refer to Detective Jauernik's case file, 04CI007.

ATTACHMENTS:

Refer to Detective Jauernik's case file, 04CI007.

RESTITUTION:

Refer to Detective Jauernik's case file, 04CI007.

Tom Robinson
Reporting Detective

Case # 04-CI-007
Incident # 010504-151 AP312
DR # 200400374
Originating Deputy: Deputy Keith Whaley P309
Incident Date: 01-05-04
Report Date: 02-24-04
Reporting Detective: Detective D. Jauernik
Arrest Report

SYNOPSIS:

This case involves A/Zenaida Taulbee and A/Ruben Wright killing V/James Taulbee by shooting or assisting to shoot him two times in the facial area. A/Randy Linniman was involved by taking and disbursing the murder weapon for A/Wright.

PEOPLE:

Victim James Taulbee
Witness Carol Rochelle Linder, victim's mother
Witness Carol Denise Toth, victim's sister
Witness Timothy Victor Toth
Witness Michael Taulbee, victim's brother
Witness Justin Patrick Taulbee, victim's son
Witness Lydia Taulbee, victim's daughter
Witness Rodney Dale Keller, victim's brother-in-law
Witness Elaine Rochelle Keller, victim's sister
Witness Debra Wright, arrestee's wife
Witness Tina Wright, arrestee's daughter
Witness Teofila Dizon, Burger King worker
Witness Lamar Wilder, Burger King worker
Witness Ella Jones Ross, Burger King worker
Witness Dianna Denise LeDuc, Burger King worker
Witness Mary Ann Linniman
Witness Stanley Lester Foster, USMC
Witness John Ferguson, USMC
Witness Earl Hampton, Gottschalk Marina
Witness Donald Wittich, Gottschalk Marina
Witness Vince Palancia, Gottschalk Marina
Witness Vaughn Fulton, Gottschalk Marina
Witness Tom Ray, Gottschalk Marina
Witness Bayani George Mauli, Gottschalk marina

Witness Ron Jamieson, Gottschalk Marina
Witness Michael Morel
Witness Jennifer Coble, Area 2 Gym
Witness Heather Smith, Area 2 Gym
Witness Robert Person, Area 2 Gym/Nutrition Store
Witness Michelle Parrish, neighbor
Witness Dexter Parrish, neighbor
Witness Evelyn Koch, neighbor
Witness Patrick Koch, neighbor
Witness Marian Harden
Witness Evelyn DeNise, neighbor
Witness Ebony Humphrey, neighbor
Witness Julie Taylor, neighbor
Witness Barbara Marsh, neighbor
Witness Julie Graham, neighbor
Witness Martina Talbot, neighbor
Witness Joan Mack, neighbor
Witness Raquel Bonilla, neighbor
Witness Sharon Griffin, neighbor
Witness Francis Alvanado, neighbor
Witness Amber Hedgeroth
Witness Todd Roy
Witness Mark Snavely
Witness Frances Margaret Bridgman
Witness Lucinda Minck Hoffman, White Oak Pantry
Witness Nancy Lee Henneke, White Oak Pantry
Witness Ronnie Hancock
Witness Charles Garrett, Medical Examiner
Witness Hans Miller, State Bureau of Investigations
Witness Chief Ken Bumgarner, JPD
Witness Tom Smith, NCIS
Witness Joseph Briggs, NCIS
Witness Scott Vousboukis, NCIS
Witness Sonya Carmical, NCIS
Witness Dan Hardesty, NCIS
Witness Kevin Dobb, NCIS
Witness Jim Metro, Jacksonville Rescue
Witness Austin Lentz, Jacksonville Rescue
Witness Rita Zimmer, Jacksonville Rescue
Witness Judy Willsey, Nurse
Witness Sheriff Ed Brown
Witness Lt. Col. Keith Bryan
Witness Captain John Matthews
Witness Captain Frank Terwilliger
Witness Captain Mark Shivers

Witness Captain Rick Sutherland
Witness Lt. Donnie Worrell
Witness Deputy Keith Whaley
Witness Deputy Linwood Foy
Witness Deputy Ashley Bishop
Witness Deputy John Loucks
Witness Deputy David Neumann, CSI
Witness Deputy Patrick Garvey, CSI
Witness Deputy Bill Meredith, CSI
Witness Detective Darlene Anderson
Witness Detective John Dubois
Witness Detective Harold Major
Witness Detective T.J. Cavanagh
Witness Detective Robert Matthews
Witness Detective Tom Robinson
Arrestee Ruben Wright
Arrestee Zenaida Taulbee
Arrestee Randy Linniman

PROPERTY:

- Videotape – White Oak Pantry store security
- Qualcomm cellular phone, with 2 books for use of phone
- Leather case – Black for Qualcomm phone
- Car charger for Qualcomm phone
- Davis Industries 32 Cal. semi-automatic pistol, Model D-32 Cal. Serial # 334674

DETAILS:

On 01-05-04, at approximately 8:12 p.m., I received a phone call from 911 communications in reference to a victim who was shot in the face. The address was 107 Chestnut Court, Jacksonville, North Carolina.

At approximately 8:20 p.m., I called Detective Darlene Anderson for assistance.

At approximately 8:28 p.m., I picked up Detective Anderson from her residence.

At approximately 8:31 p.m., Detective Anderson and I arrived at 107 Chestnut Court. (Piney Green, Hemlock, Broadleaf and then second left.) Captain John Matthews and Deputy Keith Whaley were at the scene. The residence was roped off with crime scene tape. Deputy Linwood Foy was standing at the front door not letting anyone inside the residence.

Upon arrival, Deputy Keith Whaley briefed Detective Anderson and I. He stated that V/Taulbee was upstairs in a bedroom with two gunshot wounds to his head. He advised that Arrestee Zenaida Taulbee was Victim James Taulbee's wife and she was

across the street at 108 Chestnut Court on the front porch. He stated she told him that she had left at approximately 4:30 a.m., for work. A/Taulbee told Deputy Whaley that when she came home she found a computer keyboard laying in the driveway by V/Taulbee's red Ford Explorer.

At approximately 8:35 p.m., Detective Anderson began to interview W/Evelyn Koch, W/Ella Ross, W/Evelyn DeNise, W/Fransic Alvarado, and A/Taulbee. See Detective Anderson's supplement.

At approximately 8:50 p.m., Detective Tom Robinson arrived at 107 Chestnut Court. Detective Robinson and I went to 108 Chestnut Court where A/Taulbee was sitting in a chair on the front porch.

A/Taulbee appeared to be upset and crying. While Detective Robinson spoke with her, there were no tears and she briefly appeared to be okay. She stated that she was the manager at Burger King on Camp LeJeune. She stated that she walked in her residence and had a keyboard that she picked up by V/Taulbee's Explorer.

A/Taulbee signed a consent form to search the house located at 107 Chestnut Court and two vehicles that were in the driveway of 107 Chestnut Court. The vehicles were a Red Grand Am with a North Carolina registration of RSB-9865 belonging to A/Taulbee and a Red Ford Explorer with a North Carolina registration of MVZ-5646 belonging to V/Taulbee.

At approximately 9:15 p.m., Deputy David Neumann told Detective Robinson and I that he had taken digital photographs inside the residence. Detective Robinson and I viewed the digital photographs. After viewing the photographs, Crime Scene Investigator Neumann stated that we could enter the residence and advised us of a path in which to walk. A/Taulbee had signed a Consent to Search Form.

I noticed that there was an alarm on the house as we entered. We went upstairs and to the master bedroom where V/Taulbee was lying on the bed. V/Taulbee's back was towards the door. Once we walked around the bed and could see the front side of V/Taulbee it appeared that he had been shot twice, once in the cheek and one in the forehead.

At approximately 9:30 p.m., Captain Frank Terwilliger arrived at 107 Chestnut Court.

On 01-05-04, at approximately 9:30 p.m., Lieutenant Colonel Keith Bryan entered the residence. As Lt. Col. Bryan, Detective Robinson and I walked through the residence, the following observations were made:

- Wash clothes in the shower were dry.
- Jewelry and coins in the nightstand did not appear to be touched.
- No casings were found.

- Doorframe was broken.
- Back door was unlocked.
- Front door was unlocked.
- An alarm sounded when a door was opened. (Beeps and states which door was opened)

At approximately 9:40 p.m., I went outside the residence to help canvas the neighborhood. I spoke with W/Alex Miller and W/Melissa Miller of 104 Chestnut Court, Jacksonville.

W/A. Miller stated that he went to work at approximately 6:45 a.m. He worked at the Air Station and his work number was 449-7083. He stated that he came home at approximately 4:50 p.m., and did not notice anything unusual.

W/M. Miller stated that she took the trash out and got the mail at approximately 12:00 p.m. She stated that she looked down the street and didn't see anything unusual. She stated that she left the house at approximately 3:45 p.m., to take her cat to the vet (Onslow Animal Hospital). She stated that she pulled in behind her husband when she returned home at approximately 4:50 p.m., and did not notice anything unusual at that time either.

At approximately 9:57 p.m., the Medical Examiner, Dr. Almedia, was notified. He stated that Dr. Garrett would do the autopsy on 01-06-04, at approximately 8:30 a.m.

At approximately 10:05 p.m., Sheriff Brown was briefed.

At approximately 10:42 p.m., Detective Anderson, Detective Robinson, Captain Terwilliger, Lt. Col. Bryan, Crime Scene Investigators Neumann and Garvey, and myself went into the master bedroom.

- Fragments were removed off the pillow and V/Taulbee's ear.
- A note was found on the mirror in the master bathroom that read, "Do something today." It was on a yellow piece of paper and taped to the mirror.
- At approximately 10:47 p.m., quilt taken by the evidence technicians.
- At approximately 10:48 p.m., pillow taken – pink with red stains
- At approximately 10:52 p.m., EMS was called for transportation.
- At approximately 11:15 p.m., moved body into body bag.
- At approximately 11:25 p.m., EMS removed V/Taulbee from 107 Chestnut Court.
- At approximately 11:40 p.m., Red, Nokia phone collected for evidence.

I noticed a checkbook on the counter in the kitchen that had checks written out to W/Kimberly L. Howell. The checks appeared to be for child support and had been written out for the year 2004. The check numbers were 3051 through 3062.

On 01-06-04, at approximately 12:40 a.m., V/Taulbee's Red Ford Explorer was searched. V/Taulbee's wallet was located inside the vehicle. These items were found in the wallet:

- North Carolina Driver's License # 278288382
- Navy Federal Credit Union cards # 5811 111 3959 3006 and 4060 9514 9000 2055.

At approximately 1:00 a.m., W/Rodney Dale Keller, V/Taulbee's brother-in-law, arrived at 107 Chestnut Court. I spoke with him in the driveway of 108 Chestnut Court.

W/Keller stated that his wife, W/Elaine Keller, was V/Taulbee's sister, and their mother, W/Carolyn Linder, lived with the Keller's in Las Vegas.

W/Keller stated that he was in Elizabeth City, North Carolina due to his work. He stated that he worked for Northrop Grumman doing classified work. He stated that V/Taulbee had a 22 caliber rifle in the house. He stated that he had received a phone call from his wife in reference to V/Taulbee getting shot. He stated he came to console A/Taulbee.

I spoke with two men that drove W/Keller to Jacksonville. They stated that they worked with W/Keller and gave him a ride. Their names were W/Todd Roy and W/Mark Snavely. They left the scene after speaking with W/Keller.

The crime scene was left secured. A deputy was posted in front of the residence for security purposes since the front door could not be secured.

At approximately 1:15 a.m., Detective Robinson and I departed 107 Chestnut Court.

At approximately 1:30 a.m., Detective Robinson and I arrived at EOC to pick up a run report in reference to units dispatched and times for 107 Chestnut Court.

On 01-06-04, at approximately 8:35 a.m., Detective Robinson, Deputy Whaley, Deputy Neumann, and I were at Onslow Memorial Hospital Morgue. Dr. Garrett and his assistant, Oliver, did the autopsy of V/Taulbee.

At approximately 9:05 a.m., the autopsy began. Dr. Garrett stated that the wounds were close contact.

At approximately 9:25 a.m., Dr. Garrett used a Woods Light to check for evidence in the groin area of V/Taulbee's body, but nothing was found.

At approximately 9:45 a.m., Dr. Garrett removed the skull. Taken out of the brain was part of a bullet that measured 5 millimeters. Dr. Garrett stated that the cheek wound appeared to have entered downward, backward and slightly to the right. He stated that the forehead shot appeared to have entered downward, backward and a little to the left.

At approximately 12:45 p.m., I went to 108 Chestnut Court and spoke with W/Keller.

He stated that the family would be staying at the Microtel Inn and Suites on Western Boulevard.

I spoke with A/Taulbee who had a silver cellular phone with her. She stated that it was all right to take the black cellular phone out of her car that was found under the driver's seat. She gave me the keys to her vehicle. She stated that the cellular phone did not have any service because it had been transferred to her new phone. The black cellular phone was collected as evidence.

Captain Mark Shivers interviewed W/Evelyn Koch at 108 Chestnut Court. See Captain Shivers' supplement.

At approximately 1:31 p.m., Detective Robinson and Detective Major went to NCIS aboard Camp LeJeune and then to Gottschalk Marina. See Detective Robinson's supplement.

Detective Bud Major, Detective Tom Robinson and I spoke with A/Taulbee and W/Keller at 108 Chestnut Court. W/Keller stated that he thought V/Taulbee's son had taken the 22 rifle, from the residence last summer. We all walked over to 107 Chestnut Court. W/Keller assisted A/Taulbee in walking.

A/Taulbee stated that on 01-05-04:

- She got out of her car when she got home from work.
- She saw the keyboard laying in the driveway and picked it up.
- She walked to the front door-
It was open approximately 2-3 feet. She saw the doorframe on the floor.
- She went inside the residence, set the computer keyboard down.
- She went upstairs, looked in computer room.
- She called V/Taulbee's name.
- She went downstairs and outside the front door.
- A neighbor next door was getting out of his car and she went to him for help.
- She went over to W/Koch's house after he heard her crying outside. (108 Chestnut Court).
- She called V/Taulbee the morning of 01-05-04, after she left the base gym and was on her way to work at approximately 6:45 a.m. She stated that he did not answer the phone.
- She stated that he usually calls back but he did not call her. She stated that she called several times throughout the day from her work and cellular phone.

A/Taulbee became emotional and was unable to make it up the steps during an attempt to do a walk through of the residence with us. W/Keller carried A/Taulbee to 108 Chestnut Court where she was staying.

I spoke with W/P. Koch at 108 Chestnut Court. He stated that he had been on a trip in Florida and returned on 01-05-04, at approximately 5:30 p.m. W/P. Koch stated that

once he got home he greeted his wife, W/E. Koch, took some trash out, and sat down with W/E. Koch and watched Seinfeld and Frazier on television.

He stated that because he heard a dog next door barking, he went outside and heard A/Taulbee crying across the street. W/P. Koch stated that a neighbor told him that A/Taulbee's house had been broken into. W/P. Koch stated that he asked A/Taulbee to come to his house until the Sheriff's Deputy arrived.

W/P. Koch stated that A/Taulbee told him and W/E. Koch that her house had been broken into and that she tried to call V/Taulbee all day. He stated that she asked if they had seen him.

W/P. Koch stated that W/E. Koch called V/Taulbee's cellular phone and left a voicemail. He stated that A/Taulbee mentioned that V/Taulbee's Explorer was in the driveway so he should have been home. W/P. Koch stated that he put one and one together and asked if V/Taulbee was inside.

W/P. Koch stated that W/E. Koch took off across the street. He stated that it was W/E. Koch, him, and then A/Taulbee following behind him. He stated that once they were at the residence of 107 Chestnut Court, they went inside and upstairs and they saw V/Taulbee in his bed in the master bedroom.

W/P. Koch stated that W/E. Koch went to the other side of the bed so she could see V/Taulbee. She told W/P. Koch that V/Taulbee had been shot and he should get A/Taulbee out of the room. He stated that A/Taulbee was at the foot of the bed and saw V/Taulbee and he took her outside.

W/P. Koch stated that he had not seen any girls or guy friends over at 107 Chestnut Court. He stated that V/Taulbee had a boat. He stated that V/Taulbee bought the boat in Florida and parked it at the Marina at Camp LeJeune. He stated that V/Taulbee was a "happy go lucky guy."

W/Marian Harden was the housemaid for W/P. Koch and W/E. Koch. Captain Mark Shivers interviewed her. While I was waiting for Captain Shivers, A/Taulbee grabbed her cellular phone and went upstairs.

On 01-06-04, at approximately 12:45 p.m., I spoke with W/Keller at 108 Chestnut Court. He stated that A/Taulbee told him she never went upstairs when she was with W/E.Koch and W/P. Koch. He stated that she told him that she was not in the bedroom or even close to it.

At approximately 1:00 p.m., Detective Robinson and Detective Major went to Gottschalk Marina. They searched V/Taulbee's boat with consent from A/Taulbee. Detective Robinson locked the boat and the key was placed in the Taulbee case file. Detective Robinson and Detective Major went to Burger King on Camp LeJeune and obtained a

work schedule for A/Taulbee.

At approximately 4:05 p.m., Captain Terwilliger explained his phone conversation with W/Keller to me. W/Keller had called the Onslow County Sheriff's Office. Captain Terwilliger stated that W/Keller had spoken with A/Taulbee about the black phone found in her car under the driver seat that had no service. A/Taulbee told W/Keller that the phone belonged to a male Marine friend. A/Taulbee told W/Keller that this male Marine friend left her a phone to call his wife, who did not speak English, to check on her. W/Keller stated that the Marine's wife was from the Philippines. W/Keller stated that they were on their way to Wilmington airport to pick up family and would like to come by the Sheriff's Office to pick the phone up on their way back into town.

On 01-06-04, at approximately 6:00 p.m., Captain Terwilliger, Detective Robinson, Deputy Neumann, and I looked at this black phone. Detective Robinson stated that the phone was ringing while he was searching A/Taulbee's vehicle. He stated that while the call was coming in the banner read, "Gunner".

While looking at the phone the banner read "Zeny Wright" 340-2354. The phonebook was accessed that had two names and numbers. They were "Gunner 329-2682 pager", and "Gunner 340-2353 cell".

The Text Message was accessed that read, "Call me", "Ye", "No", "Need directions", and "Where are you."

The phone had two numbers in the received calls. They were 355-9053 and 451-5303.

At approximately 6:00 p.m., Captain Shiver's gave out a description of a male that W/E. Koch had seen at 107 Chestnut Court in a small four-door vehicle, tan in color, possibly a 2000 model. The male was described as being 6'1 tall, 140 – 160 pounds, and curly dark hair.

Deputy Neumann searched V/Taulbee's Red Nokia cellular phone. His number was 910-340-2380.

Received calls:

- 01-04-04 18:05:22 910-340-2381 Zeny
- 01-03-04 18:43:45 910-451-5942 Burger King
- 01-01-04 20:51:57 702-286-4118
- 12-31-03 21:11:18 910-451-5983
- 12-30-03 11:33:13 910-376-2200 Mike Morrel
- 12-29-03 18:00:17 910-329-5096
- 12-25-03 20:02:18 937-848-4856

Dialed:

- 01-04-04 18:06:26 910-346-2381 Zeny

Missed calls:

- 01-05-04 20:39:41 937-848-4856
- 01-05-04 20:00:41 No Number
- 01-05-04 19:36:07 910-340-2381 Zeny
- 01-05-04 18:09:04 910-451-5942 Burger King
- 12-31-03 14:28:04 937-436-4584
- 12-22-03 10:39:59 910-455-9181
- 12-19-03 9:42:08 910-389-9487 Eric
- 12-18-03 15:13:48 937-271-6204 Justin
- 12-18-03 13:18:20 702-286-4118
- 12-16-03 12:10:20 910-347-2702 Earl
- 12-10-03 18:08:07 639-164-1660, 21
- 11-13-03 13:32:25 734-941-3646
- 11-13-03 12:47:47 734-942-9890
- 11-13-03 11:59:34 910-941-3793
- 11-10-03 19:33:26 910-526-2961 Ed
- 10-28-03 17:29:53 910-938-2814
- 10-22-03 12:28:57 937-848-4906
- 10-03-03 6:57:07 910-451-5983
- 09-12-03 10:29:28 910-577-6800
- 09-11-03 10:55:18 910-577-1376
- 01-05-04 20:39:41 937-848-4856

On 01-07-04, Detective T.J. Cavanagh spoke with the clerk, W/Nancy Henneke, at The Pantry at White Oak. He stated the clerk told him that a male with the suspect's description came in on 01-05-04, at approximately 7:15 p.m. She stated that he was wearing a black shirt, tan pants, black shoulder length hair and a beard. She stated that he was driving a tan car. She stated that he paid for gas and asked for a USA Times Newspaper. They did not have that type of newspaper. She stated that he is a regular customer on Saturdays, buying a Carolina Auto Bargain Trader and a \$125.00 money order.

W/Henneke came to the Onslow County Sheriff's Office and pointed out the man on the video from the store. (Video time 20:15:45) She stated that she had past conversations with the unknown male about kayaking. The video was taken as evidence.

On 01-07-04, at approximately 11:36 a.m., Detective Robinson went to Area 2 Gym and conducted interviews. See Detective Robinson's supplement.

At approximately 11:50 a.m., Magistrates Jones and Carpenter issued search warrants to Detective John Dubois in reference to the cellular phone records for 910-340-2380

and 910-340-2381.

At approximately 12:45 p.m., I called Detective Cavanagh and passed a message to him in reference to W/Michael Morelas. W/Morelas was V/Taulbee's boss. W/Morelas could be reached at 376-2200.

At approximately 1:00 p.m., Detective Robinson and Detective Cavanagh interviewed W/Morelas.

At approximately 1:05 p.m., W/Keller, W/Denise Toth, W/Justin Taulbee, and A/Taulbee arrived at the Onslow County Sheriff's Office to be interviewed.

Interviews went as such:

I interviewed W/Keller.

Detective Anderson interviewed W/Toth.

Detective Major interviewed W/J. Taulbee.

Captain Shivers interviewed A/Taulbee.

At approximately 2:00 p.m., Detective Dubois executed Search Warrants for the cellular phones on U.S. Cellular.

On 01-08-04, at approximately 7:55 a.m., I returned a call to W/Keller. I spoke with W/D. Toth who told me that someone had food delivered to the Microtel Inn and Suites on 01-07-04. She stated that it was potato salad and chicken. She stated that it wasn't enough to feed a family.

W/Toth stated that the desk clerk asked her to stay in the hall to see if she knew the person with the food. She didn't know the person so the desk clerk told the person that they didn't have anyone by the name, Taulbee. W/D. Toth explained that there was a card on the food that read, "Zeny and Family, Love Kelly and John".

W/D. Toth stated that there was a receipt in the bag from the Food Lion Deli. She stated that they asked A/Taulbee if she told anyone where they were staying. A/Taulbee said that she didn't know a Kelly.

On 01-07-04, at approximately 1:05 p.m., I interviewed W/Keller at the Onslow County Sheriff's Office in interview room #1.

W/Keller stated that he was working in Elizabeth City. He explained the night of 01-05-04. He told me that his cellular phone was turned off and charging. He stated that a guy he worked with knocked on his door telling him that he had received a phone call from his wife that W/Keiler's wife, W/E. Keller, had called his wife and needed W/Keller to call his home.

W/Keller stated that he called W/E. Keller who told him that V/Taulbee had been murdered. He stated that W/E. Keller was concerned that A/Taulbee was in

Jacksonville with no family.

W/Keller stated that he had two co-workers, W/Todd Roy and W/Mark Snaveley, drive him to Jacksonville.

W/Keller stated that W/E. Koch called W/Carol Linder who lives with W/Keller and his wife, W/Linder, called W/E. Keller at work. W.E. Keller called him. He stated that it was at approximately 9:00 p.m.

W/Keller stated that the relationship he knew between A/Taulbee and V/Taulbee seemed to be good. He stated that they did not have any money problems. He stated that V/Taulbee had a goal to save up some money so when he retired he would not have to work for two years and planned on buying a boat, which he did.

W/Keller stated that the last couple of days he had heard A/Taulbee mention the names of Joe or Zoe a few times. He stated that while at the emergency room a co-worker was there with him and A/Taulbee. He stated that they were at the emergency room for 2-4 hours and A/Taulbee received some valium to take.

W/Keller stated that A/Taulbee asked the co-worker if they called Joe. The co-worker told her "yes", they called Joe. (Detective Robinson was informed that Joe was the district manager of Burger King)

W/Keller stated that since 01-05-04, A/Taulbee had not been left alone except a couple of times to use the phone.

W/Keller stated that he asked A/Taulbee some questions trying to figure out what happened and why. He stated that she explained her day to him the same as she told us. (Gym, work, called V/Taulbee 5-6 times from work with her cellular). W/Keller stated that he did not feel it was a robbery because there was nice jewelry and things that were not taken.

W/Keller stated that at approximately 5:00 a.m., on 01-06-04, he was talking with W/E. Koch, who he and A/Taulbee was staying with. He stated that she wanted to show him what she had seen when she went into the master bedroom.

- V/Taulbee lying in bed – she demonstrated by lying on her couch.
- Blanket pulled up – around his neck
- Hands were up. One higher than the other in front of his face in a defensive way.
- V/Taulbee was shot two times in the face.

W/Keller stated that he felt who ever kicked the door in must have been mad. He explained the last couple of times he saw V/Taulbee. He stated he saw V/Taulbee and A/Taulbee when the family met in Tennessee for W/Mike Taulbee's son's wedding. He stated that everything seemed good, they were holding hands. He stated that they

drove to Tennessee. W/Keller stated that he stayed a week in Jacksonville for V/Taulbee's retirement party.

W/Keller stated that V/Taulbee had an ex-wife named Kim. He stated that Kim had cheated on V/Taulbee so he divorced her. V/Taulbee later met A/Taulbee and married.

He stated they were married for approximately 11 years. He stated that V/Taulbee had two children named W/Lydia Taulbee, 16 y/o, and W/Justin Taulbee, 19 y/o.

W/Keller stated A/Taulbee told him that the black phone that was taken belonged to Randy Henemen (Gunny Sergeant) later identified as A/Randy Linniman. He stated that the couple met A/Taulbee at Burger King and that A/Linniman's wife was Filipino. He explained that his wife had not been in the state long. A/Linniman was deployed with the United State Marine Corps and the phone was given to her to contact A/Linniman's wife to check on her.

On 01-08-04, at approximately 11:52 a.m., Detective Robinson went to the Nutrition Shop located in the Main Exchange aboard Camp LeJeune, in reference to interviewing W/Robert Person. See Detective Robinson's supplement.

At approximately 2:00 p.m., W/Keller called from Johnson Funeral Home. He stated that arrangements were being made for a Service on Saturday 01-10-04, at 11:00 a.m. He stated that V/Taulbee would be cremated.

At approximately 3:00 p.m., I interviewed W/Julie Graham, who lives at 112 Chestnut Court. She came to the Onslow County Sheriff's Office.

W/Graham stated that:

- She worked all day on 01-05-04.
- She left for work at approximately 7:15 a.m.
- She returned home at approximately 5:30 – 5:45 p.m.
- She has lived in the neighborhood for one year.
- She does not know the people at 107 Chestnut Court, but had seen them and waved.
- She came home at approximately 5:30 p.m., on 01-05-04, saw V/Taulbee's truck in the driveway, but no other vehicle on the street or driveway.
- She stated that V/Taulbee comes out and gets in his vehicle like he is mad. She noticed it over the summer that he did it every time, and felt it must be just the way he was.
- At approximately 6:15 – 6:20 p.m., she did not see anyone. She went out on the front porch to smoke, looked around and only heard music across the street (yellow two story house were the music was coming from).

At approximately 4:50 p.m., I requested an autopsy and toxicology report on-line.

On 01-08-04, at approximately 5:15 p.m., Detective Robinson and I interviewed Dianna

"Denise" LeDuc. W/LeDuc stated that W/Lamar Wilder heard about A/Taulbee's husband so he drove over towards her house on 01-05-04. He told W/LeDuc that he saw A/Taulbee's boyfriend leaving the neighborhood in a white Jeep Cherokee.

W/LeDuc stated that A/Taulbee's boyfriend drove a white Jeep Cherokee and an Excursion or Expedition. She gave a description of A/Taulbee's boyfriend.

- Tall, 6'2- 6'3
- Bald head
- Black guy with light skin
- Big eyes – brown
- Wore digital cammies – green
- 180 pounds – skinny
- Did wear a wedding band
- Shoulder's look as if he lifts weights but not a body builder.

W/LeDuc stated that A/Taulbee's boyfriend came to Burger King every morning at the back door. He gave A/Taulbee doughnuts and coffee and she gave him hot chocolate. She stated that they hugged and kissed.

W/LeDuc stated that A/Taulbee's boyfriend was in the Burger King everyday and missed V/Taulbee by five minutes. She stated that A/Taulbee never sat with V/Taulbee while he was eating but would sit with her boyfriend over in a corner, usually around 1:00. p.m. W/LeDuc stated that W/Wilder showed her who the boyfriend was one day and that W/Wilder had seen them kissing. She stated that W/Wilder told her that W/Ella Ross had told W/Wilder not to say anything to anyone about the night of 01-05-04.

W/LeDuc stated that A/Taulbee's boyfriend did not come to Burger King at all on Monday, 01-05-04.

W/LeDuc stated that everyone at Burger King knew about the affair. She stated that Janine called in to the home office in December and spoke with the District Manager, Joe. She stated that Janine notified Joe of A/Taulbee's affair.

W/LeDuc stated that on Sunday night, 01-04-04, A/Taulbee called a emergency manager's meeting for Monday, 01-05-04, at 2:00 p.m. The meeting went from 2:00 to 4:30 p.m., when W/LeDuc went in and asked for help due to the crowd.

W/LeDuc stated that the managers came out and helped except A/Taulbee. She stated that A/Taulbee came to the front and asked her if she had seen V/Taulbee. She told her "no" and that she should call him. W/LeDuc stated that she did not see A/Taulbee call V/Taulbee. She stated that A/Taulbee asked Belinda if she had seen V/Taulbee that day and Belinda did not work that day, she was just at Burger King for the manager's meeting.

W/LeDuc stated that A/Taulbee worked Monday, 01-05-04. She stated that at approximately 11:00 a.m., A/Taulbee left and returned to work at approximately 12:30p.m. She stated that A/Taulbee was there when she left that evening at approximately 6:10 p.m. She stated W/Ross told her that A/Taulbee left before her and she left at 7:30 p.m.

W/LeDuc stated that she liked A/Taulbee, she just did not approve of the affair. She stated that people at work were trying to call her but it was going straight to her voicemail.

W/LeDuc stated that V/Taulbee came in twice a day, even on weekends. He did not come in on 01-05-04, at all.

W/LeDuc stated that she would see A/Taulbee driving on Holcomb Boulevard at 4:00 a.m. She believed A/Taulbee's boyfriend lived on the base. She stated that when A/Taulbee would go out of town, V/Taulbee thought she was on Burger King business, but she was actually going somewhere with her boyfriend.

W/LeDuc stated that on Saturday, 01-03-04, A/Taulbee had a nasty and mean attitude at work and the joke was that it was because her boyfriend was not there that morning. She stated that the last time she remembered seeing A/Taulbee and A/Wright was the morning of 01-02-04, at the back door. She stated that A/Wright brought A/Taulbee doughnuts and coffee and they kissed.

W/LeDuc stated that V/Taulbee was a good person and he was loved. He would talk to everyone in Burger King, did not have any enemies and would never hurt anyone. She told me that she had heard A/Taulbee speak of V/Taulbee's retirement and that she was set for life. She stated that she also heard A/Taulbee speak of \$250,000 and a new car.

W/LeDuc stated that A/Taulbee received one carat diamonds from V/Taulbee and they were the ones that she was showing a picture of that she wanted.

At approximately 10:40 p.m., Captain Shivers finished a polygraph with A/Taulbee. The results were 99% Deception and a (-10).

On 01-09-04, at approximately 1:30 a.m., Detective Anderson interviewed A/Taulbee. See Detective Anderson's supplement.

On 01-09-04, at approximately 2:15 a.m., W/Ross came to the Onslow County Sheriff's Office to be interviewed. The interview is in Detective Robinson's supplement.

On 01-09-04, at approximately 4:30 a.m., Lieutenant Worrell, Detective Robinson, Detective Cavanagh, and I went to 1165 Shroyer Circle and met with W/Ronnie Hancock. See Detective Robinson's supplement.

At approximately 12:33 p.m., I received cellular records on 910-340-2354, belonging to A/Wright. This phone was found in A/Taulbee's vehicle under the driver seat. The records were given to Lieutenant Worrell for review.

At approximately 1:31 p.m., I received cellular records on 910-340-2381 belonging to A/Taulbee. The records were given to Lieutenant Worrell for review.

At approximately 1:30 p.m., I spoke with W/Frances Bridgeman. She had questions of what she had heard because her children worked at Burger King.

At approximately 3:55 p.m., SBI Agent Hans Miller called in reference to V/Taulbee's computer. He stated that V/Taulbee's computer was last used on 01-04-04, at approximately 8:04 p.m.

Lieutenant Worrell received phone records on V/Taulbee's phone. He stated that there were no outgoing calls made on 01-05-04, by that phone. He stated that he didn't see any incoming calls from A/Taulbee.

At approximately 7:30 p.m., Crime Scene Investigator Bill Meredith and Detective Robert Matthews executed a search warrant on 107 Chestnut Court. They went to collect the door jam and a medicine cup.

On 01-09-04, SBI Agent Hans Miller called stating that V/Taulbee's computer had several sexual things such as: several partners, child porn, and bestiality. He stated that A/Taulbee must have known what was on the computer due to V/Taulbee saving things in a directory. He stated that A/Taulbee had some files relating to Burger King and had it saved in the same directory.

SBI Agent Hans Miller stated that with the exemption of the issue, stated above V/Taulbee appeared to be a squared away. He stated that other things found on the computer were relating to boats.

Detective Robinson and Detective Cavanagh went to Camp LeJeune, North Carolina and collected a picture of A/Wright from NCIS. Detective Cavanagh called A/Wright's residence and spoke with W/Debra Wright who stated that A/Wright was not home. NCIS Agent Joe Briggs was watching A/Wright's residence and stated that a couple minutes after Detective Cavanagh's phone call, 3-4 males left the residence in a black Pathfinder with a temporary registration.

On 01-10-04, at approximately 11:00 a.m., Detective Robinson and myself attended the funeral service for V/Taulbee. We obtained a copy of the guest book.

At approximately 12:00 p.m., Detective Robinson and I went to the Nissan dealership on Western Boulevard to check on a Black Pathfinder with a temporary registration.

See Detective Robinson's supplement.

At approximately 12:06 p.m., Detective Robinson and I went the Brynn Marr Annex Post Office on 279 Huff Drive. We were told that the postman for 107 Chestnut Court was Dalton Glover and that he was out delivering mail at that time and is usually in the area of 107 Chestnut Court, around 11:00 a.m., to 1:00 p.m. We wanted to ask if he had seen anything out of the ordinary at the residence of 107 Chestnut Court, on 01-05-04.

At approximately 12:50 p.m., Detective Robinson and I went to Burger King on Camp LeJeune. I interviewed W/Wilder. He stated that A/Taulbee was seeing A/Wright. He described A/Wright as being a tall, black guy that was bald and wore cammies. He stated that A/Taulbee would go out the back door to see him and that he drove a white Jeep.

I showed him a photograph of A/Wright and W/Wilder identified him as the guy that he had seen at the back door with A/Taulbee. He stated that his girl lived in Aragona Village and she had called him stating that someone got shot at A/Taulbee's house. W/Wilder stated that he drove to Chestnut Court and then turned around when he saw the Sheriff patrol cars and the Sheriff tape that was up because he had been drinking that night.

W/Wilder stated that he did not remember seeing A/Taulbee going out the back door on 01-05-04. He stated that he liked A/Taulbee, that she was "Cool" and his "home-girl."

At approximately 2:00 p.m., Detective Robinson and I drove by 3075 Cukela on Camp LeJeune. There was a sign by the driveway that read, "Wright". There were a couple of vehicles at the house, a Isuzu Rodeo – temp tag of 12694391, silver in color, a White Jeep Grand Cherokee, and another white vehicle with a NC registration of Mz.Dee.

At approximately 2:24 p.m., Detective Robinson and I went to LeJeune Honda and spoke with Steve in reference to the temporary tag on the Isuzu Rodeo. He stated that Jackie at Lincoln Motors had the information on that tag.

At approximately 2:26 p.m., I spoke with Jackie at Lincoln Motors who gave us a copy of the registration for the temp tag that came back to an enlisted Marine who did not have the last name of Wright.

On 01-11-04, at approximately 8:47 a.m., Detective Robinson and I interviewed W/Teofila Dizon who did not speak English. Her daughter translated for us. W/Dizon stated that she worked for A/Taulbee at Burger King and that she did not know anything about her personal life.

At approximately 1:00 p.m., I received a call from W/D.Toth. She stated that A/Taulbee received a phone call from a 800 number. She stated that W/T.Toth was in the room with A/Taulbee while she was on the phone and she didn't say anything until the end

when she said, "Okay, I'll see you later".

Later that day outside the Microtel Inn and Suites, W/T.Toth saw an olive skinned male walking around the hotel. He stated this male was wearing a big coat and had "dred's" down to his shoulders. This guy was similar to the guy that drove down Chestnut Court in a red Explorer while he was outside speaking to Captain Shivers.

W/D/Toth stated that the family was thinking of canceling the military service on 01-12-03, because it was going to be held outside and they were not sure if the family was safe.

On 01-10-04, at approximately 5:30 p.m., W/D.Toth called stating that they found another cellular phone and charger belonging to A/Taulbee. She stated that the phone had a charge on it. She stated that they would give A/Taulbee a ride to the Onslow County Sheriff's Office on Monday, 01-12-04.

At approximately 4:30 p.m., W/Randy Hansen called the Onslow County Sheriff's Office and he was connected through them to my cellular phone. He stated that he had read the newspaper and understood what happened and needed to know if he was in danger since his name was brought up. He stated that we had his numbers and if we needed anything we could call him.

On 01-11-04, at approximately 3:18 p.m., Detective Robinson and I met with Agent Vousboukis and Agent Briggs at NCIS. See Detective Robinson's supplement notes.

At approximately 6:30 p.m., a call was dispatched that a suspicious person was on the back porch of 107 Chestnut Court. Detective Robinson, Detective Cavanagh, Deputy Ashley Bishop and myself responded. We did not locate anyone at the residence but saw a black Grand Am turn around on Chestnut Court. Deputy Bishop stopped the vehicle and W/Amber Hedgeroth was identified as the driver. She told Deputy Bishop that she was going to tell A/Taulbee that she was sorry to hear about V/Taulbee. She stated that she did not know A/Taulbee. I explained to her that she needed to stay away from that residence.

W/Hedgeroth lived at 101 Cottonwood Court, and the Grand Am had a NC registration of HPE-6821.

On 01-12-04, at approximately 10:00 a.m., Detective Dubois was issued a search warrant by Magistrate Robert Carpenter for the phone records to U.S. Cellular 910-340-2353, belonging to A/Wright.

At approximately 11:20 a.m., I received cellular records on 910-324-2353 belonging to A/Wright. The records were given to Lieutenant Worrell for review.

On 01-12-04, at approximately 12:00 p.m., W/D.Toth called stating that A/Taulbee's

cellular phone had a missed call. She stated that the call came from Hawaii and there was no message left on her voicemail.

At approximately 10:50 p.m., Detective Robinson, Agents Vousboukis and Briggs and I went to Craven Regional Airport to pick up A/Wright. Agent Vousboukis gave us phone records from Burger King aboard Camp LeJeune. The records were given to Lieutenant Worrell for review.

At approximately 11:30 p.m., A/Taulbee arrived at the Sheriff's Office. Captain Shiver's and Detective Anderson interviewed her.

At approximately 11:50 p.m., Detective Robinson, A/Wright, and I arrived at the Sheriff's Office.

At approximately 11:57 p.m., Detective Robinson and I interviewed A/Wright in interview room #1. See Detective Robinson's supplement.

On 01-13-04, at approximately 1:55 a.m., A/Taulbee sign two Consent Forms to search the voicemails of 340-2354 and 340-2381. She also provided us with the passwords, 080902 and 1968, respectively. Lieutenant Worrell activated the voicemails.

Lieutenant Worrell recorded some voicemails. A/Wright left a message to A/Taulbee speaking of the homicide before he should have known. A different message left by A/Wright told A/Taulbee to be strong, that he would be going through the same thing in a few months. A/Wright was deployed to 29 Palms and was scheduled to return in March.

At approximately 7:30 a.m., Detective Dubois and Detective Cavanagh went with NCIS Agent Vousboukis and executed a search warrant of A/Wright's residence located at 3075 Cukela Court, Camp LeJeune.

At approximately 10:00 a.m., I met with Assistant District Attorney Ernie Lee, Mike Maulsby, Sheriff Brown and the Detective Division. We discussed new evidence and obtaining arrest warrants.

At approximately 11:00 a.m., W/D.Wright arrived at the Sheriff's Office with daughter W/Tina Wright. Sheriff Brown spoke with W/D.Wright and W/T.Wright in reference to a voicemail that was obtained by Lt. Worrell.

At approximately 11:20 a.m., W/D.Wright was speaking with A/Wright.

At approximately 11:40 a.m., W/T,Wright was speaking with A/Wright.

At approximately 11:40 a.m., Sheriff Brown and Detective Anderson were speaking with

A/Taulbee.

At approximately 1:20 p.m., Detective Anderson collected a black duffel bag from A/Taulbee with personal items inside.

On 01-14-04, at approximately 10:28 a.m., Detective Robinson and I went to NCIS and spoke with Agents Vousboukis and Briggs.

At approximately 12:45 p.m., Detective Robinson, Agents Vousboukis, Briggs, Sonya Carmical, Dan Hardesty, and I went to A/Linniman's residence located at 5838 Carolina Court, Camp LeJeune, NC.

Agent Vousboukis obtained a Permissive Search (Consent Search) from A/Linniman's wife, Mary Ann Linniman, to search the residence. See Detective Robinson's supplement.

I interviewed W/Linniman who stated that there were no weapons in the house. W/Linniman stated that she knew A/Taulbee as A/Wright's wife. She stated that A/Taulbee came to her residence to visit her baby. She said they went to the beach and to dinner at a Chinese restaurant. During the interview, A/Linniman had called and W/Linniman told him that we were there searching the house. Detective Robinson requested that Agent Vousboukis have A/Linniman picked up immediately.

W/Linniman stated that she and A/Taulbee were good friends. She stated that she had never been to A/Taulbee's house. She stated that if they did anything as couples, her with A/Linniman and A/Taulbee with A/Wright, they would do something at the Linniman's residence or out somewhere.

There were two vehicles in the driveway, a green Dodge Truck with an Ohio registration of BGX-5768, and a White Honda Accord with a North Carolina registration of RRR-8591.

On 01-15-04, I received a fax from NCIS Agents Bruce Rogers and Thomas J. Reed reference A/Linniman's interview. Agent Vousboukis spoke with the agent in 29 Palms, who told him A/Linniman stated, "I'm fucked if I say something, I'm fucked if I don't".

At approximately 11:15 a.m., I went to the NCIS office on Camp LeJeune, NC and spoke with Agents Vousboukis and Briggs. They were interviewing A/Wright.

At approximately 1:00 p.m., Captain Rick Sutherland and Detective Cavanagh picked up the evidence from NCIS that was obtained during the search warrant of A/Linniman's residence.

At approximately 1:10 p.m., Detective Robinson went into the interview with Agent Vousboukis and Briggs.

At approximately 3:00 p.m., Detective Anderson called stating that her and Detective Cavanagh had checked the U-Haul places on Piney Green Road and were unable to locate any vehicles rented by A/Wright.

At approximately 3:40 p.m., Agent Briggs and I interviewed W/Stanley Lester Foster. W/Foster was issued room 207. He stated that he gave A/Wright his old barracks key to room 207, building 1140, to turn in for him when he received new orders. He stated that he did not follow up to see if the key was turned in.

W/Foster stated that he did not live in room 207 or stay there, but once he became an Officer he wanted what he was entitled to.

W/Foster was adamant that A/Wright would not kill someone. He was also adamant that A/Wright would not have an affair on his wife.

NCIS Agent Briggs gave me copies of photo's that were taken of A/Taulbee coming onto Camp LeJeune at 4:28 a.m., on 01-06-04. He gave me copies of photo's that were taken of A/Linniman and A/Wright coming onto the base through the piney Green entrance at 4:39 a.m., on 01-06-04, with A/Linniman driving his white Honda Accord.

At approximately 4:49 p.m., Detective Robinson, Agent Hardesty, and I went to building HP 51 aboard Camp LeJeune. See Detective Robinson's supplement.

On 01-16-04, at approximately 9:15 a.m., Detective Robinson and I went to NCIS and met with Agents Vousboukis and Briggs. See Detective Robinson's supplement.

At approximately 12:30 p.m., Detective Cavanagh, Sheriff Brown and Agent Kevin Dodd interviewed A/Wright at the Camp LeJeune Brig. See Detective Cavanagh's supplement.

At approximately 10:21 p.m., Detective Robinson and I arrived at Ellis Airport and met with Agent Briggs.

At approximately 10:50 p.m., A/Linniman arrived at Ellis Airport. A/Linniman was under chaser guard and taken to the Airport Security Office where change of custody paperwork was signed releasing A/Linniman for transport to the Camp LeJeune Brig.

Prior to leaving the airport, Detective Robinson advised A/Linniman that we were there because the NCIS Agents in 29 Palms had informed us that he wanted to speak with Onslow County Authorities upon arrival to North Carolina.

A/Linniman stated that he told NCIS agents in 29 Palms that once he returned to North

Carolina and obtained an attorney, he would speak with us. A/Linniman apologized for the inconvenience.

On 01-20-04, at approximately 10:30 a.m., Magistrate Shelby Jones issued a warrant for the arrest of A/Wright for the murder of V/Taulbee.

At approximately 2:26 p.m., Captain Shivers and Detective Robinson went to the Camp LeJeune Brig and met with A/Linniman. See Detective Robinson's supplement.

At approximately 4:26 p.m., I interviewed W/Michelle Parrish via telephone. She lives at 107 Chestnut Court. She stated that she had gotten home around 3:15 -3:30 p.m., on 01-05-04. She stated that she noticed that V/Taulbee's vehicle appeared to have the dome light on but did not go and notify V/Taulbee of that. She stated that she did not see anything else in the driveway or yard.

At approximately 6:00 p.m., Deputy John Loucks and myself went to the Camp LeJeune Brig to serve the warrant on A/Wright for 1st Degree Murder. A/Wright was released to us and he was transported to the Onslow County Magistrates Office.

At approximately 6:10 p.m., Sheriff Brown, Captain Shivers, and Detective Robinson returned to the Camp LeJeune Brig and spoke with A/Linniman. See Detective Robinson's supplement.

At approximately 6:13 p.m., A/Wright was taken to the magistrate office where he was placed in the Onslow County Jail with no bond. A/Wright was fingerprinted and processed into the jail.

On 01-21-04, at approximately 8:10 a.m., Captain Terwilliger, Detective Robinson and I met in Sheriff Brown's Office in reference to A/Wright wanting to speak with him. A/Wright was brought into Sheriff Brown's office where Sheriff Brown explained the procedures that A/Wright must follow to speak with the Sheriff or a Detective while he is in the jail.

At approximately 8:51 a.m., Lieutenant Worrell stated that the results from the State Bureau of Investigation Lab indicted the brand of bullet appeared to be "CDM" and the round had a 12 right twist.

At approximately 9:30 a.m., the detective division met with Assistant District Attorney Ernie Lee and Mike Maulsby. I explained to them that while transporting A/Wright from the Brig to the Onslow County Jail he stated that he didn't do it. A/Wright had a concern of why he was the only one being arrested.

At approximately 11:15 a.m., A/Taulbee came to the Sheriff's Office. See Detective Robinson's supplement.

On 01-22-04, at approximately 8:52, I spoke with W/E.Koch in reference to her house alarm. She stated that the house alarm was Select Security and that A/Taulbee had the same security system. She stated that Select Security had been bought out by ADT.

At approximately 9:12 a.m., I returned a call to W/John Ferguson. He was not in so I spoke with his wife who stated that W/Ferguson was at school. She stated that he knew A/Taulbee and wanted to speak to a detective. Detective Anderson later interviewed W/Ferguson.

At approximately 9:17 a.m., I contacted W/Vince Palancia by phone. He stated that he knew V/Taulbee from the Gottschalk Marina. He stated that they had talked about their boats because they both have Bristles. He stated that the rumor he had heard was that A/Taulbee was having an affair with a warrant officer and that a gunny made a gun for him.

On 01-22-04, at approximately 9:58 a.m., A/Taulbee was at the Sheriff's Office and signed a consent to search form for the alarm system at 107 Chestnut Court.

At approximately 10:30 a.m., Detective Cavanagh and myself stopped the postman, W/Glover, who stated that he was off on 01-05-04. He called his office to find out who was his replacement on 01-05-04. He was unable to find out at that time.

At approximately 10:34 a.m., Detective Cavanagh and I arrived at 107 Chestnut Court. Detective Cavanagh explained that type of alarm system did not have a memory chip in them. We did not collect any items.

At approximately 2:45 p.m., Detective Robinson and I went to the magistrate's office where Magistrate Shelby Jones issued a warrant for arrest for A/Taulbee for the murder of V/Taulbee.

At approximately 3:00 p.m., I served the warrant on A/Taulbee. I took her to the magistrate's office where she was placed in the Onslow County Jail with no bond. I fingerprinted A/Taulbee and she was processed into the Onslow County Jail.

On 01-26-04, at approximately 10:00 a.m., Detective Robinson and I went to the magistrate's office where Magistrate Shelby Jones issued a warrant for A/Linniman for Accessory After the Fact.

At approximately 11:15 a.m., Detective Robinson and I went to the Camp LeJeune Brig where A/Linniman was released to us. A/Linniman was transported to the Magistrate's Office where Magistrate Shelby Jones placed him in the Onslow County Jail with a \$100,000 bond. A/Linniman was fingerprinted and then processed into the jail. On 01-27-04, at approximately 2:30 p.m., Detective Robinson spoke with W/Barbara Marsh who called the Onslow County Sheriff's Office. See Detective Robinson's

supplement.

On 02-02-04, at approximately 10:15 a.m., Lieutenant Colonel Bryan called Doctor Garrett and requested that he call the Medical Examiner's Office in Chapel Hill to request a toxically screen for depressants be completed.

On 02-16-04, at approximately 2:25 p.m., Detective Robinson obtained a search warrant for A/Wright to obtain a Subject Evidence Collection Kit and major case rolled ink impressions of his hands.

At approximately 2:30 p.m., Detective Robinson obtained a search warrant for A/Taulbee to obtain a Subject Evidence Collection Kit and major case rolled ink impressions of her hands.

On 02-17-03, at approximately 9:30 a.m., Detective Robinson and I went to the Onslow County Jail were Detective Robinson executed the search warrant for A/Taulbee in the Onslow County Jail. Crime Scene Investigator Garvey obtained major case rolled ink impressions from A/Taulbee in the Onslow County Jail. Nurse Judy Willsey obtained the Subject Evidence Collection Kit from A/Taulbee in the jail.

At approximately 10:15 a.m., Detective Robinson and I went to the Onslow County Jail were Detective Robinson executed the search warrant for A/Wright in the Onslow County Jail. Crime Scene Investigator Garvey obtained major case rolled ink impressions from A/Wright in the Onslow County Jail. Nurse Judy Willsey obtained the Subject Evidence Collection Kit from A/Wright in the jail.

Prior to the collection of evidence from A/Wright, he requested to call his attorney. Detective Robinson allowed A/Wright to do so and Attorney Ernie Wright came to the jail.

At approximately 12:00 p.m., the Subject Evidence Collection Kits and major case rolled ink impressions obtained from A/Taulbee and A/Wright were placed in the Crime Scene Investigation Unit.

At approximately 12:45 p.m., Detective Robinson returned service on the search warrants executed on A/Taulbee and A/Wright.

On 02-18-04, at approximately 11:25 a.m., Judge Carol Jones denied a bond in a court hearing in District Court for A/Wright.

On 02-20-04, at approximately 1:00 p.m., Detective Robinson met with Agent Vousbouskis at NCIS aboard Camp LeJeune and collected additional evidence. See Detective Robinson's supplement.

On 02-24-04, at approximately 8:54 a.m., Detective Robinson obtained a search

warrant for A/Linniman to collect a Subject Evidence Collection Kit and major case rolled ink impressions of his hands. See Detective Robinson's supplement.

EVIDENCE:

- Photograph of A/Taulbee and A/Wright
- Photograph of A/Wright and A/Linniman with 3 unidentified persons
- Paper with Airways Flight Information
- Red Bible :Good News Bible" page 648 & 649
- Desktop computer tower, 7200 Series
- Glass from kitchen counter
- Glass from coffee table
- Motorola cellular phone, model 120C, silver dolphin charm, Phone # 340-2354
- Intel computer with gray case
- Nokia cell phone, red cover, phone # 340-2380
- Miscellaneous fragments
- Piece of blue and white cloth
- Brown leather wallet, containing miscellaneous items
- Glass from bedroom
- Wood piece from door frame and metal striker plate
- Maxtor External Storage, Model # USB 2040QLE001 SN/KN9715004594
- View Monitor computer VA720 SN/AID030700093
- Pink pillow case with pillow
- Pink pillow case with blood stain
- Checkered pillow case with pillow and blood stained
- Checkered pillow with pillow
- Checkered fitted sheet
- Mattress cover, white, blood stained
- Checked sheet
- Comforter – striped one side and muti-colored on the other side
- Bullet fragments
- One purple and one red top - tube of blood
- U.S. Cellular bill account # 914751005
- House key to 107 Chestnut Court, key was released to the Sheriff's Office.
- Barracks key to Building 1140, Rm. 207 CLNC
- Road Runner Cable Modem Box, Model # SB4100 Customer SN: 02FFZC6154Y2
- (1) box containing a .410 gauge shotgun, Sporting Arms, serial # 26591, with a sawed off barrel and muzzle adapter.
- (1) sawed off barrel approximately 10" long.
- Braztech, .22 cal. Long rifle barrel, serial # SP478306, with a black soft case.

- (8) "CCI" .22 cal. Long Rifle rounds
- "Federal" .410 gauge, rifled slugs containing (3) rounds
- .22 cal. Winchester Rifle. Serial # 255 with scope. W/ camouflage soft gun case
- Bersa .22 cal. pistol, serial # 036893
- .22 cal. magazine
- Brown gun case.
- Rubber box containing unknown amount of .22 cal. rounds
- (21) rounds of 22 WMR HD, Maxi Mag rounds by "CCI"
- (1) spent shell casing
- (4) Super X .22 cal. rounds
- (2) super X .22 cal. rounds
- Green Ammo Can with mixed ammo
- Zenaida Taulbee – Evidence collection kit, Major case rolled ink impressions
- Ruben Wright – Evidence collection kit, Major case rolled ink impression
- Randy Linniman – Evidence collection kit, Major case rolled ink impressions
- Samsonite black gym bag
- Navy Blue t-shirt , Key West
- Navy Blue sweat shirt, New Years Resolution 5K
- White socks
- Black/White sports bra – Mossaino
- Black, Medium underwear – Victoria Secret
- Off White ribbon/hair bow
- Grey pants, medium – Mossaino
- Peach in color towel
- Peach in color wash cloth
- Black underwear, with a flower on the front.
- Navy Blue hair bow
- One pair of Asics, gel foundation, size 14.
- One black in color workout outfit, "Polartec" headband, "Insport" top, "Nike" bottoms

ATTACHMENTS:

Interview Sheet for Victim James Taulbee.
Interview Sheet for Witness Carol Linder.
Interview Sheet for Carol "Denise" Toth with statement attached.
Interview Sheet for Timothy Toth.
Interview Sheet for Michael Taulbee.
Interview Sheet for Justin Taulbee with audio statement.
Interview Sheet for Lydia Taulbee.
Interview Sheet for Rodney Keller with audio statement.
Interview Sheet for Elaine Keller.
Interview Sheet for Debra Wright

Interview Sheet for Tina Wright.
Interview Sheet for Teofila Dizon.
Interview Sheet for Lamar Wilder.
Interview Sheet for Ella Ross with statement attached.
Interview Sheet for Dianna LeDuc with statement attached.
Interview Sheet for Mary Ann Linniman.
Interview Sheet for Stanley Foster with statement attached.
Interview Sheet for John Ferguson.
Interview Sheet for Earl Hampton
Interview Sheet for Donald Wittich.
Interview Sheet for Vince Palancia.
Interview Sheet for Vaughn Fulton.
Interview Sheet for Tom Ray.
Interview Sheet for Bayani Mauli.
Interview Sheet for Ron Jamieson.
Interview Sheet for Michael Morel.
Interview Sheet for Jennifer Coble.
Interview Sheet for Heather Smith.
Interview Sheet for Robert Pearson.
Interview Sheet for Michelle Parrish.
Interview Sheet for Dexter Parrish.
Interview Sheet for Evelyn Koch.
Interview Sheet for Patrick Koch.
Interview Sheet for Marion Hardin with statement attached.
Interview Sheet for Evelyn DeNise.
Interview Sheet for Ebony Humphrey.
Interview Sheet for Julie Taylor.
Interview Sheet for Martina Talbot
Interview Sheet for Joan Mack.
Interview Sheet for Raquel Bonilla.
Interview Sheet for Sharon Griffin.
Interview Sheet for Francis Alvanado.
Interview Sheet for Amber Hedgeroth.
Interview Sheet for Todd Roy.
Interview Sheet for Mark Snavely.
Interview Sheet for Frances Bridgman.
Interview Sheet for Lucinda Hoffman.
Interview Sheet for Nancy Henneke.
Interview Sheet for Ronnie Hancock with statement attached.
Interview Sheet for Arrestee Ruben Wright with written statement attached.
Interview Sheet for Arrestee Zenaida Taulbee with written. Audio statement also obtained.
Interview Sheet for Arrestee Randy Linniman with written statement.

RESTITUTION:

None

THIS CASE IS CLOSED PENDING THE DISPOSITION OF THE COURT.

Dawn Jauernik
Reporting Detective

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

23JAN04

CONTROL: 06JAN04-CALE-0007-7HMA

S/WRIGHT, RUBEN WORLEY/CWO4 USMC
M/B/MW04/T/306-66-2966/10JUN58/SOUTH BEND, IN
SUPP: HQ COMPANY, 6TH MARINES

RECEIPT OF MCB, CLNC VIDEO

1. On 22Jan04, CPL David FOX, USMC, Marine Corps Base, (MCB) Camp Lejeune, NC (CLNC) NOSE/Network Security provided Reporting Agent (RA) with a CD-R disk containing video of traffic exiting and entering MCB, CLNC on 05Jan04 between 0345 and 0500.
2. For background information on 05Jan04, V/TAULBEE was discovered deceased with two small caliber gunshot wounds to the head. OCSO, preliminary investigation discovered V/TAULBEE's spouse, X/TAULBEE was having an adulteress affair with S/WRIGHT. Interviews with X/TAULBEE surface information wherein S/WRIGHT and X/LINNIMAN became a logical suspect in the death of V/TAULBEE. Reportedly, X/LINNIMAN and S/WRIGHT exited MCB, CLNC, via the main gate, went to V/TAULBEE's residence off of Piney Green Road, Jacksonville, NC and returned to MCB, CLNC via the Piney Green Road MCB, CLNC gate.
3. A review of the provided video depicted what appears to be X/LINNIMAN's vehicle, a white Honda Accord, exiting the MCB, CLNC at 0408.05 on 05Jan04; enclosure (A) pertains. At 0428.35, X/TAULBEE is depicted entering MCB, CLNC via the Piney Green Gate in her Red Pontiac Grand Am. It appears that X/TAULBEE smiles at the MCB, CLNC gate guard while handing the guard her Military Identification Card; enclosure (B) pertains.
4. A review of the video further depicts X/LINNIMAN entering MCB, CLNC via the Piney Green Gate in his white Honda Accord at approximately 0439; enclosure (C) pertains.

ENCLOSURE (S):

- (A) One Photograph Depicting X/LINNIMAN's vehicle exiting MCB, CLNC/05Jan04
- (B) One Set of 6 photographs Depicting X/TAULBEE's vehicle entering MCB, CLNC/05Jan04
- (C) One Set of 6 photographs Depicting X/LINNIMAN's vehicle entering MCB, CLNC/05Jan04

REPORTED BY: Scott Vousboukis, Special Agent
OFFICE: NCISRA Camp Lejeune, NC

2/26/04
Transmitted
TWB

EXHIBIT (49)

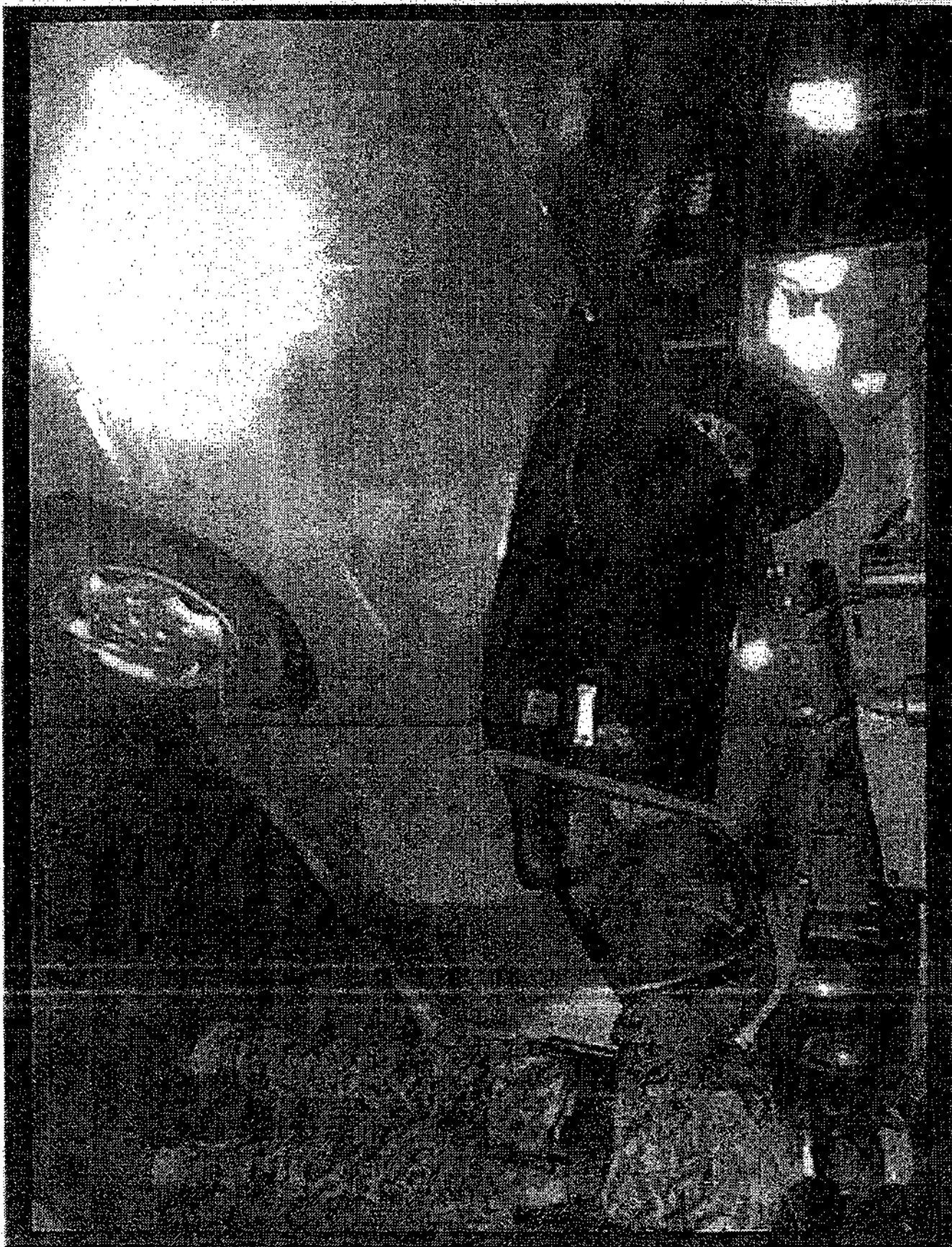
1456

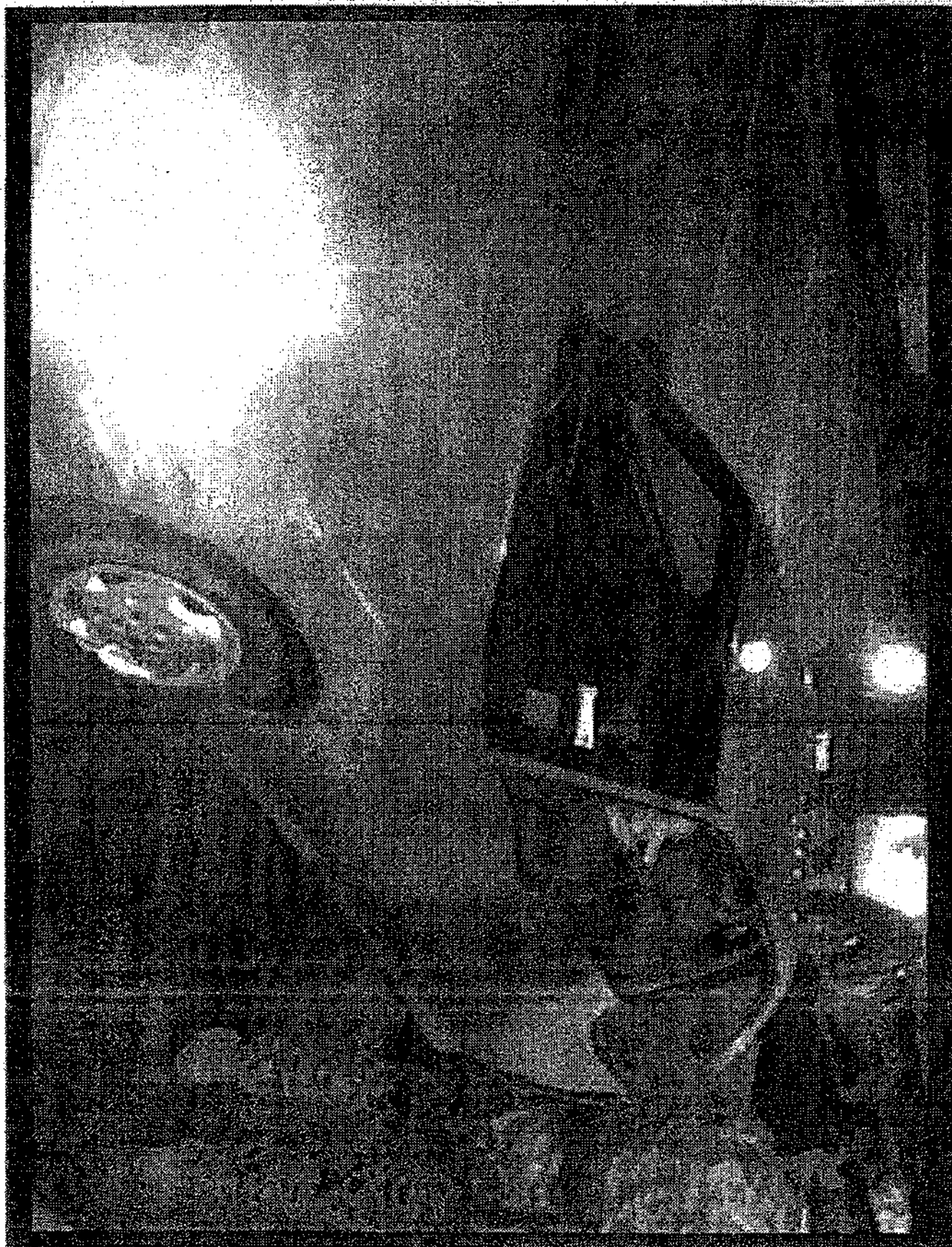
FOR OFFICIAL USE ONLY

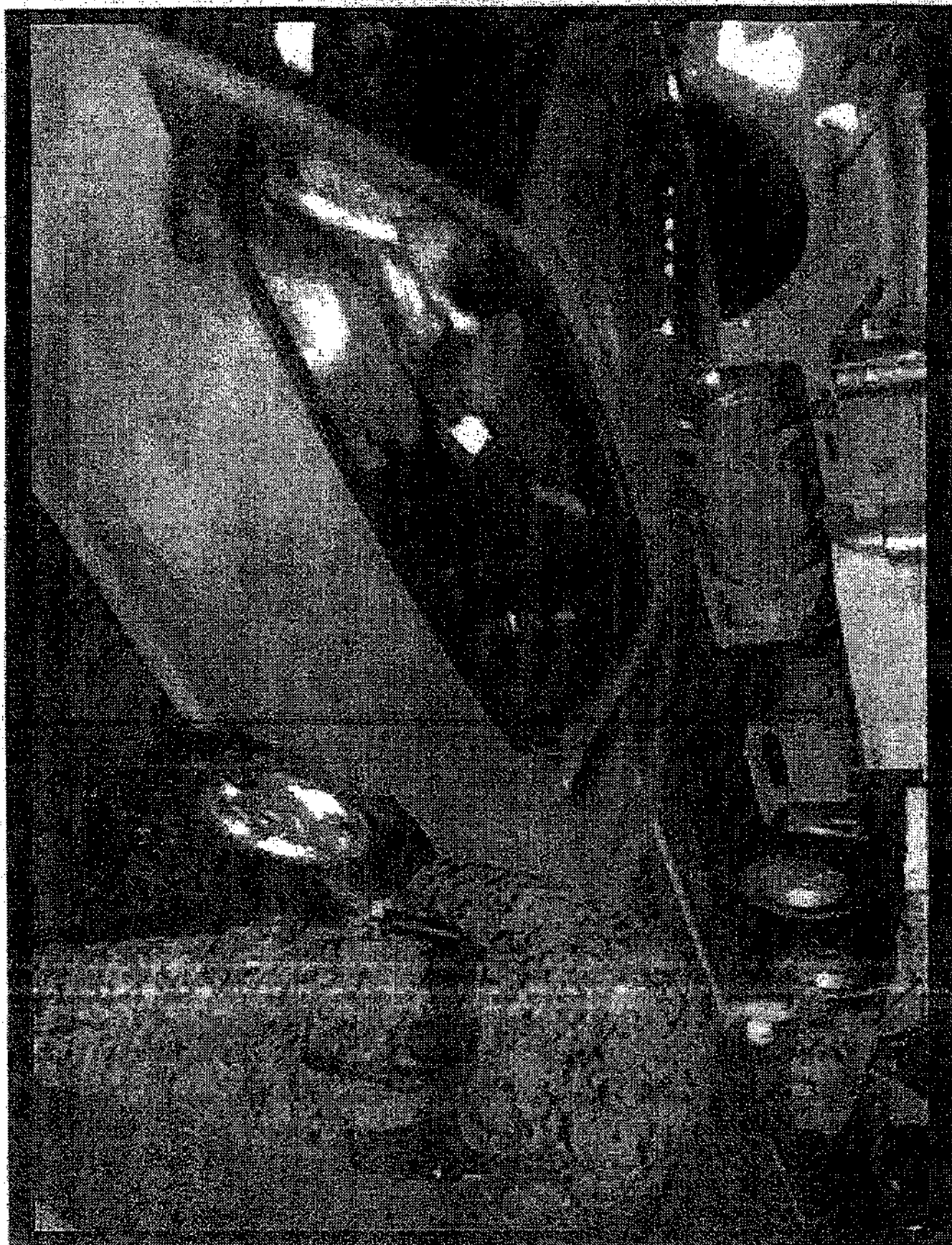
WARNING

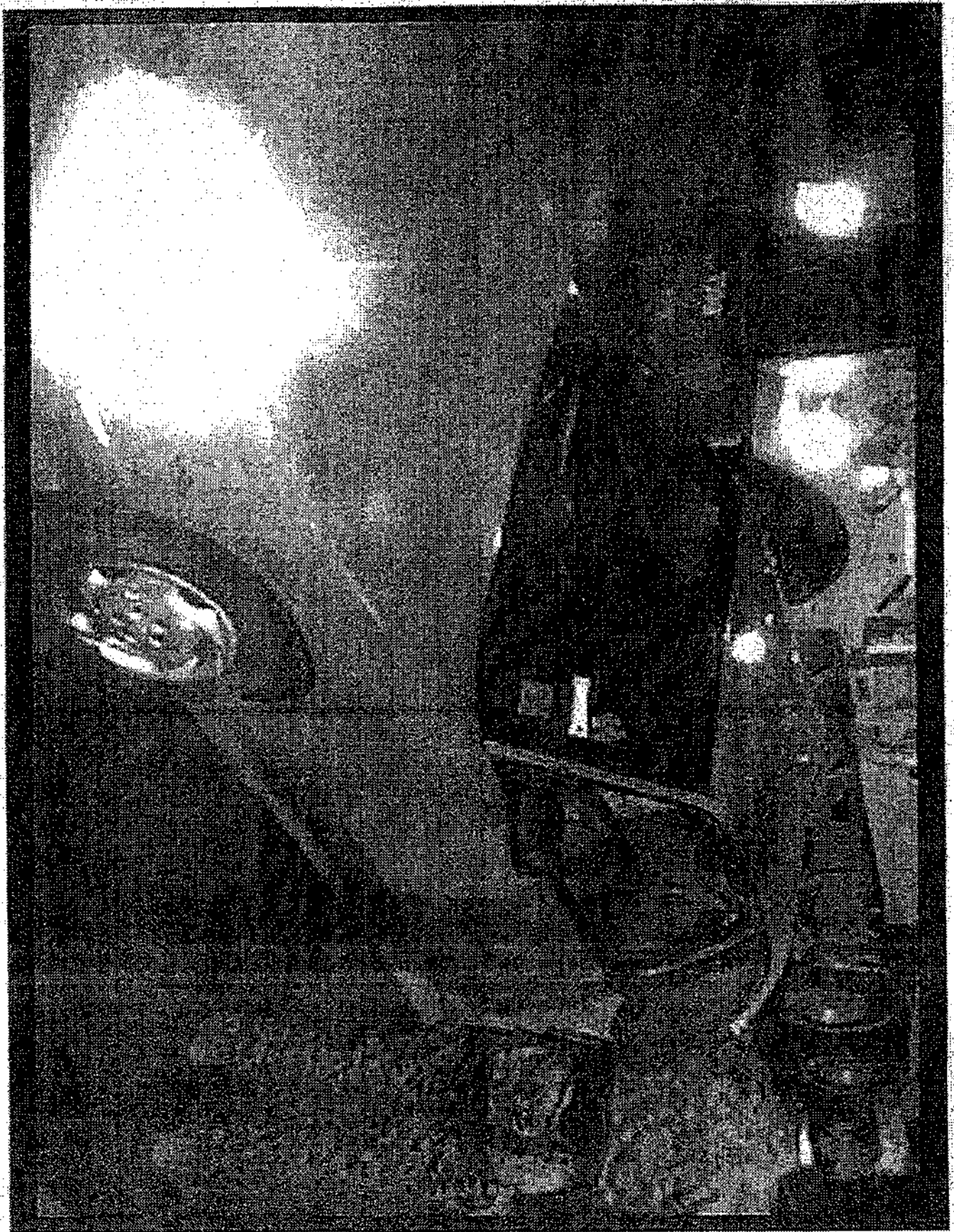
Page 1 LAST TWB V2 LNN

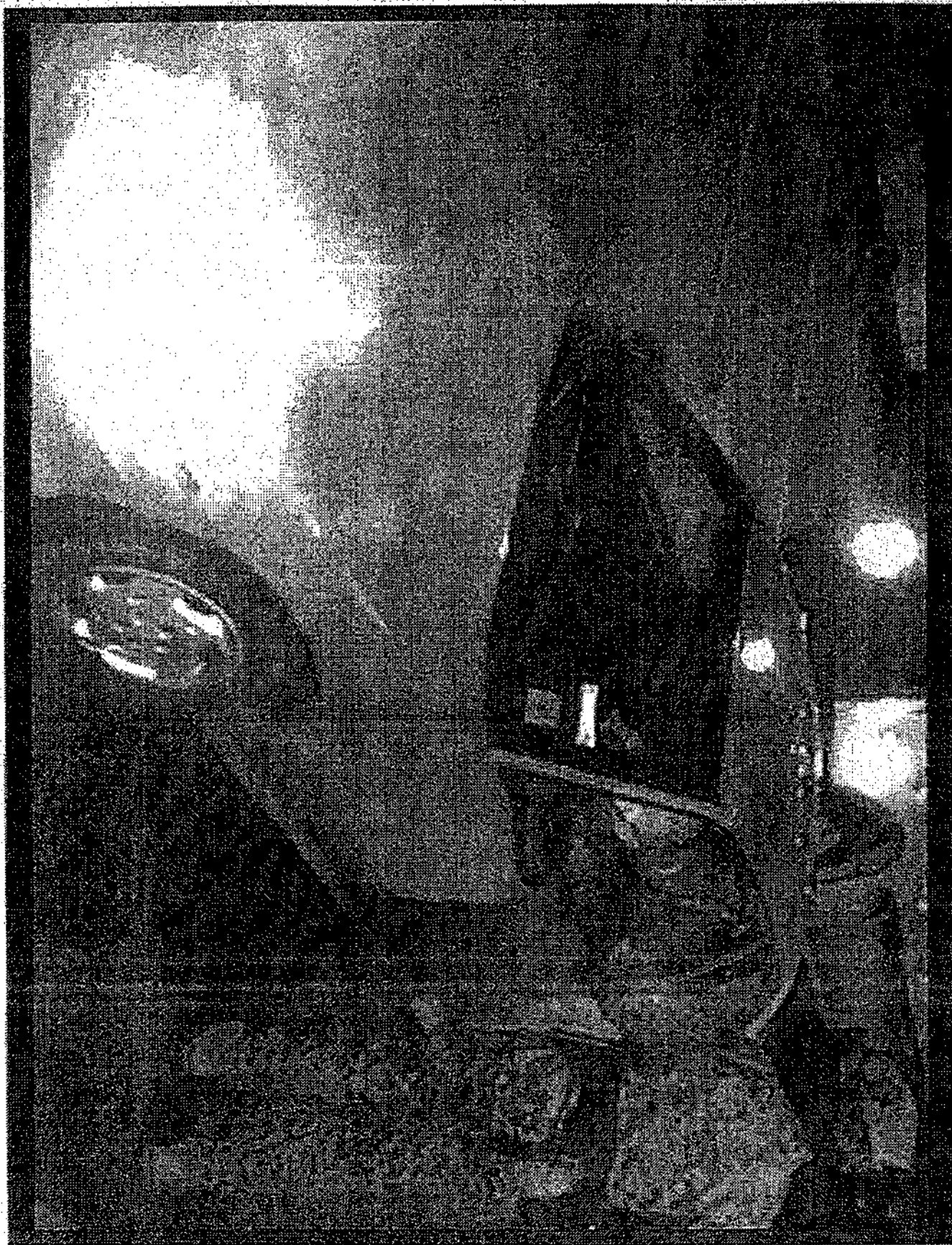
THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS
HERETO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE







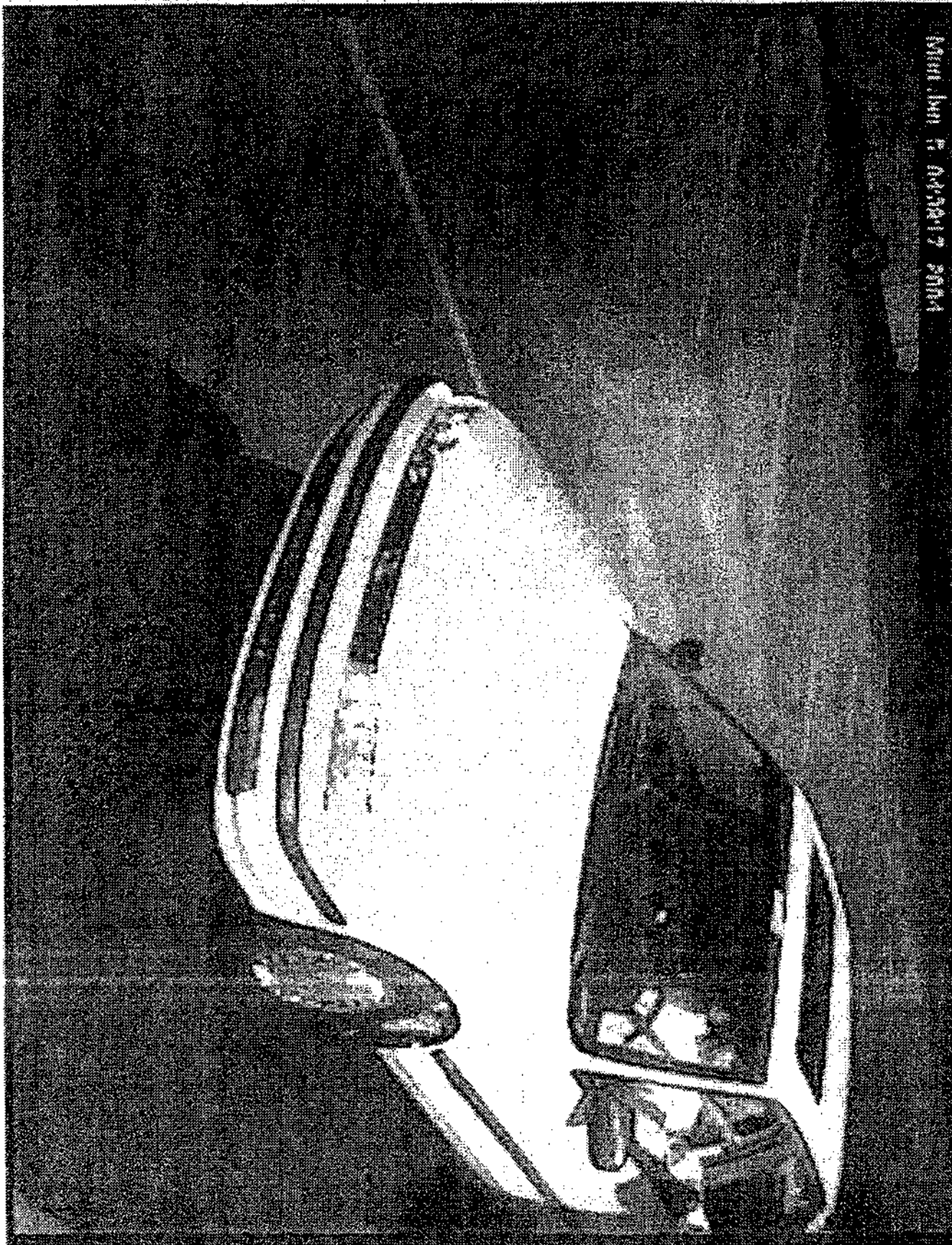


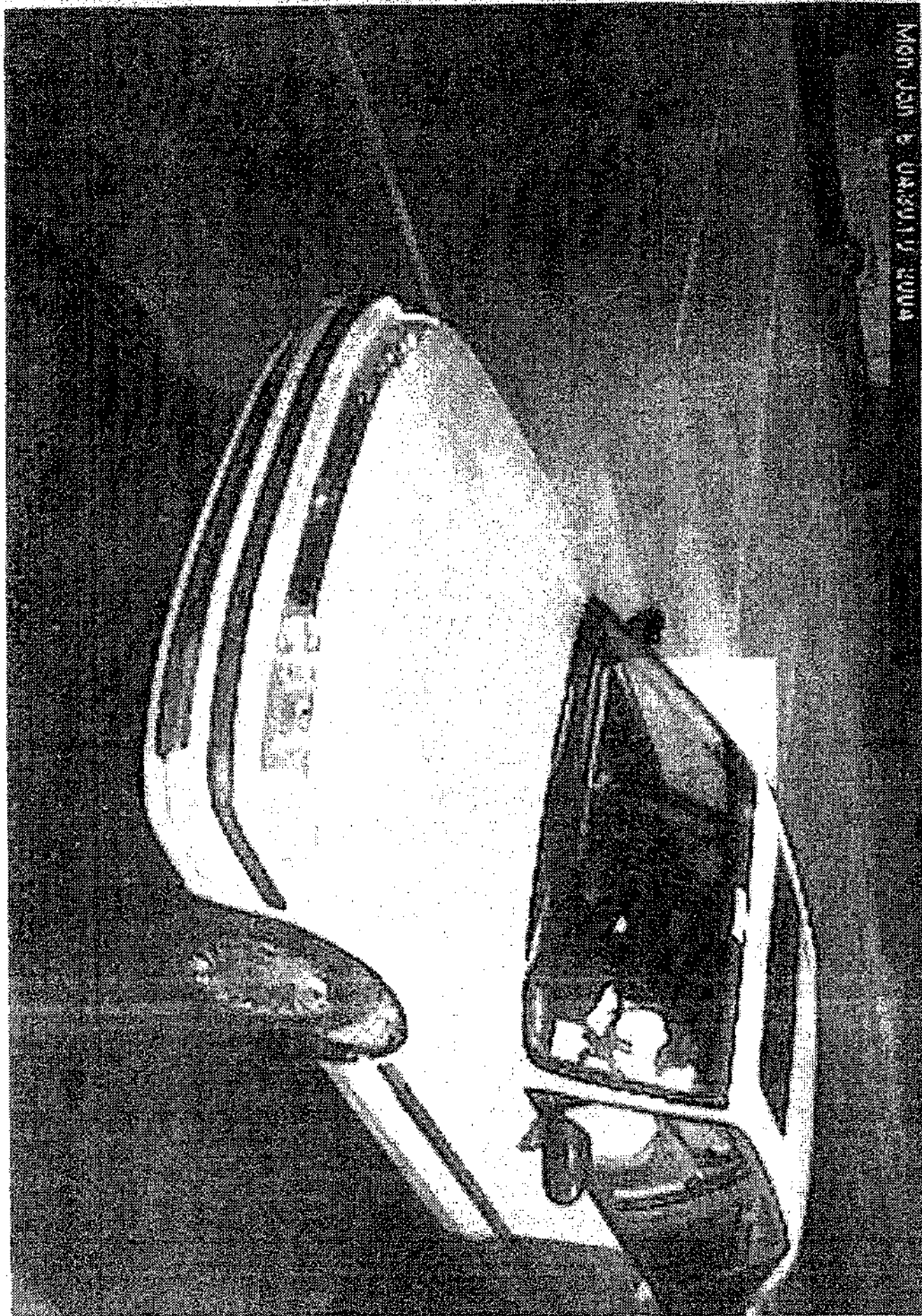


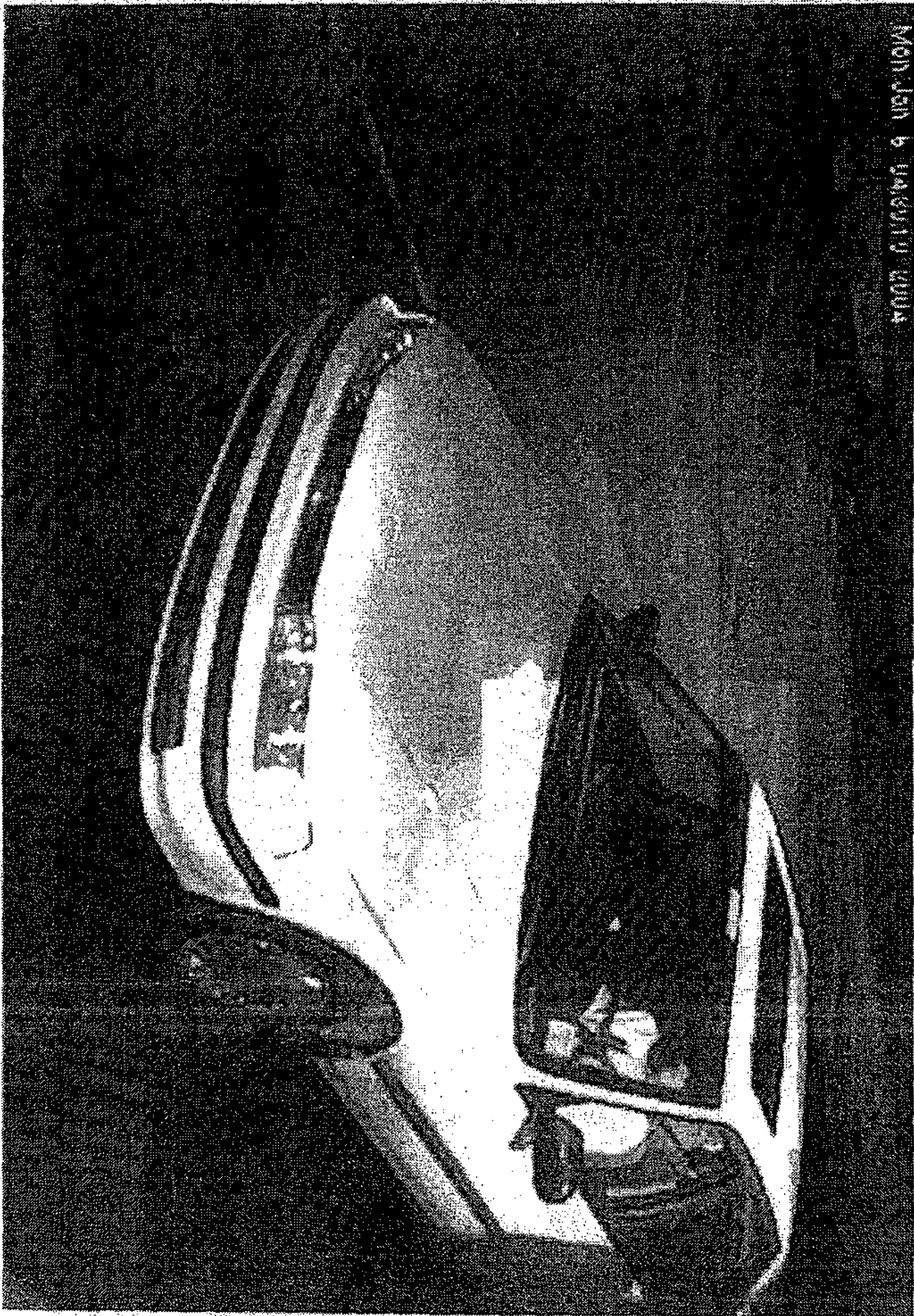


NUMEROUS OTHERS

APR 17 2004







MOY JEN B WASH DC 20004

NAVY CRIMINAL INVESTIGATIVE SERVICE

FORENSIC EXAMINATION REQUEST

To : NCIS Regional Lab
9079 Hampton Blvd
Norfolk, Virginia 23505-1098

From : Special Agent Scott Vousboukis
(Address) H-32 Julian C. Smith
Camp Lejeune, NC

Attn : Special Agent Marc Jaskolka

Brief description of case facts which would pertain to the requested examination and which may assist laboratory personnel in processing the evidence. Include date and place of crime.

On 05Jan04, S/WRIGHT and X/LINNIMAN exited Marine Corps Base, Camp Lejeune, NC in X/LINNIMAN's vehicle; a white Honda Accord. Apparently, this vehicle is seen exiting MCB, at 0408 and then entering at 0439 on 05Jan04.

Evidence Submitted:

ECD No.	Item	Item Description
139-04	A	One brown paper bag containing one CD-R

Examinations and/or comparisons requested (attach separate sheet if additional space needed):
Enhance video, and provide still photographs.

Type of Offense:	DEATH
Suspect(s)	Victim(s)
S/WRIGHT, RUBEN WORLEY/CWO4 USMC	V/TAULBEE, JAMES PATRICK/CIV
X/TAULBEE, ZENAIDA S/CIV	
X/LINNIMAN, RANDY J/GYSGTUSMC	

One copy of Evidence Custody Document enclosed? Yes No
Other evidence previously submitted for this case? Yes No
If Yes, list Laboratory Report No.:

Agency Case Control Number: 06JAN04-CALE-0007-7HMA

Investigator's Name: Scott Vousboukis

E-Mail Address : svousbou@ncis.navy.mil

Office Telephone (Comm/DSN): 910-451-6542

Fax Number : 910-451-8206

Disposition of evidence after analysis/comparison:

Return Retain at RFL Forward to another field element

Considered priority of requested examination(s): Routine As soon as possible Urgent*

* IF URGENT, SUPERVISOR'S EXPLANATION AND SIGNATURE REQUIRED *


X/WRIGHT AND X/TAULBEE ARE PLACED IN PRE-TRIAL CONFINEMENT AT ONSLOW COUNTY JAIL. NO COURT DATE HAS BEEN SET.

Signature of Supervisor

The above-mentioned evidence has not been subjected to examination by other experts for the prosecution in the same scientific field as requested herein.

Typed/Printed Name of Requestor: Scott Vousboukis

Date of Request: March 23, 2003


Signature of Requestor

Transmittal 29A02-04

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

24MAR04

KA

CONTROL: 06JAN04-CALE-0007-7EMA

S/WRIGHT, RUBEN WORLEY/CWO4 USMC
M/B/MW04/T/306-66-2966/10JUN58/SOUTE BEND, IN
SUPP: HQ COMPANY, 6TH MARINES

REQUEST FOR ASSISTANCE BY NCIS VIDEO IMAGING LABORATORY

1. On 23Mar04, Reporting Agent (RA) provided Mr Marc JASKOLKA, Forensic Examiner, Video Imaging, NCIS Regional Forensic Laboratory (NCISRPL), Norfolk, VA, with a copy of a CD-R disk obtained from Marine Corps Base (MCB), Camp Lejeune, NC (CLNC) Network Security Department. This specific video surveillance depicts what appear to be X/LINNIMAN and X/TAULBEE's vehicle exiting and/or entering MCB, CLNC during the early morning hours of 05Jan04. This copy was entered into the NCISRA CLNC Evidence Custody System, under log number 139-04 and was sent via registered mail to the NCISRPL Norfolk, VA. RA requested JASKOLKA to enhance video depicted on the CD-R and to provide still images of depicted vehicles.

2. For background information on 05Jan04, V/TAULBEE was discovered deceased with two small caliber gunshot wounds to the head. OCSO preliminary investigation discovered V/TAULBEE's spouse, X/TAULBEE was having an adulteress affair with S/WRIGHT. OCSO interviews with X/TAULBEE surfaced information wherein S/WRIGHT and X/LINNIMAN became logical suspects in the death of V/TAULBEE. Reportedly, X/LINNIMAN provided S/WRIGHT with a modified firearm, which was used in the death of V/TAULBEE.

ENCLOSURE(S)

(A) NCIS Forensic Examination Request Form/23Mar04

REPORTED BY: Scott Vousbonkis, Special Agent
OFFICE: NCISRA Camp Lejeune, NC

EXHIBIT (61)

FOR OFFICIAL USE ONLY

Page 1 LAST TWB V2 LNN

WARNING

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS
AND ETC. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(IES) CONCERNED WITHOUT SPECIFIC
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE

74A

679635 08:47 20040623 IN:SSDEMAIL #57001 OUT:CALEXLIFE #7472

CCS 23 Jun 04 Mail 23 Jun 04

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Transmit 23 Jun 04 Fax NA

REPORT OF INVESTIGATION (INTERIM)

22 JUN 04

DEATH (II)

CONTROL: 06JAN04-CALE-0007-7HMA

S/WRIGHT, RUBEN WORLEY/CWO4 USMC
 M/B/MW04/T/306-66-2966/10JUN58/SOUTH BEND, IN
 SUPP: HQCO, 6THMAR

X/LINNIMAN, RANDY J/GYSGT USMC
 M/W/MEE7/S/294-72-1189/27MAY65/SIDNEY SHELBY, OH
 SUPP: HQCO, 6THMAR

X/TAULBEE, ZENAIDA SAGUILLA/CIV
 F/A/USXX/N/495-06-6480/05JUN68/RP
 SUPP: SPONSOR: JAMES PATRICK TAULBEE, CIV

V/TAULBEE, JAMES PATRICK/CIV
 M/W/USXX/N/293-58-2921/30AUG56/DAYTON, OH

COMMAND/SECOND MARDIV, CAMP LEJEUNE, NC/12000

MADE AT/CALE/CAMP LEJEUNE NC/SCOTT VOUSBOUKIS, SPECIAL AGENT

REFERENCE(S)

(A) NCISRA Camp Lejeune NC ROI (INTERIM)/29Apr04 (Contains Exhibits 62-65)

EXHIBIT(S)

(66) IA: Receipt of Enhanced Photographs/26May04... (Copy All/Less 23B1/FEYK/FEMQ)

EXECUTIVE SUMMARY

1. Investigation was initiated on 06Jan04, after the Onslow County Sheriff's Office (OCSO), Jacksonville, NC, requested investigative assistance regarding the homicide of V/TAULBEE. Reportedly, V/TAULBEE was discovered deceased at his off base residence on 05Jan04 with two .22 caliber gunshot wounds to the head. V/TAULBEE's wife, X/TAULBEE, was discovered to be having an ongoing adulterous affair with S/WRIGHT. X/LINNIMAN was interviewed by NCIS wherein he stated S/WRIGHT requested that he buy a Rossi .22-caliber rifle and make a silencer for it. X/LINNIMAN disclosed he drove S/WRIGHT to the TAULBEE's residence during the early morning hours of 05Jan04, wherein he conversed with X/TAULBEE just prior to him entering the residence. Reportedly, S/WRIGHT entered the TAULBEE's residence carrying a black bag, which contained the modified .22-caliber rifle. S/WRIGHT then requested X/LINNIMAN to dispose of the modified .22-caliber rifle while they were aboard Marine Corps Base (MCB), Camp Lejeune, NC (CLNC). Multiple crime scene searches revealed numerous items of evidentiary value to include a .22-caliber barrel and rifle reportedly, used during the homicide of V/TAULBEE. During captioned investigation other items of evidentiary value were seized to include illegally modified firearms and computer related items. Video was obtained depicting what appeared to be X/TAULBEE's and X/LINNIMAN's vehicles entering and/or exiting MCB, CLNC. Witness interviews provided amplifying details.

NARRATIVE

FOR OFFICIAL USE ONLY

WARNING

Transmitted 22 JUN 04
18

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

26MAY04

CONTROL: 06JAN04-CALE-0007-7HMA

S/WRIGHT, RUBEN WORLEY/CWO4 USMC
M/B/MW04/T/306-66-2966/10JUN58/SOUTH BEND, IN
SUPP: HQ COMPANY, 6TH MARINES

RECEIPT OF ENHANCED PHOTOGRAPHS

1. For background information, on 22Jan04, the Marine Corps Base (MCB), Camp Lejeune, NC (CLNC) NOSB/Network Security Department provided Reporting Agent (RA) with video tape depicting traffic entering and exiting the MCB, CLNC, during the early morning hours of 05Jan04. This query revealed what appears to be X/TAULBEE's and X/LINNIMAN's vehicles entering or exiting MCB, CLNC. Special Agent (SA) Marc JASKOLKA, NCISRA Norfolk Forensic Laboratory, was subsequently, requested to enhance the above video and provide the enhanced video as still photographs.

2. On 24May04, RA received enhanced photographs depicting what appeared to be X/TAULBEE's and X/LINNIMAN's vehicles entering and/or exiting MCB, CLNC, Enclosures (A) and (B) pertain.

ENCLOSURE(S)

- (A) One Set of Five Photographs Believed to be X/TAULBEE's vehicle/Undated
- (B) One Set of Four Photographs Believed to be X/LINNIMAN's vehicle/Undated

REPORTED BY: Scott Vousboukis, Special Agent
OFFICE: NCISRA Camp Lejeune, NC

FOR OFFICIAL USE ONLY

WARNING

Page 1 LAST KJN V2 LNY

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS
HERETO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

RA A-131

SUBJ: S/WRIGHT, RUBEN WORLEY/CWO4 USMC

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

1. This investigation pertains to a violation of North Carolina General Statute, 14-17 Article 6 (Homicide).
2. Subsequent to the submission of Reference (A), enhanced photographs depicting what appeared to be X/TAULEE and X/LINNIMAN entering and/or exiting MCB, CLNC, during the early morning hours of 05Jan04 was received from the NCIS Regional Forensic Laboratory, Norfolk, VA, Exhibit 66 pertains.
3. Investigation pending completion of additional interviews, computer forensics, FINCEN query request, lead tasking of NCISRA Manila, RP, and further tasking from the OCSO.

DISCLOSURE ACCOUNTING

4. On or about 22Jun04, copies of this report were provided to the OCSO, Jacksonville, NC and Onslow County District Attorney's Office, Jacksonville, NC, for prosecution purposes.

DISTRIBUTION

NCISHQ: 0023B1

INFO: CALE/FEYK/FEMQ/ONSLow COUNTY DISTRICT ATTORNEY'S OFFICE,
JACKSONVILLE, NC (ATTN: ADA MIKE MAULTSBY) (H)



WRONGFUL CONVICTIONS CLINIC
DUKE UNIVERSITY SCHOOL OF LAW
SCIENCE DRIVE AND TOWERVIEW ROAD
BOX 90360 • DURHAM, NC 27708-0360
(919) 613-7057 • FACSIMILE (919) 613-7262
[JCOLEMAN@LAW.DUKE.EDU](mailto:jcoleman@law.duke.edu)

JAMES E. COLEMAN, JR.
CO-DIRECTOR

May 11, 2016

BY FACSIMILE (910) 478-3611

The Honorable Ernest Lee
District Attorney
District 4B
632 Court Street
Jacksonville, NC 28540

Re: State v. Wright, 04 CRS 50533

Dear Mr. Lee:

As you know, we represent Ruben Wright in connection with his claim of actual innocence in the above-referenced murder case.

In the course of our investigation, we have reviewed videotapes taken by security cameras at the Main and Piney Green Gates to the Camp Lejeune military base between 0345 and 0500 hours on January 5, 2004. We have a single still photograph, taken from one of the videotapes, showing Randy Linniman leaving the base through the Piney Green gate at around 04:06:05; Linniman was tried separately in connection with the murder for which our client was convicted as an accessory after the fact. Inexplicably, the copies of the videotapes that we have are missing large chunks of time, including all of the period when Linniman approached the Piney Green Gate to leave and when he stopped at the guard before exiting. The still photograph of Linniman leaving shows his car after it had exited the Gate and is moving away from the camera, after it was possible to determine if there was a passenger in his car. The videotapes also show Zenne Taulbee, wife of the murder victim, entering the base in her red Pontiac Grand Am at 04:28:35; and they show Linniman returning to the base through the Piney Green Gate at 04:39.

The videotapes are marked "Camera One," "Camera Two," and "Camera Three." The video from Camera One is missing the following times: 04:05:45 – 04:10:34; 04:11:07 – 04:13:08; and 04:13:44 – 04:19:00. The video from Camera Two is missing the following times: 04:01:20 – 04:18:34; 04:30:30 – 04:41:35; and 04:41:47 – 04:48:43. The video from Camera Three is missing the period from 04:05:21 – 04:18:38.

At trial, NCIS Special Agent Scott Alexander Vousboukis testified for the State about still photographs made from the Camp Lejeune surveillance videos identified above. The photographs were of cars driven by Ms. Taulbee as she entered the base through the Main Gate, and of Randy Linniman's car as it left and re-entered the base by the Piney Green gate. There was only one photograph of Linniman's car leaving the base, taken of the rear of the car at about 4:06 a.m., after the car had passed through the gate. It is not possible to determine who is in the car, or if more than one person is in the car.

As you know, Ms. Taulbee testified at Ruben's trial that she saw Ruben get out of the passenger side of Linniman's car in the driveway to her home sometime around 04:15 on the morning her husband was killed. In pretrial statements, Linniman claimed that he drove Ruben to Ms. Taulbee's home that morning, unaware that Ruben intended to kill Mr. Taulbee. Your decision to charge Linniman with only being an accessory after the fact indicates that you accepted his version of the facts. Linniman's statement and the trial testimony of Ms. Taulbee and NCIS Special Agent Vousboukis make the question of whether Ruben was in Linniman's car when it left Camp Lejeune that morning critically important; the unaltered videotape may answer that question definitively.

On April 1, 2016, Taylor Johnston and Muran Zhu, students in the Wrongful Convictions Clinic, traveled to Jacksonville to investigate the missing segments of the videotape. They interviewed Senior ADA Mike Maulsby, who worked on Ruben's case in 2004, and learned that the tapes in the files of your office were also missing the same key segments of video. Mr. Maulsby said the tapes were not heavily relied upon at trial, and that he never noticed that they had been altered; whether the State relied heavily on the altered tapes, however, is beside the point.

On the same trip, Muran and Taylor also interviewed Ruben's trial counsel, Ernie Wright. Like Mr. Maulsby, Mr. Wright said he was unaware that the surveillance videotapes had been altered.

In addition to meeting with Mr. Maulsby and Mr. Wright, Muran and Taylor attempted to meet with OCSD to determine if the Camp Lejeune videotapes contained in OCSD's file were also altered. Unfortunately, they were unable to review the sheriff's file on April 1; however Taylor returned to Jacksonville on May 6 and met with OCSD Officer Gordon. Taylor reviewed OCSD's copy of the videos and found they were the same altered videos that we have.

Finally, on April 1, 2016, Muran and Taylor also attempted to meet with NCIS to determine if the agency had turned over the unedited videotapes to OCSD. NCIS was unwilling to meet with the Clinic. The military also has refused to turn over copies of the original Camp Lejeune tapes pursuant to a FOIA request. Furthermore, agent Scott Vousboukis, NCIS's liaison with OCSD, has been unwilling to discuss the case in any way. I am enclosing three NCIS documents that relate to Vousboukis' handling of the original the Camp Lejeune surveillance videotapes.

In light of the foregoing, this letter is to request that you ask the SBI to conduct an investigation into the altered Camp Lejeune surveillance videotapes. There is no question that the segments of those videotapes that were edited out have a material bearing on the soundness of the State's case against Ruben and on his claim of innocence. This intentional tampering with the videotapes likely constitutes obstruction of justice in this murder case. The State has as much an interest in determining the truth as Ruben does. We have done all that we can to investigate this issue.

As always, I appreciate your assistance and look forward to hearing from you at your earliest convenience.

Very truly yours,

James E. Coleman, Jr.

cc: Robert Schurmeier
Director
N.C. State Bureau of Investigation



Office of the District Attorney

Fourth Prosecutorial District

Ernie Lee
District Attorney

632 Court Street
Jacksonville, NC 28540

May 24, 2016

Onslow County
910-478-3610
Duplin County
910-275-7010
Jones County
910-478-3610
Sampson County
910-596-6610

Mr. James E. Coleman, Jr.
Duke Wrongful Convictions Clinic
Duke University School of Law
Box 90362
Durham, NC 27708

Re: State v. Ruben Wright
04 CRS 50533 (Onslow County)

Dear Mr. Coleman:

Pursuant to your letter of May 11, 2016 in reference to the above-cited case, this office has made steps to respond to your requests and allegations contained in your letter. I received your letter by facsimile on May 11, 2016 and I received the mailed copy on May 16, 2016. On May 12, 2016 pursuant to your faxed copy of the letter, I reviewed the District Attorney's file. On May 12, 2016, I further made contact and met with SAC Mac Warner of the Coastal District Office of the State Bureau of Investigation since you sent a copy of your May 11, 2016 letter to the Director of the SBI requesting that I request an investigation by the SBI of the Camp Lejeune surveillance videotapes. After review of your letter, I determined that the SBI should not conduct an investigation and that the more appropriate course of action, would be for me to contact the Naval Criminal Investigative Service to obtain more information about the surveillance videotapes that you have claimed are "altered."

On May 13, 2016, I made contact with ASAC Mike Williams of the NCIS at Camp Lejeune and by e-mail provided him a copy of your letter of May 11, 2016. On May 13, 2016, ASAC Mike Williams indicated that he would forward your letter to Acting SAC and Supervisory Special Agent David Gardner of the NCIS at Camp Lejeune. On May 16, 2016, SSA Gardner, Chief Assistant District Attorney Michael Maultsby and I met at the District Attorney's Office. Pursuant to my request for further follow-up of this matter on May 16, 2016, SSA Gardner made contact with me again on May 16, 2016.

SSA Gardner contacted the individuals who handle the cameras at the Camp Lejeune gate. According to SSA Gardner, those who know and are familiar with the camera system confirmed that that the cameras in use in January 2004 were motion-activated which explains why there are "gaps" in the video. He explained that "If no vehicles were in-bound or out-bound then the camera would not have activated to record." Those who know and are familiar with the camera

system indicated that it was possible that headlights from a vehicle could have created a blur (for lack of better description) on the camera that the camera would not identify this as motion and therefore would not have activated video recording. SSA Gardner indicated that in January 2014, there would have been four cameras at the Camp Lejeune Main Gate and also four at the Camp Lejeune Piney Green Gate. These are two in-bound and two out-bound cameras which would have captured the front and rear of the vehicles whether in or out-bound. However, SSA Gardner was informed that not all of the cameras may have been operable at the time due to technical difficulties but there is no way to tell at this time if all the cameras were operable. Those who know and are familiar with the camera system informed SSA Gardner that the motion-activated system was in place at least since March 2003 and that a motion-activated system is currently in place. SSA Gardner was informed that between 0400 and 0500 it would be reasonable for there to be light vehicle traffic. SSA Gardner was informed that those who know and are familiar with the camera system at Camp Lejeune no longer have any recordings from 2004. Standard practice was to keep recording data for up to 45 days however it is not unusual for the data to be available for 15-20 days due to size limitations on storage. SSA Gardner further indicated that he contacted SA Scott Vousbouskis on May 16, 2016 and that SA Vousbouskis had declined to speak with Wrongful Convictions Clinic at Duke University about this case.

I have considered the claims made in your letter of May 11, 2016 and have determined that based upon the information currently before me, there are insufficient grounds to request the SBI to investigate the handling of the Camp Lejeune surveillance videotapes.

With best wishes, I am

Sincerely yours,



Ernie Lee
District Attorney

cc: SSA David Gardner, NCIS

SAC Mac Warner, SBI



WRONGFUL CONVICTIONS CLINIC
DUKE UNIVERSITY SCHOOL OF LAW
SCIENCE DRIVE AND TOWERVIEW ROAD
BOX 90360 • DURHAM, NC 27708-0360
(919) 613-7057 • FACSIMILE (919) 613-7262
JCOLEMAN@LAW.DUKE.EDU

JAMES E. COLEMAN, JR.
CO-DIRECTOR

May 31, 2016

BY FACSIMILE (910) 478-3611

The Honorable Ernest Lee
District Attorney
District 4B
632 Court Street
Jacksonville, NC 28540

Re: State v. Wright, 04 CRS 50533

Dear Mr. Lee:

On the same day that I wrote to request that you ask the State Bureau of Investigation to investigate the alteration of a videotape taken by security cameras at the Main and Piney Green Gates to the Camp Lejeune military base between 0345 and 0500 hours on January 5, 2004, I also submitted a Freedom of Information Act request to the Naval Criminal Investigative Service Resident Agency at Camp Lejeune asking for all information in its possession relating to the security video. I am enclosing a copy of that letter for your information. The Navy responded to my request in a letter dated May 19, 2016, which I read yesterday. I also am enclosing a copy of that letter.

According to NCIS's response to our FOIA request, "on April 14, 2016, the requested video footage was permanently transferred to the Onslow County Sheriff's Office. NCIS no longer maintains a copy." We would like to schedule a meeting with your office and the OCSD to review the video that the Navy turned over to determine if it has been altered. At that time, we also would like to obtain a copy of that video and copies of any documents relating to it. I am available to meet anytime on June 8 or 9. I will ask my assistant to call your office on Friday to schedule the meeting.

As always, I appreciate your assistance and look forward to hearing from you at your earliest convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James E. Coleman, Jr.', with a long horizontal flourish extending to the right.

James E. Coleman, Jr.

MEMORANDUM

To: Professor Coleman
From: JP Cumming
Re: Meeting Notes with DA Ernie Lee and ADA Michael Maulsby
Date: June 14, 2016

The meeting started at approximately 10:30 am in the conference room of the Onslow County District Attorney's Office. District Attorney Ernie Lee and Assistant District Attorney Michael Maulsby met with Professor James Coleman and James-Paul Cumming.

Lee first gave Coleman a copy of the video, noting they had pulled it up on their computer to make sure the video does work. Lee also stated that the it was the original as far as they knew and that it was the same as previously used.

Coleman then explained that the problem with previous tapes, and with this one if it showed only the same video as previous tape, was the lack of video showing Randy Linniman leaving the base and only a short portion of video showing his return. However, a previous disclosure contained a still frame that is time-marked at 4:06:05. No video exists from any of the three cameras that corresponds to this still frame. Because the frame must have been isolated from the video recording made by a camera there should be a video recording of this moment, and not just a still frame.

Maulsby acknowledged that he had seen that still photograph. Coleman showed a timeline of the videos previously received and how all three cameras were missing video records for a different period of time. All three missing periods overlap with the timestamp on the still frame. Coleman explained that the video the still frame is taken from must be missing.

Lee stated this video is what they had from the beginning. And that "they said they sent over everything." It's unclear if he was referring to the Onslow County Sheriff's Department or

the Naval Criminal Investigative Service. Maultsby identified the leaving the base in the still frame photo as Linniman's. Lee asked how Maultsby knew this and Maultsby explained it was because the car was a white Honda.

Coleman stated our next step would be to ask for an investigation into the original video the still frame was taken from. Lee speculated that it might be a difference in the mechanism for saving video versus the mechanism for saving a still frame. Although this would suggest that while reviewing the tape record a person chose to simply save a still frame and not the entire video showing Linniman leaving the base. Lee did not know of any next steps his office could take, but reiterated they had turned over what they had.

Lee also asked Maultsby if they used any still photos (possibly meaning at trial). ADA Maultsby replied that they had used, "just one," but didn't make clear which still frame photo was used. Lee suggested it had been so long he didn't remember many events of the trial.

Coleman, then showed a still frame of Linniman returning to the base. Coleman noted that it "seems pretty clear no one is in the passenger seat." Both Lee and Maultsby replied, "yeah." Maultsby, reiterated that it was clear nobody was in the front seat. No explanation was made for why Ruben Wright wasn't in the recording even though Linniman's testimony would require him to be in the vehicle. Lee said that he can't see anyone in the car and didn't see anyone in the passenger seat but made sure to add if there is a person in the car they are hard to see. Coleman stated that he would pursue the assistance of the Navy and the Marines again, but if that was unsuccessful he would ask the US Attorney to find an explanation. Lee stated that the copy they provided that day would have a clearer depiction of Linniman's return to the base.

Lee then asked Maultsby when they tried the case, and Maultsby replied, "2004."

Coleman stated that he assumed they believed Linniman's story because he was only indicted for

accessory after the fact. Lee and Maulsby stated that Linniman was tried for first-degree murder and that they had increased the charge from where it was initially set by the Onslow County Sheriff's Department. Lee stated that's what he remembered. That they had a new indictment handed down against Linniman. Lee stated that in answer to Coleman's question we must have thought he was guilty of murder. Lee suggested that his cross-examination of Linniman was damaging and although Linniman was acquitted he received 19 years in federal court on the weapons charge.

Coleman than asked why Zenaida Taulbee pled guilty without a sentencing agreement and received so much time. Lee and Maulsby agreed that Taulbee received a long sentence. Lee stated that it was in the judge's discretion, but agreed that her sentence was long for a plea agreement.

Attached

1. Still Frame – 4:06:05 timestamp.
2. Still Frame – 4:39:13 timestamp.



JAMES E. COLEMAN, JR.
JOHN S. BRADWAY PROFESSOR OF LAW
DUKE UNIVERSITY SCHOOL OF LAW
210 SCIENCE DRIVE
BOX 90360 • DURHAM, NC 27708-0360
TEL 919-613-7057 • FAX 919-613-7231
JCOLEMAN@LAW.DUKE.EDU

July 17, 2016

Karen Richman, CDR, JAGC, USN
Department of the Navy
Naval Criminal Investigative Service
27130 Telegraph Road
Quantico, Virginia 23134-2253

Re: Richard Wright NCIS Investigation

Dear Commander Richman:

Thank you for your letter of May 19, 2016 (5720 2016-006502; SER00LJF/16U0737).

After receipt of your letter, I met with Ernie Lee, District Attorney for District 4B (Onslow County), on June 13, 2016, in his offices in Jacksonville, NC, to obtain a copy of the video footage that the NCIS Carolinas Field Office consolidated evidence facility transferred to the Onslow County Sheriff's Department (OCSD) on April 14, 2016. Prior to our meeting, Mr. Lee already had determined that the footage sent on April 14, 2016, had the same gaps as the copies of video footage that OCSD disclosed to Mr. Wright's defense counsel prior to Mr. Wright's murder trial.

Because NCIS previously provided OCSD a still photograph taken from the original security video footage that has a time stamp indicating it was taken from footage that was not turned over by NCIS, this letter is to request that the Department of Navy investigate the circumstances under which the footage that NCIS turned over to OCSD prior to trial was altered, withheld, or destroyed.

To recount the facts: We are investigating the claim of Ruben Wright, formerly CWO4 USMC, that he is innocent of the murder of James Taulbee, a retired Marine, for which a civilian jury convicted him on January 20, 2006. In the course of our investigation of Mr. Wright's claim, we reviewed video footage taken by security cameras at the Piney Green Gate to the Camp Lejeune military base between 0345 and 0500 hours on January 5, 2004. As part of its discovery disclosures to the defense, OCSD also produced a still photograph captured from footage from one of the security cameras, showing former Sgt. Randy Linniman, USMC, leaving the base at 04:06:05 on

Karen Richman
July 17, 2016
Page 2

the morning of January 5, 2004. Attachment 1. The State tried Mr. Linniman separately for the murder of Mr. Taulbee, and alternatively as an accessory after the fact.

Inexplicably, the copies of all of the video footage that NCIS turned over to OCSD and OCSD subsequently produced to Mr. Wright are missing large chunks of time, including all of the period when Mr. Linniman approached the Piney Green Gate to leave on the morning of January 5, 2004, and when his car passed the guard house before exiting the base. The still photograph made from footage obtained from one of the cameras shows Mr. Linniman's car after it had exited the Gate and was moving away from the camera, when it was no longer possible to determine if there was a passenger in his car. See, Attachment 1. The surveillance videotapes also show Zenaida Taulbee entering the base in her red Pontiac Grand Am at 04:28:35; and Randy Linniman returning to the base through the Piney Green Gate at 04:39.

The video footage came from security cameras marked, "Camera One," "Camera Two," and "Camera Three." The footage from Camera One is missing the following times: 04:05:45 – 04:10:34; 04:11:07 – 04:13:08; and 04:13:44 – 04:19:00. The footage from Camera Two is missing the following times: 04:01:20 – 04:18:34; 04:30:30 – 04:41:35; and 04:41:47 – 04:48:43. Finally, the footage from Camera Three is missing the period from 04:05:21 – 04:18:38. I have enclosed a chart that we prepared showing the missing segments, with a mark indicating where the still photograph of Mr. Linniman leaving the base at 0406:05 would have been captured on each segment. Attachment 2.

At Mr. Wright's trial, Ms. Taulbee testified that she saw Mr. Wright get out of the passenger side of Mr. Linniman's car in the driveway to her home sometime around 04:15 on the morning her husband was killed. In statements that he gave to NCIS, Mr. Linniman claimed that he drove Mr. Wright to Ms. Taulbee's home that morning, unaware that Ruben intended to kill Mr. Taulbee. Mr. Linniman claimed that he learned the reason for Mr. Wright's visit to the Taulbee home on the way back to the base. According to Mr. Linniman, after he returned to the base with Mr. Wright, Mr. Wright threatened Mr. Linniman's family if he talked. The missing video footage is key evidence that bears on the credibility of the State's case against Mr. Wright. The video footage showing Mr. Linniman returning to the base shows that he was alone in his car. Attachment 3.

The NCIS special agent who seized the surveillance video footage, reviewed it, and requested capture of the still photographs from the footage is Special Agent Scott Alexander Vousboukis, currently stationed at the NCIS NW Field Office. We attempted to interview Mr. Vousboukis on February 26, 2016, but he refused to speak with us.

At Mr. Wright's trial, Mr. Vousboukis testified that he had the still photographs made from the surveillance video footage, including still frames of Linniman's car leaving from and returning to the base. Trial Tr. 940. Prior to having the photographs

Karen Richman
July 17, 2016
Page 3

made from the video footage, Mr. Vousboukis reviewed the original footage “to identify any and all white vehicles that kind of matched the vehicles I was looking for exiting or coming on the base. These vehicles that I picked out matched those vehicles, the best description that I had.” *Id.* at 942. Mr. Vousboukis said he believed he “picked out [Linniman’s] vehicle, yes sir.” *Id.* at 943. Thus, there is no question that there was video footage of Mr. Linniman’s car leaving the base that no longer exists.

In light of the importance of this missing footage, we request that the Department of the Navy investigate or request another appropriate agency to investigate the circumstances under which the video footage of Mr. Linniman’s car leaving the base on the morning of January 5, 2005, was deleted or destroyed. If, as Mr. Wright contends, he was not in Linniman’s car when it left the base, contrary to the State’s claim at trial, the missing video is exculpatory; the fact that it is missing apparently reflects intentional misconduct.

I would appreciate if you would acknowledge receipt of this letter and indicate if the Navy will conduct or request another agency to conduct an investigation of the missing video footage. The evidence has a material bearing on whether Mr. Wright committed the murder for which he was convicted.

Very truly yours,

James E. Coleman, Jr.

cc: The Honorable Ernie Lee
District Attorney, District 4B
632 Court Street
Jacksonville, NC 28540

> From: "Devinny, Sean" <SEAN.DEVINNY@NCIS.NAVY.MIL<<mailto:SEAN.DEVINNY@NCIS.NAVY.MIL>>>
> Date: October 13, 2016 at 8:00:49 AM EDT
> To: "jcoleman@law.duke.edu<<mailto:jcoleman@law.duke.edu>>" <jcoleman@law.duke.edu<<mailto:jcoleman@law.duke.edu>>>
> Subject: NCIS Investigation in Ruben Wright (homicide investion from 2004)
>
> Mr. Coleman,
>
> For background information, I am the Assistant Special Agent in Charge of the NCIS Carolinas Field Office and have been asked to conduct an inquiry into missing video from the Ruben Wright investigation conducted in 2004. It's my understanding I was tasked to complete this inquiry at your request due to the fact you did not receive all the outbound video from Camp Lejeune's "Main Gate" on January 5, 2004.
>
> Before I continue further with my inquiry, I was hoping to talk with you so I can clearly understand what is missing and what you currently have in your possession.
>
> I was not assigned to Camp Lejeune in 2004, so I do not have any knowledge of the investigation aside from what I have read. Talking with you as what you believe to be missing will help me complete this inquiry quickly and more effectively.
>
> Can you call me or provide a phone number where you can be reached?
>
> Many thanks,
>
> Sean P. Devinny
> Assistant Special Agent in Charge
> Naval Criminal Investigative Service
> Camp Lejeune, NC
> (910) 451-6505 (desk)
> (910) 548-3326 (cell)
>

Bill Coleman

On Mar 8, 2017, at 6:18 PM, Devinny, Sean <SEAN.DEVINNY@NCIS.NAVY.MIL> wrote:

Ace,

I hope you are well. My apologies for the confusion...my understanding was that our IG department would speak with your team as to our results.

I have completed my investigation into the allegation that security camera video footage obtained as evidence in the S/WRIGHT, RUBEN WORLEY investigation (CCN: 06JAN04-CALE-0007-7HMA) may have been altered, withheld, or destroyed prior to trial.

Witness interviews and a review of the videos (of the Piney Green Gate) provided by the Mr. Coleman revealed that no nefarious activity had occurred; rather, the missing portions of video were the result of the video system's configuration to activate the recording system only when a pixel in the video changed. As a result of the system's configuration, many gaps in recording occurred when vehicular and foot traffic were absent. The video recording system was configured to record only when there was activity in view of the camera; therefore, it is logical that there would be gaps in the video surveillance footage.



Further, the assertion that still image bearing the time stamp within a missing portion of footage is inaccurate as the still image was taken from footage at the Main Gate and the videos offered were of the Piney Green Gate.
















I will be in the office on Friday if you would like to speak further by phone.

Hope this is helpful,
Sean

Sean P. Deviny
Assistant Special Agent in Charge
Naval Criminal Investigative Service
Camp Lejeune, NC
(910) 451-6505 (desk)
(910) 548-3326 (cell)

Original Message

Name	Date modified	Type	Size
Files Currently on the Disc (2)			
 Piney Green Inbound	1/22/2004 2:59 PM	File folder	
 Main Gate Outbound Honda	1/5/2004 4:06 AM	JPEG Image	6 KB

Name	Date modified	Type	Size
Files Currently on the Disc (15)			
 Grand AM 1	1/5/2004 4:28 AM	JPEG Image	42 KB
 Grand AM 2	1/5/2004 4:28 AM	JPEG Image	38 KB
 Grand AM 3	1/5/2004 4:28 AM	JPEG Image	37 KB
 Grand AM 4	1/5/2004 4:28 AM	JPEG Image	40 KB
 Grand Am 5	1/5/2004 4:28 AM	JPEG Image	31 KB
 Grand Am 6	1/5/2004 4:28 AM	JPEG Image	31 KB
 Grand AM	1/22/2004 2:46 PM	Video Clip	4,350 KB
 Honda 1	1/5/2004 4:39 AM	JPEG Image	38 KB
 Honda 2	1/22/2004 2:57 PM	Video Clip	888 KB
 Honda 2	1/5/2004 4:39 AM	JPEG Image	39 KB
 Honda 3	1/5/2004 4:39 AM	JPEG Image	22 KB
 Honda 4	1/5/2004 4:39 AM	JPEG Image	21 KB
 Honda 5	1/5/2004 4:39 AM	JPEG Image	36 KB
 Honda 6	1/5/2004 4:39 AM	JPEG Image	25 KB
 Honda	1/22/2004 2:48 PM	Video Clip	1,339 KB

James E. Coleman, Jr. 

September 24, 2017 at 7:38 PM

To: Devinny, Sean Cc: Maultsby, Michael D., Lee, Ernest R., Christopher D. Thomas, and 2 more...

Inbox - Exchange 

 JE

RE: Ruben Wright Investigation (Surveillance Videos of Camp Lejeune main gate)

Hi Sean,

We went to Onslow County Sheriff's Department this past Wednesday but we were unable to play one of the videos on the CD that contains the surveillance video of Randy Linniman leaving through the Main Gate at Camp Lejeune. Moreover, based on the labeling of files on the CD, we do not think that this CD contains the missing video. The video that we could not play is in the folder marked "Piney Green Inbound." There is only the screen shot of Linniman's car after it had passed through the gate; the photograph is marked "Main Gate Outbound." There is no video of the outbound traffic, unless it is misidentified and is the video we could not play.

This puts us back at the beginning. We need to find or account for the original surveillance video. We do not believe the CD at Onslow County Sherriff's Department is the original because it contains screenshots of Mrs. Taulbee and Linniman entering the base through the Piney Greene gate. These were made from the original video.

We are unclear about the form of video surveillance files or how they ordinarily are stored at Camp Lejeune. Can you provide that information to us? We would like to figure out how the original videos are stored (on a computer database or CDs, for example). Knowing this information may help us focus better in our search for the original Main Gate outbound footage that we need.

We also would like an opportunity to interview Agent Scott Vousboukis, the NCIS agent who served as NCIS' liaison with the Onslow County Sheriff's Department in the Wright case and who handled the original surveillance video and arranged for its duplication. NCIS records indicate that he sent the original video to Norfolk, VA, and has the best first-hand account of how the files were stored, the form of the original video, and perhaps where the original video was stored after it was returned from Norfolk (if in fact it was returned). We are especially interested in determining the factual basis for his belief that Ruben Wright was in Randy Linniman's car when it left the military base on the morning that James Taulbee was killed.

We are willing to interview him in-person or, initially, by phone. We are happy to have you participate in the interview.

Please let me know if we could arrange this interview and if you have any other advice on how to find the original surveillance footage. If there is any cost associated with this request that NCIS does not want to bear, we will pay for the work. Thank you for your help.

James E. Coleman, Jr.
Duke Wrongful Convictions Clinic

-----Original Message-----

From: Goodridge, H. Andrew [<mailto:drew.goodridge@ncis.navy.mil>]
Sent: Thursday, September 28, 2017 8:32 AM
To: James E. Coleman, Jr. <jcoleman@law.duke.edu>
Cc: Devinny, Sean <SEAN.DEVINNY@NCIS.NAVY.MIL>
Subject: FW: Ruben Wright Investigation (Surveillance Videos of Camp Lejeune main gate)

Mr. Coleman,

Good morning. In an effort to best guide your inquiry into how Camp Lejeune maintains stored video files from entry control points and what the specific file format the system uses I need to refer you to the Camp Lejeune Installation G-6 utilizing the directory assistance number at (910) 451-1113.

NCIS declines your request to interview Special Agent Scott Vouboukis.

Regards,

Drew

H. Andrew Goodridge, CPP
Special Agent in Charge
Naval Criminal Investigative Service
Carolinas Field Office
910-451-6534 (desk)
401-269-6096 (mobile)

FOR OFFICIAL USE ONLY - This e-mail is from the Naval Criminal Investigative Service and may contain information that is Law Enforcement Sensitive (LES) or Privacy Act Sensitive and is to be used for official purposes only. Any misuse or unauthorized disclosure may result in both civil or criminal penalties.

[See More](#) from James E. Coleman, Jr.