

Joseph Sommers

From: Robert Christensen <robertchristensen.atty@gmail.com>
Sent: Wednesday, January 19, 2011 12:35 PM
To: Joseph Sommers
Subject: Withheld discovery

Joe,

As I told you at the courthouse, I don't believe I had previously seen the report you showed me. I no longer have the file, it went to appellate counsel. I believe he passed his copy on to the client. The appeal was handled by Ralph Scygelski.

RAC

<http://local.yahoo.com/info-16817725-scygelski-ralph-j-scygelski-pangburn-law-firm-manitowoc>

Joseph Sommers

From: Robert T. Ruth <rob@madisonattorney.com>
Sent: Tuesday, January 18, 2011 4:01 PM
To: sommerslawoffice@msn.com
Cc: 'Ann Bowe'; rgb@benavideslaw.com; cakenter@yahoo.com
Subject: Re: Withheld discovery

My records show that I received two reports by Detective Rortvedt, one in reference to a December 20, 2004 interview with Mandy Bartz and one in reference to a May 18, 2005 interview with a confidential source. I have no January 10 or 13, 2005 report by Rortvedt. The confidential source only provided information about the Ortiz case. Jeik's trial was in January-February of 2007 and my representation ended around May 2007, so I was not in a position to get any discovery from 2008. My records do not include a July 28, 2006 report by Detective Aguilu.

Rob Ruth

Quoting Joseph Sommers <sommerslawoffice@msn.com>:

> Dear Attys. Bowe, Ruth, Benavides, and Christensen:

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> Late this past December I obtained police reports relating to David
> Suarez in the murder of German Gonzalez which occurred in January of
> 2004, roughly four months after the murder of Alex Ortiz. Robert
> Kaiser was the prosecutor in both matters. According to these
> reports, roughly ten months before charges were filed in the Ortiz
> matter, Suarez claimed to have played almost the identical role in the
> Gonzalez murder as he did in the Ortiz murder. Suarez admitted to
> participating in murder plot conversations, and claimed that Pablo
> Lopez did as well. One report from Detective Julie Rortvedt from
> January 13, 2005 has Suarez discussing both the Ortiz and Gonzalez murders in the same interview that occurred on
> January 10, 2005.

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> Also, another significant report is one dated July 28, 2006 from
> Detective Rosa Aguilu wherein she reports that she discussed with
> Suarez on July 12,
> 2006 the claims from two prison inmates (Jose Ferreira and Alberto
> Ruiz) that Suarez had confessed to each that he was the actual
> murderer of Gonzalez.

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> There is an additional extremely brief report from Det. Julie Rortvedt

> dated
> 12/2/08 wherein she reports that on 7/16/08 she participated in a
> meeting that included Bob Kaiser and David Suarez in relation to the
> Gonzalez homicide. From my experiences, I've never seen a report of
> this type, and it is interesting that the report was done 4½ months
> after the fact and far after the trials relating to the Ortiz matter.
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> From my review of the trial transcripts of all three trials, and from
> my review of the discovery that I received from Atty. Bowe, none of
> the aforementioned reports appear to have been turned over. I would
> assume that if these reports had been turned over, all of you would
> have utilized the information during your cross-examination. However, none of you did.
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> Before I set things in motion, I want to make sure that my assumption
> is correct. Therefore, I am requesting that each of you give me a
> simple yes or no to whether the aforementioned was provided during
> discovery. It would be most appreciated if I could receive a prompt
> response. If you have any questions, feel free to inquire.
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> Sincerely,
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>
> Joseph L. Sommers
>
> (608)280-8060
>
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Joseph Sommers

From: Ann Bowe <atbowe@wi.rr.com>
Sent: Tuesday, January 18, 2011 8:28 AM
To: sommerslawoffice@msn.com
Subject: RE: Withheld discovery

NO!

From: Joseph Sommers [mailto:sommerslawoffice@msn.com]
Sent: Monday, January 17, 2011 10:57 PM
To: 'Ann Bowe'; 'Rob Ruth '; rgb@benavideslaw.com; cakenter@yahoo.com
Subject: Withheld discovery

Dear Attys. Bowe, Ruth, Benavides, and Christensen:

Late this past December I obtained police reports relating to David Suarez in the murder of German Gonzalez which occurred in January of 2004, roughly four months after the murder of Alex Ortiz. Robert Kaiser was the prosecutor in both matters. According to these reports, roughly ten months before charges were filed in the Ortiz matter, Suarez claimed to have played almost the identical role in the Gonzalez murder as he did in the Ortiz murder. Suarez admitted to participating in murder plot conversations, and claimed that Pablo Lopez did as well. One report from Detective Julie Rortvedt from January 13, 2005 has Suarez discussing both the Ortiz and Gonzalez murders in the same interview that occurred on January 10, 2005.

Also, another significant report is one dated July 28, 2006 from Detective Rosa Aguilu wherein she reports that she discussed with Suarez on July 12, 2006 the claims from two prison inmates (Jose Ferreira and Alberto Ruiz) that Suarez had confessed to each that he was the actual murderer of Gonzalez.

There is an additional extremely brief report from Det. Julie Rortvedt dated 12/2/08 wherein she reports that on 7/16/08 she participated in a meeting that included Bob Kaiser and David Suarez in relation to the Gonzalez homicide. From my experiences, I've never seen a report of this type, and it is interesting that the report was done 4½ months after the fact and far after the trials relating to the Ortiz matter.

From my review of the trial transcripts of all three trials, and from my review of the discovery that I received from Atty. Bowe, none of the aforementioned reports appear to have been turned over. I would assume that if these reports had been turned over, all of you would have utilized the information during your cross-examination. However, none of you did.

Before I set things in motion, I want to make sure that my assumption is correct. Therefore, I am requesting that each of you give me a simple yes or no to whether the aforementioned was provided during discovery. It would be most appreciated if I could receive a prompt response. If you have any questions, feel free to inquire.

Sincerely,

Joseph L. Sommers
(608)280-8060

Joseph Sommers

From: Ronald G. Benavides <rgb@benavideslaw.com>
Sent: Tuesday, January 18, 2011 6:55 PM
To: sommerslawoffice@msn.com
Subject: Re: Withheld discovery

REPLY: I DO NOT RECALL RECEIVING OR REVIEWING ANY OF THE REPORTS YOU DESCRIBE. THE LAST REPORT YOU CITE WOULD HAVE BEEN PRODUCED OVER A YEAR FOLLOWING THE COMPLETION OF SERATE-ANDINO'S TRIAL.

R.BENAVIDES

On 1/17/2011 10:56 PM, Joseph Sommers wrote:
Dear Attys. Bowe, Ruth, Benavides, and Christensen:

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Sincerely,

Joseph L. Sommers
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