

No. _____
21-7916
22A200

**IN THE
SUPREME COURT OF THE UNITED STATES**

JAMES H. FETZER

Petitioner

v.

LEONARD POZNER

Respondent

**PETITION FOR REHEARING
OF DENIAL OF A WRIT OF CERTIORARI
(Rule 44.2)**

**APPENDICES Volume 2 of 2
Appendix E**

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Appendix E

Appendix E

STATE OF TEXAS

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COUNTY OF HARRIS, TX

AFFIDAVIT

My name is Brian Davidson. I am a licensed Private Investigator in the State of Texas. My date of birth is 06/25/1973. My address is 8022 Bayside Dr. Beach City, TX 77523. My telephone number is 832 304 3577. Today's date is 10/28/2022. I make the following affidavit of my own free will. I have not been promised anything in exchange for completing this affidavit.

I wish to state the following:

I am a private investigator currently residing in the Houston, TX area. I am licensed by the Texas Department of Public Safety Private Security Board and my license number is A17936.

In March of 2022 I began studying the Connecticut State Police files related to the Sandy Hook School shooting which has been published online at <https://cspsandyhookreport.ct.gov/>. My main area of interest has been the primary scene photographs which were taken at the Sandy Hook Elementary school after the December 14th 2012 massacre. The photographs in the file were provided by the Connecticut Department of Emergency Services and Public Protection.

I was first attracted to the file when I was asked to do an analysis of a photograph that was taken at the scene shortly after the shooting. The peculiar thing that caught my interest about the photograph in question was how the photograph ended up first being used on a Hearst Media server shortly after the shooting even though it was an official crime scene

photograph taken by an official crime scene investigator. Why would a crime scene investigator on an open investigation provide photographs to the media?

The first thing I do when beginning an analysis is to study the metadata related to the crime scene photographs to make sure that the evidence is authentic and that it hasn't been tampered with in any way. To my dismay I found that all metadata had been stripped from ALL the evidence provided at this website maintained by the Connecticut State Police. After further research I found that the photographs originated from digital cameras that clearly had the capability of preserving the metadata. The lack of metadata was highly unusual and virtually guaranteed that the evidence provided to the public cannot be used as official material in a courtroom setting because the original images and documents have been modified by the deletion of the data. I have never encountered any actual case where photographs or original material was purposely stripped from the files. Therefore, I found myself in unusual territory in relation to this event. Again, the very fact that all metadata had been removed is highly unusual.

The cover letter for the public investigation and signed by Commissioner Reuben Bradford provided to the public states on page 2 the following:

CFS 1200704559 is the primary investigation, which has been conducted by the Western District Major Crime Squad (WDMCS) from Troop A in Southbury in conjunction with State's Attorney Stephen Sedensky III of the Judicial District of Danbury. They have been supported by WDMCS detectives from each Troop in the district, as well as by Major Crimes detectives from across the state, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the U.S. Attorney's Office for the District of Connecticut, Newtown Police Department, and numerous other federal, state and local law enforcement agencies too numerous to list.

A17936 [27-10-2022, 16:56:35]
[chrome-extension://efaïdnbmnnnibpcajpcgiclfndmkaj/https://cspsandyhookrepor...

The letter goes on to state:

While the wide range of information contained in these reports is presumed to be public, there are many statutes and regulations at both the state and federal levels that either prohibit disclosure, or allow withholding, of certain subsets of information. Each redaction throughout the report is marked with a two-digit code which corresponds to the legal basis supporting it as noted on the attached index. While this coding system makes clear the foundation of each redaction, several types of information that have been withheld warrant additional explanation.

1. Throughout this report, the names and contextually identifying information of involved children have been withheld. This contextual information includes descriptions or images of children, their clothing and their belongings and references to their family members as examples. While the names of the deceased victims are well known, certain facts pertaining to the individual children are not, and the identities of surviving children are not generally known. Consistent with certain permissive exemptions of the Freedom of Information Act and the constitutional rights of crime victims we have chosen to withhold that information.

A17936 [27-10-2022, 16:58:36]

[chrome-extension://efaldnbmnnnibpcajpcgclcfndmkaj/https://cpsandyhookrepor...

In my experience, there is no statute which would warrant the stripping of metadata from original evidence prior to the publishing of this information. The fact that these documents cannot be verified is cause for concern to say the least. There are various theories related to the crime in question which may lead a serious crime researcher to believe that events did not take place as portrayed in the media. For the purposes of this affidavit, I am simply going to point out some examples of difficult scenarios related to the evidence.

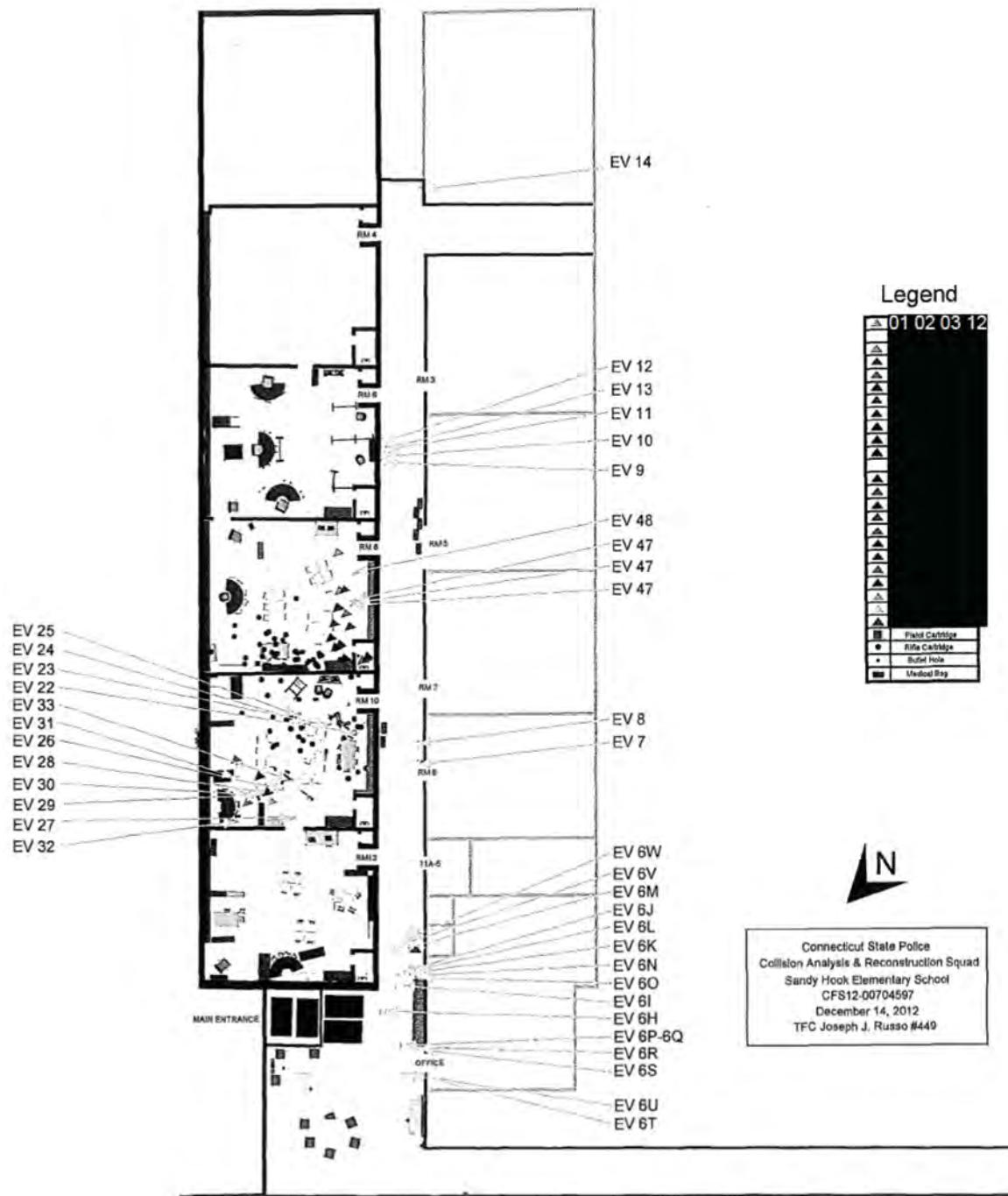
As a professional and independent researcher, I have studied the available crime scene photography and find many reasons to believe that the event did not take place as portrayed. In a mass casualty shooting blood spatter and pooling would be evident as it is described in reports, however the photographic evidence from the crime scene strains credibility. Therefore, I simply do not believe that the extraordinary lack of blood depicted at the crime scene is possible given the circumstances. I am not an expert in blood spatter or how it would pool under these circumstances. I do believe that as long as a human heart is pumping blood will continue to pump from

the wounds due to the fact that the heart is creating blood pressure in the body of the victim.

All exhibits related to this affidavit are contained in a public Google Drive file located at this url:

https://drive.google.com/drive/folders/1twYmluyTFRI_DJ15pEs9oqF8Eizaumpd?usp=sharing

Here is a visualization of the map of the crime scene as depicted in the provided reports. MapReport_ExhibitA.pdf page 5.



Above you will see a map of the inside of the school showing the main entrance and the relative position of the classrooms. It is my understanding that the shooter entered the main entrance of the school shooting, the shooter then turned to the left proceeding down the hallway passing room 12 on the left

and entering room 10. The shooter then proceeds to room 8 then returns to room 10 where a suicidal headwound results in death.

The search and seizure affidavit contains the following description of events: (SearchAndSeizureAffidavit_ExhibitB.pdf Page 4)

3. That on Friday, 12/14/12, at approximately 0935 hours, Newtown Police Department received a 911 call from a caller at the Sandy Hook Elementary School, 12 Dickinson Drive in Newtown, CT. The caller reported that an active shooting situation was occurring at the Sandy Hook Elementary School.
4. That as a result of the 911 call, numerous law enforcement personnel including members from the Newtown Police Department and the Connecticut State Police responded to Sandy Hook Elementary School, in Newtown. Upon arrival, law enforcement personnel conducted a search of the interior and exterior of the school. Investigators located CT registration 872YEO, a 2010, black colored Honda Civic unoccupied and parked in the fire lane directly in front of the school. A shotgun was noted in plain view to be in the interior of the vehicle. The registered owner for the Honda Civic is Nancy Lanza, DOB 09/06/60, 36 Yogananda Street in Sandy Hook, CT.
5. That as investigators entered the school numerous school children and school personnel were located deceased from apparent gunshot wounds in the first three classrooms located off the main hallway, adjacent to the school's front entrance. That investigators also located a teenaged white male dressed in military style clothing, wearing a bullet proof vest lying deceased on the floor in the middle classroom. That the deceased male was in possession of several handguns as well as a military style assault weapon. That the deceased male has been tentatively identified as Adam Lanza, DOB 04/22/92, who resides at 36 Yogananda Street in Sandy Hook, CT.

The Scene Report contains the following statement (SceneReport_ExhibitC.pdf Page 4)

At the conclusion of the scene processing it was known that eighteen (18) children, four (4) teachers and two (2) administrators were deceased within the school and two (2) children were pronounced deceased at Danbury Hospital. Two (2) other adults (teacher/administrator) were injured and treated at nearby hospitals where they survived their injuries. Also known is that a total of one hundred and fifty four (154) expended 5.56 mm (.223 caliber) bullet casings were recovered from the school to include the patio area adjacent to the front lobby of the school. Two (2) expended 10mm bullet casings were recovered from within the school. Three (3) firearms were recovered from within the school to include a semi-automatic "Bushmaster" .223 caliber rifle, a Glock 10mm pistol and a Sig Sauer P226, 9 mm pistol. Additionally, three hundred and fifty three (353) live rounds of assorted ammunition were also recovered within the school. **[NOTE: this information does not include evidence seized by CDMC Van Squad which begins with Exhibit #500].**

The same report contains this statement:

On Friday 12/14/2012, into the early morning hours of Saturday 12/15/2012, members of the WDMC Van Squad and the OCME began the processing efforts to document, identify and remove the bodies of the twenty four (24) victims and one (1) shooter from within the school.

The victims were first identified by assigning them a numeric number 3 thru 26.

01 02 03 12 [REDACTED] and number 27 was assigned to the shooter). Then an assigned "OCME case number" was written on a tag with their previously assigned numeric and was placed on each victim. Photographic and written scene documentation was completed capturing clothing worn, location of victim, and assigned "OCME number" with identifying photographs of the victim. (NOTE: Prior to processing, the victims were observed to have "triage tags" previously laid upon their bodies by EMS personnel denoting their deceased status).

Once documentation was complete, the victims were placed into a body bag with their associated OCME case number written on the bag while their OCME tag was left on the ground in the place the victim was found. Each victim was carried out of the school and into a large military-style portable tent located within the north parking lot of the school in close proximity to the front lobby. Each victim was then processed by the OCME in an effort to make a positive identification of each victim, using school photographs and clothing descriptions provided by the parents of the children yet to be accounted for. On Saturday, 12/15/2012, all of the victims were transported from the scene to the OCME in Farmington, Connecticut, for an autopsy at a later time.

Page 10 contains this statement

Only three (3) areas had damage consistent with having been forcibly entered: (1) The front (north) window adjacent to the west side of the front lobby doors was broken with a large hole visible. (2) Classroom #3 interior door between Classroom #3 and Classroom #5 was observed to be forcibly entered to gain access into Classroom #5 with the words "Breach" written on the door. Classroom #5 hallway door was locked and not breached. (3) The north window on the south-east exterior side door was reportedly breached by police to gain entry through this door from this side of the building. This door was located between classroom #46 and classroom #48 and provided access into the east hallway. Police reports indicate that this door was breached by Newtown Police Officer Seabrook. (Refer to Det. Lukienchuk's Nexgen Report #29085).

Page 11 contains this statement

In the western-most area of the north hallway, before entry into the lobby area, were two deceased adult females, later identified as Principal Dawn Hochsprung (OCME#12-17592) and School Psychologist Mary Sherlach (OCME#12-17595). There was a writing easel lying on its side to the west of the victims. Newtown Police Detective Jason Frank reported to me that he put this easel in this location to prevent exiting children from seeing the victims.

- **Dawn Hochsprung** (d.o.b. 03 [REDACTED]) #3 [OCME#12-17592] was lying on her back in a position with her head to the west and her feet to the east, with her right side adjacent to the south wall of the hallway. Mrs. Hochsprung was positioned west of Mrs. Sherlach and east of the wooden bench located in the lobby beneath the main office windows. Mrs. Hochsprung's feet were touching Mrs. Sherlach's left shoulder. Mrs. Hochsprung had brown hair and was wearing a grey and red hooded sweater, red long sleeve shirt, blue jeans and calf-length brown colored boots. She had a ring on her right ring finger and a bracelet on her left wrist. There was a gold colored necklace in close proximity to the west side of her head. Jewelry seized at autopsy includes a gold colored ring, two silver colored rings (1 with a clear stone), gold colored chain necklace, two gold colored studded earrings, two gold colored with clear stone studded earrings, a charm bracelet, a wrist watch with a brown leather band and a gold colored bracelet. **[Clothing seized from OCME as Exhibit #71]**
- **Mary Sherlach** (d.o.b. 03 [REDACTED]) #4 [OCME#12-17595] was positioned lying on her back with her head to the south and her feet to the north and her head adjacent to the south side of the hallway. Mrs. Sherlach was wearing a blue long sleeve shirt, tan tank top shirt, blue jeans, blue socks with brown colored shoes. There was a pair of eyeglasses on the floor east of her body. There was a blue colored material around her head that was possibly a head dress or large neck scarf. Jewelry seized at autopsy includes two (2) silver colored hoop earrings each with a blue colored stone, silver colored wrist watch, black framed "JM New York" brand reading glasses (+2.50), four (4) gold colored rings (3 with stones). **[Clothing seized from OCME as Exhibit #58]**

Both victims were lying in pools of a blood-like substance appearing to originate from relative wounds on their bodies. Spatter of a blood-like substance was evident on the south wall of the hallway in the area of the two victims. The spatter was measured to

Upon inspecting the photographs of the area where Principal Dawn Hochsprung and Mary Sherlach were found I did not discover evidence of a pool of blood consistent with the description in the reports, nor did I see the spatter as described. Please note that "both victims were lying in pools of blood-like substance appearing to originate from relative wounds on their bodies. Spatter of blood-like substance was evident on the south wall of the hallway in the area of the two victims."

Lets take a closer look.



Source WalkleyPhotos1.pdf Page 12 - The shooter would have entered these doors shooting, then shot Hochsprung and Sherlach and turned left down the corridor.



WalkleyPhotos1.pdf image 14 - Take note of the floors.



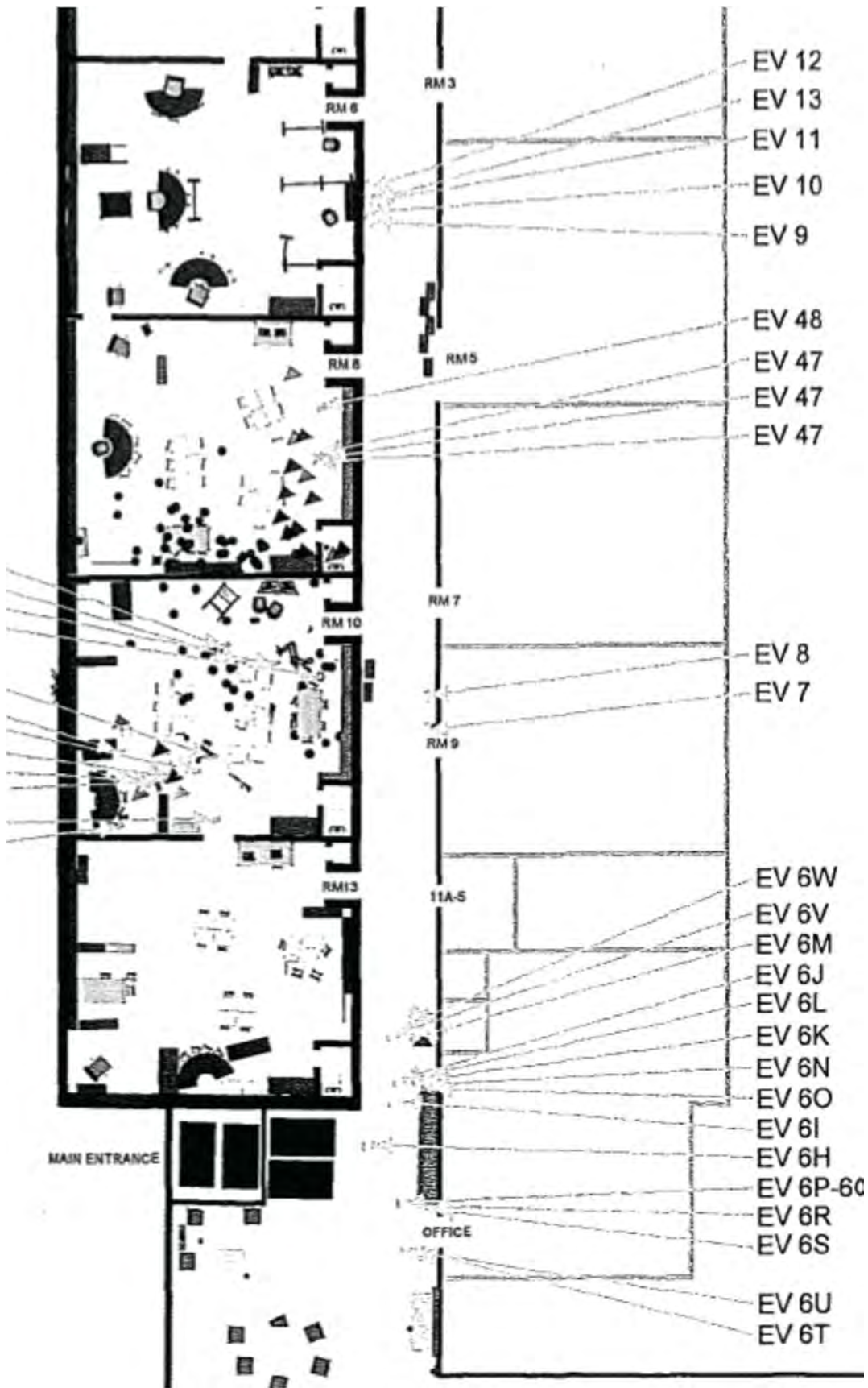
WalkleyPhotos1.pdf Image 16



WalkleyPhotos1.pdf image 23 take note of the walls and door.

It is clear to the casual observer that the area has not been cleaned and there is no evidence of any pools of blood or blood spatter on the walls where Hochsprung and Sherlach were killed. They were shot with high powered weapons and were observed in pools of blood. The area has not been meticulously cleaned as you can see from the dirt on the bottom of the tiles of the walls. Indeed there is no blood residue on the floors from injured people bleeding as they were escorted or carried out of the school. A professional crime scene processing unit would not be responsible for cleaning the crime scene. They would process the scene and then turn it over to a professional bio-hazard crime scene cleaning team. There is no indication that in the 5 days it took to process the crime scene a cleaning team processed the building.

Lets take a closer look at the area and inspect the halls leading to the classrooms where the alleged massacre occurred and see what the evidence indicates.





Tranquilo 61 - Looking down the corridor that the shooter walked to enter room 10 after passing up room 12 which is immediately to the left. Note that the room on the right is room 9 the conference room where the principal, the psychiatrist and the teacher were killed. This is the floor area that is described as having Hochsprung and Sherlach laying in pools of blood. While some evidence of a red substance is present in my opinion, it is not consistent with the statement pools of blood.

There was a blue folder, with the name **01 02** written on it, located on the floor in the hallway west of the storage closet (denoted 11A-5). There were stains consistent with blood-like stains on the floor and east door jamb of the Room #9 (Conference Room) doorway. There was a stain consistent with a contact transfer pattern of a blood-like stain on the inside lower portion of the Room #9 (Conference Room) door. Two swabs of this blood-like stain were seized as Exhibit #89. Sgt. Cario reported to me that the area of this blood-like stain, in the threshold of Room #9, was the location he found a woman, later identified as Natalie Hammond. He placed her in a chair within the conference room until such time as she could be removed from the school for further treatment.

SceneReport Page 16.



WalkleyPhotos1 Image 73 Room 9 where Sgt Carrio picked up victim Natalie Hammond and administered first aid while Mr. Hammond was sitting upright in the chair.



Walkley 663 Room 9 Interior



WalkleyScenePhotos Image 71 - the entrance to room 9 (conference room)



WalkleyScenePhotos Number 428 The door to Room 9.

CONFERENCE ROOM (ROOM #9)

The conference room (Room #9) was located on the south side of the north hallway. The conference room door was located on the opposite side of the hallway and approximately 16 feet east of the entrance door for classroom #12. The conference room was approximately 39 feet east of the lobby. The conference room door, as previously mentioned, was wooden with a large circular window in the upper half of the door.

This window was not covered and the door was not locked. The conference room had a carpeted floor with an oval shaped conference table in the middle of the room. There were laptop computers and iPads on the table, as well as seven (7) paper name tags affixed to metal tag holders on the table. These name tags presumably denote the location of people sitting around this conference table. The name tags around the table denoted the names: 04 [REDACTED], Natalie Hammond (Lead Teacher), Dawn Hochsprung (Principal), Mary Sherlach (School Psychologist), and 04 [REDACTED]. There was a laptop in the area of Mary Sherlach's name tag, and iPads in the area of Natalie Hammond, 04 [REDACTED], and Dawn Hochsprung's name tags. It appeared from documents on the table that this was a Review Session for student 01 02 03 12 [REDACTED].

This room appeared orderly with the exception that there were chairs tipped over on their sides. Two chairs were tipped over in the area of Dawn Hochsprung's name tag located on the south side of the conference table. There were two chairs tipped over in the southeast corner of the room adjacent to a rectangular table with a desk phone on top of it. The desk phone was a hard-lined phone and was on its receiver. There was a tipped over chair in the southwest corner of the room adjacent to a rectangular table. There was a cream colored hard-lined wall phone mounted in the center of the west wall. This phone was on its receiver. There was a chair tipped over on the west side of the entrance door. There was a chair on the east side of the entrance door that was upright and had blood-like stains on it. Sgt. Cario later reported to me that he placed Natalie Hammond in this chair to render her first aid.

SceneReport Page 18 room 9

Classroom 12 Mrs. Riog - Pages 19-21 of the SceneReport.pdf

This room is the first door to the left as the Shooter turned left to proceed down the hall. The scene report simply describes the room and makes no statement that there is any indication that any crime was committed in this room whatsoever.

Classroom 10 - SceneReport.pdf Page 24 (Victims Positions)
Overview of Classroom 10

CLASSROOM #10:

Total Deceased Children (including transported victim: 01 02 03 12): 5

Total Deceased Teachers: 2

Total Surviving Children: 11 (assuming they all were attending school on this day)

Note that this room contained the deceased shooter as well. In my inspection of the photographs I found little evidence of blood being spilled onto the floors of the hallway or tracked on footprints in the hallway outside the door.

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DECEASED VICTIMS LOCATION WITHIN CLASSROOM #10

- 01 02 03 12 was located laying on her back on the floor in the center north side of the classroom between the two clusters of desks. Her head was to the west and her feet to the east. 01 02 03 12 was wearing 01 02 [Clothing was seized from OCME as Exhibit #57]
- **Mrs. Anne Marie Murphy** (d.o.b. 03) #7 [OCME#12-17603] was located on the center west side of the room, west of the northern-most cluster of desks and northeast of the door that provides access to classroom #12. She was positioned face down and partially on her left side with her right arm entirely over the chest of a child later identified as 01 02 03 12 Mrs. Murphy was located partially on top of and along the east side of 01 02 03 12 Her head was to the south and her feet to the north. Her back left side was in contact with the west side of the western-most desk in the northern-most cluster. She was wearing a pink long sleeve sweater, tan top with straps, beige colored slacks, black socks and dress shoes. There was a gold necklace and pair of glasses in her right front pocket. A watch later identified as belonging to Mrs. Murphy was located approximately 3 feet south east of her position. Jewelry seized at autopsy included one pair of dark framed eye glasses, one metal neck chain, two (2) small gold colored hoop earrings, one (1) ring with stones. [Clothing was seized from OCME as Exhibit #65]
- 01 02 03 12 was located on the center west side of the room, west of the northern-most cluster of desks and northeast of the door that provides access to classroom #12. He was positioned face up on his back with both his legs bent completely at the knees and each adjacent to the right

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and left sides of his hips. His head was to the north and his knees were to the south. His left (east) side was partially underneath Mrs. Murphy's right (west) side. Mrs. Murphy's right arm was entirely around the chest of [REDACTED] He was wearing [REDACTED] 01 02 [REDACTED]

[Clothing was seized from OCME as Exhibit #64]

- [REDACTED] 01 02 03 12 was located northwest of Mrs. Murphy and in close proximity to Mrs. Murphy's right foot. [REDACTED] 01 02 03 12 was located near the northwest corner of the room south of the center portion of the semi-circular table. [REDACTED] 01 02 03 12 was observed in a crouched face down position with her left leg bent at the knee and hip and positioned under her left side. Her right leg was bent at the knee and hip and positioned out to her right side. Her head was to the east and her buttocks to the west. She was wearing [REDACTED] 01 02 [REDACTED] [Clothing was seized from OCME as Exhibit #61]

- [REDACTED] 01 02 03 12 was located on the north side of the northern-most cluster of desks, southeast of the semi-circular table. His shoulders and head were underneath the second western-most desk. His head was to the south and his feet were to the north. He was lying on his left side facing west with his legs bent at the knees and hips in a west direction. He was in close proximity to both Mrs. Murphy and Mrs. Soto. Mrs. Murphy was located southwest and Mrs. Soto was located northeast of [REDACTED] 01 02 03 12 [REDACTED] was wearing [REDACTED] 01 02 [REDACTED] [Clothing was seized from OCME as Exhibit #67]

- **Victoria Soto** (d.o.b. [REDACTED] 03 [REDACTED] #10 [OCME#12-17610] was located south of the north wall, between the two small book cases that were positioned parallel to each other and perpendicular to the north wall east of the semi-circular table. She was located approximately 2 feet northeast of [REDACTED] 01 02 03 12. She was observed to be lying on her left side with her legs bent at the knees and hips in an east direction. Her head was to the north and her buttocks was to

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the south. Her left arm was extended perpendicular to the shoulder in an east direction and bent at the elbow in a north direction. She had a long gold colored neck chain around her neck that had her Sandy Hook Staff photo ID attached to it. The ID tag was grasped in her left hand. On the floor adjacent to the east side of her chest area was a set of keys to include a pink flamingo key fob. Mrs. Soto was wearing a green wool scarf, white long sleeve turtleneck sweater, green tank top, "Old Navy" brand blue jeans, black socks with green shamrocks, and calf-length brown colored boots. Jewelry was seized at autopsy to include silver colored with multi-colored leather neck chain with attached "Sandy Hook Staff Photo ID" in the name of Victoria Soto, four (4) rings (three gold colored and one silver colored) and two (2) pearl studded earrings. [Clothing was seized from OCME as Exhibit #55]

> [REDACTED] 01 02 03 12 was reportedly removed from this room at the time of the incident by Newtown Officer William Chapman and transported to Danbury Hospital by ambulance where she later succumbed to her injuries. No clothing evidence from 01 02 03 12 was seized by WDMC. 01 02 was seized at autopsy. (REFER TO DET. COMBES REPORT RELATIVE TO NPD OFFICER CHAPMAN'S STATEMENT-NEXGEN REPORT #00258158).

SceneReport.pdf page 26

Now lets take a look at the photos of room 10



WalkleyScenePhotos1 Image 74



WalkleyScenePhotos Image 96 The above image depicts the following according to Walkley

Photo #96-

Overall view, facing northwest from the western area of the north hallway, depicting the entrance to room marked “#10 Grade 1 Miss Soto”, located on the northern wall, west of the room marked “#8 Grade 1 Mrs. D’Amato”, of the north hallway of Sandy Hook Elementary School, located at #12 Dickinson Drive in the Town of Sandy Hook (Newtown), Connecticut; as found by members of the WDMCS.



Walkley Image 547 - The illuminated entrance to Room 10

Photo #547-

Overall view, depicting the entrance to the room marked “#10 Grade 1 Miss Soto”.

CARPET and OTHER OBSERVATIONS

There were numerous furrow holes consistent with bullet holes in the carpet area in the northwest quadrant in the area of the deceased victims and in most cases in an area that was under the victims. This carpet was cut and pulled back in an effort to recover any remaining lead projectiles with no projectiles located. A 14 feet 2 inches (east to west) and 11 feet 7 inches (north to south) section of carpet was cut from a point adjacent to the west wall with the northwest edge of the cutting approximately 5 feet 9 inches south of the north wall. The projectiles had in each case, penetrated through the carpet, through the tile located under the carpet and into the concrete flooring. The holes in the carpets and very few bullet holes in the west wall or north windows and bookcases, 03 12

Evidence of soot, charring and muzzle blast in the area of the bullet holes and of the clothing material of the victims' also indicates that many of these rounds of ammunition were shot 03 12. Holes and damage consistent with bullet strikes/holes were document as BH #18 thru #28 from within classroom #10. **(The locations of these bullet strikes labeled BH#18 thru BH #28 were measured into a sketch map for documentation by the CSP-CARS UNIT. REFER TO THE SKETCH AND ASSOCIATED REPORTS COMPLETED BY THE CARS UNIT).**

Scene Report page 35 Carpet Report does not mention blood.



Tranquilo image 64 - the hallway outside of Room 10



Tranquilo 65 - The entrance to room 10.

Room 8

Now lets inspect the carpets in room 8.

DECEASED VICTIMS in Classroom #8:

The deceased children of classroom #8 were originally located by CSP-Sergeant William Cario to be inside the bathroom with the bathroom door in the fully opened position. The bathroom door opened in a south direction into the bathroom with the hinge on the east side. Six (6) photographs were taken by CSP-Trooper Carlos

SceneReport.pdf page 38 indicates that the deceased children were located in the bathroom.

Guerrera at the time Sgt. Cario was checking the victims for signs of life. These six (6) photographs were seized as Exhibit #51. These photographs depict the children victims within the bathroom and the two (2) adult female victims, later identified as **Rachel D'Avino (d.o.b. 03 [OCME#12-17609] and Lauren Rousseau (d.o.b. 03 [OCME#12-17606])** located adjacent to the north side of the bathroom door on the floor against the cabinets under the sink in the southwest corner of the classroom.

From the photographs depicted of Sgt. Cario, he can be observed checking for signs of life in the photographs seized as Exhibit #51. It appears from the photographs that [REDACTED] 01 02 03 12 was close to the door of the bathroom. [REDACTED] 01 02 03 12 was observed to be close to the door and east of the toilet. [REDACTED] 01 02 03 12 was observed along the east side of the bathroom. [REDACTED] 01 02 03 12 was observed west of [REDACTED] 01 02 03 12 and east of the toilet. No other children's locations were identifiable from these photographs.

Sgt. Cario removed twelve (12) of the fifteen (15) children from the bathroom. One (1) child [REDACTED] 01 02 03 12 was transported to the hospital. The eleven (11) others were placed on the floor of classroom #8. Three (3) children remained within the bathroom. The two (2) teachers remained in their original found position. Crime Scene Photographs taken by Det. Walkley and Det. Tranquillo depict the scene as it appeared after Sgt. Cario had removed most of the children from the bathroom. Sgt. Cario reported to me that the children that were positioned farther away from the bathroom were the ones he removed last and the children closer to the bathroom and in close proximity to the teachers were removed first. The deceased children were spread out by Sgt. Cario in an east direction over an area of 21 feet from the west wall and 9 feet from the south wall in an effort to find survivors and check the children for signs of life.

There were three (3) children left in the bathroom after checking for signs of life. These children were [REDACTED] 01 02 03 12 was located slumped to the floor in a seated position partially on her right side on the south side of the toilet [REDACTED] 01 02 03 12 was located, adjacent to the southwest corner of the bathroom, in a standing position and bent over the south side of the toilet. [REDACTED] 01 02 03 12 was located in a seated position with her back against the west wall on the north side of the toilet. (REFER TO SGT. CARIO'S NEXGEN REPORT #0026724 AND SGT. COVELLO'S NEXGEN REPORT #002530-relative to Exhibit #51-TFC. Carlo Guerra's six (6) photographs)

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DECEASED TEACHERS OF CLASSROOM #8

- **Rachel D'Avino** (d.o.b. 03 [REDACTED]) #23 [OCME#12-17609] was in a crouched position; face down with her head in a south direction against the west bathroom door jamb and partially inside the bathroom. Her right leg was positioned fully bent at the knee and hip and positioned under the right side of her torso. Her left leg was bent at the hip and knees and positioned on the east side of her body. Rachel D'Avino was wearing a black, grey and white short sleeve sweater, white shirt with straps, black jeans and white socks and New Balance brand grey and pink sneakers. Jewelry seized at autopsy included two (2) silver colored earring studs. [Clothing seized from OCME as Exhibit #68].
- **Lauren Rousseau** (d.o.b. 03 [REDACTED]) #22 [OCME#12-17606] was located to the north side of Rachel D'Avino. There was a grey plastic waste paper basket and a blue plastic recycling paper basket adjacent to the northeast side of the lower cabinets under the sink in the southwest corner of the room. Lauren Rousseau was positioned lying on her back partially on her right side with her feet pointed in an east direction and her head in a south direction. Her shoulders were against the grey plastic waste paper basket and her head was on the left buttock of Rachel D'Avino. Lauren Rousseau was wearing a grey and white herringbone patterned long sleeve sweater, grey top with straps, blue jeans, grey and blue argyle socks, and black leather zip up boots. She had her Sandy Hook staff photo identification on a lanyard around her neck. Jewelry was seized at autopsy to include Vera Bradley brand multi colored neck lanyard, "Sandy Hook Staff Photo ID" in the name of Ms. Rousseau, Pandora-like charm bracelet, one gold colored wrist watch, one silver colored ring, one pair of dark framed eye glasses. [Clothing seized from OCME as Exhibit #59]

There was a large amount of blood-like stains on the east side of the cabinets under the sink in the area Lauren Rousseau and Rachel D'Avino.

Scene Report Page 40

Prior to processing, one (1) child was removed from the bathroom of Classroom #8 by Det. Patrick Dragon and transported to Danbury Hospital where he later succumbed to his injuries.

Scene Report Page 42

One (1) child [REDACTED] 01 02 03 12 survived the shooting within the bathroom of Classroom #8 and was removed from the school prior to processing. Reportedly [REDACTED] 01 02 03 12 was removed from the school by Newtown Police Officer Leonard Penna (Refer to Tpr. Combes' Nexgen Report #00258036)

CLASSROOM #8:

Total Deceased Children (including transported victim: [REDACTED] 01 02 03 12): 15
Total Deceased Teachers: 2
Total Surviving Children: 1

Scene Report Page 43 -

Spatter of blood-like substance in bathroom of classroom #8

As previously mentioned the bathroom was located within the classroom in the southwest corner of the room. This bathroom was measured to be approximately 4 feet 7 inches east to west and 3 feet 1/2 inch north to south. This bathroom contained only a toilet. The toilet was on the center west wall positioned eastward. There was a large plastic circular toilet paper dispenser affixed to the south wall, from 2 feet 1 inch to 3 feet 3 inches from the floor and 1 foot 10 inches to 3 feet from the west wall. The bathroom door entrance was located on the east side of the north wall of the bathroom. The bathroom door was solid wood (no windows) and had a door knob with a push button locking device on the inside knob. The exterior knob had a key lock that could be used to unlock the door. At the time of processing, this door knob was in the "unlocked" position. As previously mentioned, this bathroom door opened inward and was hinged on the east side. The doorway was approximately 2 feet 3 inches wide and 6 feet 7 inches high. The bathroom had 4 inch square brownish colored tile from the floor to a height of 4 feet around the walls of the bathroom. The rest of the wall was white painted cinder block from the tile (4 feet height) to the ceiling (7 feet 10 1/2 inches). Each cinderblock was approximately 1 foot 8 inches wide and 8 inches tall.

All the walls, the floor and ceiling were covered in a blood-like substance [REDACTED] 03 12

The east wall of the bathroom had a distinguishable void pattern that was measured to be approximately 2 feet 3 inches wide (width of door). The exterior side of the bathroom door had a substantial amount of blood-like substance while the interior side of the bathroom door was clean. The void on the east wall and the blood-like substance on the exterior side of the bathroom door were consistent with the door

Scene Report Page 43 - Bathroom measuring 4'7" by 3'6" with a toilet on the center wall contained approximately 15 children. All but one were declared dead.



Photo #566- Overall view, facing north from the southeastern area of the room, depicting the northeast area of the room, after the established quadrants had been laid out in the room marked “#8 Grade 1 Mrs. D’Amato”.



Photo #567-

Overall view, facing west from the northeastern area of the room, depicting the northwest area of the room, after the established quadrants had been laid out in the room marked “#8 Grade 1 Mrs. D’Amato”.



Photo #570-

Overall view, facing east from the northwestern area of the room, depicting the northeast area of the room, after the established quadrants had been laid out in the room marked “#8 Grade 1 Mrs. D’Amato”.



Photo #574-

Overall view, facing northeast from the southwestern area of the room, depicting the northeast area of the room, after the established quadrants had been laid out in the room marked “#8 Grade 1 Mrs. D’Amato”.



Tranquilo 200 - This is the interior of Room 8.

There is not enough blood on the floors to convince me that the events took place as described.

As we venture further down the hallway we find that the shooter would have had to travel the corridor to enter Room 4 at the end of the hall on the left.



Tranquilo 75 - The view from room 5 (right) looking down the hall toward room 4 which would be at the end of the hall on the left where a shotgun slug was recovered from the floor. What happened to the children in this room? I have seen no explanation for this in my review of the materials. I would like to mention that I have not completed my review of all materials at this point.



Photo #739-

Distant view, facing northwest from the southeast area of the room, depicting the location of **Exhibit #99**, one (1) blue colored Tactical Rifle slug 12 gauge, 70mm, 2 ¾ ", located on the south central area

To satisfy my concerns, I would like to see all crime scene photographs in their unredacted form with metadata present in order to make a final report. However, at this point, I stand by my original analysis that the blood evidence does not appear consistent with the events as they have been described.

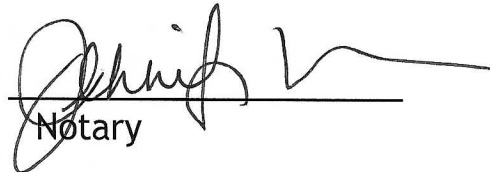
At this point in time my position is that the evidence appears to be more consistent with the alternative account of a FEMA exercise presented as mass murder to promote gun control.

Signed



Brian Davidson
Panoramic Investigations A17936

SWORN TO and subscribed before me on this 28 day of Oct. in the year of 2022.


Notary

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