

INTRODUCTION

TO

my CASE

My name is Daniel O. Conahan Jr. I am a gay white male forty-five years of age. I have recently been found guilty of the murder of a young man named Richard Montgomery here in Punta Gorda Florida. The guilt phase of my trial started 8-9-99 and lasted about a week. The sentencing phase of my trial started on 11-1-99 and lasted about a week where I have been given the penalty of death. The local law enforcement agencies have made it quite clear to the public for over the past three years that they believe I am a serial killer and responsible for the death of Richard Montgomery as well as five other bodies found from 1993-1996 in northern Charlotte county and in southern Sarasota county here in southwest Florida. All the bodies were found in different stages of decomposition and in isolated areas. These deaths were investigated by a tri-county task force consisting of detectives and

support people from Charlotte, Sarasota, and Lee counties headed by case agent Ricky Hobbs, accompanied by the F.D.L.E (Florida Department of Law Enforcement), and the State Attorneys office here in the 20TH circuit court of Florida. I sat from July 3RD 1996 to August 9TH 1999, over three years under the same information before going to trial. Seven months for the attempted murder of a Mr. Burden. Mr. Burden stated that on 8-15-94 I had tied him to a tree under the guise of taking nude pictures, then tried to strangle him to death. This is not so, Mr. Burden is a self-admitted habitual liar, has stated this in police interviews, as well as his testimony in court and further stated he could pass a lie detector test because he is a habitual liar. Mr. Burden said he saw me driving in an area of Ft. Myers known as a place where male prostitutes hang out, called Lions Park. Mr. Burden said he saw me driving around

that area at approx. 5:30 A.M., 6:30 A.M., 11:00 A.M. and 12:00 P.M. on 8-15-94. This is impossible since I was in a clinical school day in my L.P.N. class from Charlotte Vo-Tec, at 5:45 A.M. to 1:45 P.M. in a hospital in Ft. Charlotte Florida, well over an hour drive to Ft. Myers. Mr. Burden is currently serving a 10-25 year sentence in another state for child molestation. In one of his three inconsistent police interviews taken by detectives at prison, of Mr. Burden, the detectives come right out and tell Mr. Burden, "You scratch our back and we will scratch yours". All charges for the attempted murder of Mr. Burden were dropped by the State on 2-28-97 in Ft. Myers and I was then charged with the murder of Richard Montgomery on the same day, 2-28-97 here in Charlotte county. Mr. Burden was then used as a witness by the State in the guilt phase of my trial. From 2-28-97 I had to wait approx. another two and a half years until I was taken to trial on 8-9-99. I told the judge and my

attorneys I wanted to be taken to trial much sooner, I wrote my own motions in an effort to bring myself to trial within a reasonable time as provided by the Florida Rules of Criminal Procedure on State and Federal Constitutional grounds. The circuit court here denied all of the motions I filed stating, I was provided with court appointed counsel who would not adopt my motions and therefore I had no rights to be heard in any matter regarding my case except through my attorneys Mark Ahlbrand and Paul Sullivan. At one point Paul Sullivan out-right told me "it doesn't matter what you want done in your case". My attorneys did whatever they wanted to in my case, whenever they wanted to, and have had no regard for what I wanted done or when I wanted it done. Only my attorneys would be recognized by the court. Clearly my rights to due process and a speedy trial were violated by Fla. criminal rule on State and Federal

Constitutional grounds, I have now exhausted all my state court remedies for the violations of my speedy trial status, at the circuit court level, on appeal at the Florida State Middle District Court and Florida Supreme Court levels, I am now seeking relief in the Federal Courts for violations of my due process and speedy trial rights as should be provided and are personal rights to all citizens of every State of the United States. My attorneys just handed me over to the State at trial. I might as well not have had any representation at all. My attorneys had held back on cross-examination of State witnesses. Vital witnesses my attorneys said would be called by the State and or the defense were not called to testify. Only three witnesses and myself were called by the defense to testify much to my surprise. My attorneys then rested my case, I couldn't believe it but there was nothing I could do. My attorneys led me to believe State witnesses would be

ould be called back to testify and numerous other defense witnesses would be called to testify. This was not done. I had been held in jail for over three years waiting to go to trial and my attorneys only put on a 45 minute defense at most in a capital case where my very life is at stake, for crimes I did not do. For over three years this case had been tried in the news media by the State and investigative agencies. During a bond hearing in my case the State out case agent Ricky Hobbs on the stand before the Judge, in a court of law to testify as to why I should not be allowed a bond. On cross-examination by my attorney Brian Boyle at that time, case agent Ricky Hobbs was asked if any reports concerning forensic evidence, blood, hair samples, car sweepings and items seized from the condo. and cars pursuant to search warrants had returned. Case agent Ricky Hobbs stated that no reports on any of these had returned

from the labs. Case agent Ricky Hobbs stated this on three occasions during his testimony in court. In fact case agent Ricky Hobbs had recieved over sixteen reports back from verious labs, all with favorable results for the defense. Several weeks before my trial was to start case agent Ricky Hobbs approached the judge in my case, Judge Ellis, outside of court where they engaged in an inappropriate conversation about my case. Because case agent Ricky Hobbs has tampered with evidence and witnesses, altered witnesses statements and lied in court under oath when he repeatedly denied that any reports had returned from the police labs, I had ~~no~~ ^{no} way to know what was really discussed between Judge Ellis and case agent Ricky Hobbs. The defense then filed a motion to have Judge Ellis remove herself from my case, by pointing out for the second time by motion, to the court and State, case agent Ricky Hobbs criminal actions in my

case. Judge Ellis did remove herself from my case. Because of the great amount of publicity in the news media about my case over the past three years, I discussed the possibility of a bench trial with my attorneys. On the advise of counsel I chose a bench trial. I was told the only difference between a bench trial and a jury trial would be a judge, rather than a jury, would decide my case. This was not true and by the time I realized how I was manipulated by the state and my own attorneys it was too late. The defense had rested. I have been accused for over three and a half ~~in~~ years in the news media by the police ~~and~~ and the state of being a serial killer responsible for at least six deaths and now I have been found guilty of the death of Richard Montgomery.

The state says I offered money to guys to pose nude for pictures tied to a tree at which time I would strangle the victim. I have been accused of mutilating victims by removing their genitals and or

dismembering the victims body. This is not true! Not one speck of blood, not one hair, not one fingerprint, no D.N.A., no sperm, not one picture, not one cutting instrument(s) that was used or believed used on Mr. Montgomery or any of the other bodies has been found, not one eye witness to any of the murders was found, not one eye witness can place me with Mr. Montgomery or any of the other victims at any time. Not one item that was or may have been Mr. Montgomery's or any of the other victims has ever been found in any of the searches of the condo., cars, boat, or any of my friends houses. Since the police came up empty handed in their search for evidence their official response was not, since we can't find anything, Mr. Conahan may be innocent, on the contrary, the police and State said, "since we can't find anything Mr. Conahan must have it hidden some place like a U-Store it place". The police literally checked out almost all the U-Store it places in Florida and

found nothing. To this day the investigative agencies and the State say I must have a hiding place for the things I am suppose to have and the things they are looking for. I do not! What the State did present as evidence, is one small paint chip the size of a $\frac{1}{4}$ of a pinky fingernail. The paint chip was not documented, yet shows up in an envelope ~~with~~ submitted to a F.D.L.E. lab containing combings from ~~of~~ Mr. Montgomery's pubic area. That paint chip was found to be consistant with the dark blue paint of the Capri. In her deposition Mrs. Taylor the States paint chip expert stated she could "never" say the paint found in the combings of Mr. Montgomery was from the Capri. The state also presented five fibers out of hundreds and hundreds of fibers from the vacuumings of the Capri and Condo, that were found to be consistent with one fiber found on Mr. Montgomery's body and four fibers found on the sheets and towels that were used to cover and transport Mr. Montgomery's body. In

her deposition Paula Sauer, the States fiber expert stated she could "never" say any of the fibers found in the vacuumings of the Capri and condo. matched or came from the same source with the fibers found on Mr. Montgomery's body or the sheets and towels used for transport. All vacuumings from the condo, and cars were collected initially by investigators from C.C.S.O. (Charlotte County Sheriff's Office), under the direction of case agent Ricky Hobbs and were turned over to case agent Ricky Hobbs. A fuzzy ball the size of a cantalope was retrieved by vacuuming the Capri. This from a ~~twelve~~ twelve year old car that was not cleaned or vacuumed very often. That had been driven by many people such as my Mom, Dad, sister, myself, mechanics, previous ~~own~~ owners, etc., with fibers spanning twelve years of use. The same would apply to my parents condo, in that I lived there with my parents, between us all there are three large closets full of all kinds of clothes, three large triple dress-

ers full of clothes, carpets, drapes etc. adding up to hundreds and thousands of fibers. All the State did was to look for specific similar fibers not listing all the other types of fibers in the vacuumings of the Capri and condo. The State did not retrieve vacuumings from the trailer Mr. Montgomery lived in or any of the other trailers he was known to have been at the day/night he was murdered. Those consistent fibers and more may have been retrieved in any or more of those trailers. There were no control vacuumings taken to compare with the vacuumings from the condo. or cars of ours. I asked my attorney Mark Ahlbrand to get vacuumings from the above mentioned trailers several times. Mr. Ahlbrand told me he sent my co-counsel Paul Sullivan and my private investigator Bill Clement to retrieve the vacuumings I requested, only to find out later that my attorney had lied to me and in fact had never sent anyone to retrieve vacuumings from any of the

trailers. By then it was too late since most of the people in those trailers had moved or the trailers had been remodeled. I asked my counsel over and over to get an independent fiber expert to testify on the behalf of the defense, to review & interpret the States fiber analysis. My counsel would not do this and since I had no direct access to the court (because the court would only address my attorneys) there was nothing I could do. The same applied when I asked my counsel for an independent paint expert. For these reasons my defense was greatly impaired. It was also obvious at this point that my counsel did not have my best interest in mind. An unspecified body fluid was found on a hair from Mr. Montgomery's nude body that did not match my D.N.A. nor was the fluid of Mr. Montgomery's D.N.A. although the hair the fluid was found on was Mr. Montgomery's. My Attorney Mark Ahlbrand told me the State said the body fluid was probably sweat.

from one of the detectives when they bent over Mr. Montgomery's body. The state would not pay for the D.N.A. screening of the detectives or any of the people that had been with Mr. Montgomery before he died. Yet the investigative agencies and state have spent over six million dollars to take me to trial. Contrary to the Florida Rules of Criminal Procedure the defense became aware of vital information withheld by case agent Ricky Hobbs and the state concerning Mr. Montgomery's uncle, a Mr. James Baumann. A former Charlotte county corrections officer, Terri, contacted my private investigator Bill Clement. She asked in her call on 8-29-98 if he had heard of a James Baumann. It seems that Mr. Baumann was a principle in a murder case involving a man, Mr. Reemers, who had been brutally murdered in an area similar to and mutilated in a similar manner as Mr. Montgomery was, here in Charlotte county. According to Terri, Mr. Reemers

penis had been severed and Mr. Baumann apparently participated in the mutilation. Mr. Baumann had received immunity for his testimony about the murder and concerning the other co-defendants in that crime. Mr. Baumann died on 8-30-98 one day after Terri notified the defense about Mr. Baumann. Mr. Baumann was known to live in the Tropicana apartments, a low income transient apartment complex, and Bee Holms Bait Shop, both in close ~~near~~ vicinity to each other. Holms Bait Shop was then used as a place where transients lived. Three of the six murder victims can now be associated with Bee Holms Bait Shop. At one time they lived and or hung out there according to the police. Holms Bait Shop was the first place Mrs. Montgomery (the victim Mr. Montgomery's mother) went to look for ^{her} son when he did not show up at home the next day. Mr. Baumann is Mrs. Montgomery's Brother. Terri also stated she had contacted case agent Ricky Hobbs and had notified him of Mr. Baumann

several weeks after Mr. Montgomery's death. It was approx. two years after I was arrested when I found out about Mr. Baumann, the uncle of Mr. Montgomery and his involvement in the uncanny similar mutilation murder. Again, case agent Ricky Hobbs and the State with-held this information from the defense and by the time ~~the time~~ the defense knew of Mr. Baumann, he had died. The defense never had a chance to question or depose Mr. Baumann. It is now quite clear why case agent Ricky Hobbs with the knowledge and approval of the State has tampered with witnesses and evidence, altered witnesses statements, with-held the information about Mr. Baumann, and perjured himself under oath in a court of law to keep out favorable evidence for the defendant, is because the State and investigative agencies made a joint decision to criminally engage in these actions when and where needed in order to hide the fact that they had

let the real murderer, Mr. Baumann, the uncle of the victim in my case go on a plea bargain and as a result were directly responsible for those six deaths. I have documentation to support the accusations and statements I have made. I believe this case has taken on a life of its own and no one really wants to hear the real truth after three and a half years of trying this case in the news media by the State and investigative agencies here in S.W. Florida. All everyone ^{wants} is to see who they believe and have been led to believe is a serial killer to be put to death in what has become a serial killer frenzy here in S.W. Florida. Case agent Ricky Hobbs has access to all of the evidence in this case to include the vacuumings of the Capri all contents of the Capri, peeling paint from the Capri, vacuumings and contents from the condo. in which the defendant lived. Case agent Ricky Hobbs has handled and touched crucial evidence such as a coat (17)

ound near the crime scene and carpet
adding found covering Mr. Montgomery's
dy. Similar actions by case agent Ric-
Hobbs reach back to 1992 when a Mr.
rejoy claimed detective Ricky Hobbs tam-
ed with a tape recording of a police
terview conducted by detective Ricky
Hobbs. The tape was sent to the F.B.I.
analysis. Assistant State Attorney
al Alessandrone stated in his report
at "the F.B.I. report tended to corro-
rate Mr. Popejoy's assertion that the
re had been altered or tampered
th." Mr. Popejoy was then offered and
epped a deal and there was no trial.

the guilt phase of my trial key wit-
esses for the State perjured them-
ves under oath with the States know-
ge, to implicate me with the death
Mr. Montgomery. One of these wit-
esses is the victims mother Mrs. Mary
Montgomery West. Mrs. Montgomery
ified that her son had told her
t a Mr. Conahan had asked him
ose for nude pictures in the

woods in bondage and wanted to pay him to do so. Mrs. Montgomery stated she remembered the name Conahan because at the time she talked to her son she had thought that the name was similar to the name of some friends of her family by the name of Conagan. Mrs. Montgomery continued in her trial testimony to state she told the police this in her police interview on 4-18-96 two days after her son had been killed. The statement Mrs. Montgomery said she told the police is not reflected in the transcript of her police interview. When asked about that Mrs. Montgomery said ~~the~~ it was at the point where the transcript shows an inaudible. I asked my private investigator Bill Clement a former Charlotte County Sheriff detective to the State Attorneys office to listen to the tape of Mrs. Montgomerys police interview. Although the tape was of poor quality and was a copy of a copy, (the police would not ①)

let Bill Clement listen to the original
tape). Bill Clement stated the content
of the tape of Mrs. Montgomerys police
interview did not reflect what Mrs.
Montgomery testified to in court. If
Mrs. Montgomery had told the police
her son Richard had been asked by a
Mr. Conahan to pose for nude pic-
tures tied up, it would have been
all through my case paperwork and
the State would have brought it up
at trial. The State did not. I asked
my attorneys to play the tape in court.
They refused to play the tape. The second
key witness to perjure under oath in
court was Wittaker. Mr. Wittaker testified that
I had come to his trailer looking for
Richard Montgomery after first going
to Mrs. Montgomerys sisters trailer
looking for Mr. Montgomery at which
time Mr. Montgomerys sister sent
me to Mr. Wittakers trailer to find
Mr. Montgomery. Mr. Wittaker said he
told me Mr. Montgomery was "not there" (20)

and I left. This is not what Mr. Wittaker stated in his third police interview or his deposition in which he was also under oath to tell the truth. What Mr. Wittaker did say in his third police interview was that I came to his trailer looking for Mr. Montgomery after first going to Mr. Montgomery's sisters trailer. That Mr. Montgomery "was" there and Mr. Montgomery and I "talked" for about forty-five minutes because we had not "seen" each other for a while. Mr. Wittaker further said in his third police interview that I also came to his trailer on "two" other occasions where I "met" and "left" with Mr. Montgomery. One time Mr. Wittaker said Mr. Montgomery and I were gone about an hour and the other time Mr. Wittaker said Mr. Montgomery and I were gone a short time. Both times Mr. Wittaker stated Mr. Montgomery and I came back with beer. In Mr. Wittakers deposition taken after his third police inter-

view, Mr. Wittaker was asked how many times Mr. Conahan had come to his trailer looking for Mr. Montgomery. Mr. Wittaker replied, "truthfully, I can remember only one time, the initial first time but Mr. Montgomery was not there." Mr. Wittaker went on to say in his deposition that he had never seen Mr. Montgomery and Mr. Conahan together at any time. Mr. Wittaker then stated there was a mix up & it was "some-one else" he was thinking of. Against my request my attorneys refused to question Mr. Wittaker about these statements at the guilt or penalty phase of my trial. At the guilt phase of my trial both Mr. Montgomery's sister, Carla and her ex-husband Jeff both testified that they did not know me or nor have they ever seen me before. The third and last key witness to perjure under oath with the States knowledge was John Neuman.