

Thoughts and Overview

Mark Crawford

? The first I heard of the murder was, I'm guessing, six weeks later - not exactly sure on this - but I am sure that the news came from my pilot, Mark Phillips. To say I was stunned would be an understatement, but to find out that it was Nick Brueggen was a real kick in the groin. I instantly remembered a conversation that had taken place in Houston a month or so earlier discussing this very thing, and I knew that I was at least, in part, guilty of whatever had happened. I called Mike Beckcom and he confirmed that Brueggen's body had been found in a shallow grave behind the warehouse, but little else, since we were on a cell phone!

I will say here something that has never been said to anyone outside of one person whom I will keep anonymous...I had been a Mayor and in that capacity had come to know personally several Law Enforcement Officers - so in my panic, I called one of those I considered a friend. I was told that they, the cops, had a witness who had given information saying that Beckcom and I had committed the murder. Since I was at that time in New York on business, we agreed, that I should stay put for a few days until that person could get more details. I will reiterate that I was afraid, because, as I have already stated, I had had prior knowledge of the crime, though I did not believe it to be a credible threat at the time it was made, I none the less had been made aware of the possibility.

I next called my wife and was told that the FBI had been at my moms and wanted to talk to me, she then gave me the phone number they had left - I called the agent at hand and we talked. I will say that in my mind he was very evasive in answering my questions, he would probably say the same about me, and then he asked me where I was at and that scared the hell out of me, so I told him that I was on my way back to Texas and would call him as soon as I arrived. I hung up the phone, called home and was told that Beckcom had been arrested; I knew then that what I had been told earlier about the murder had been correct. I knew that I was next.

I decided to leave New York and began the long drive back to Texas, but inside I was sick to my stomach because all I could hear were the words "Where are you, now?" and paranoia set in and I began to cringe every time I saw a cop car on the highway, fearing that I would be arrested before I could make it home.

I decided to stop in New Orleans with the intentions of going to my step-mothers place to make a few phone calls, but we had been out of contact for a couple of years and so I was unsure of her address at that time. With that dilemma I decided to grab a pay phone and give her a call, so pulled over on the old Chef highway where I spotted a pay phone, pulled over and parked my car in front of an auto detail shop. I then walked over to the pay phone and began to look through the local directory. While this was happening one of the guys at the detail shop came over and complimented me on my car and asked if he could detail it out for me...I said "yea go ahead" and handed him the keys.

As he turned to walk away I glanced down the street and saw a cop car slowly cruising by and looking directly at my car - a red Mercedes convertible with Texas license plates. I watched as he took a double look and attempted to cross from the outer lane and into the lane closest to the entrance to the detail shop, but due to the bumper to bumper traffic and his late decision in the matter he was unable to do so, but I knew that he would speed ahead and make the turnaround and charge back- so I hung up the phone

This my recollection of what I remembered happening.
Mike used this to build his legal Brief. @ 10/6

and walked away from my car, my life and all intentions of turning my self in; in that one instant my life changed yet again.

I will add here that in my trial the Feds had a different version of how they found my car, but trust me, I was there, I know better.

I didn't know what to do after leaving my car so I made my way back to Mississippi where I had friends- and one of them put me up in a trailer to hold up in until I could figure out what to do. I was there close to a month.

At this time my father was working for a Carpet Mart store near where I was held up, so I waited a few weeks and then called him and was told that he had a newspaper from Corpus Christi that had the whole story of my case on the front page. Him and I made arrangements for him to leave it somewhere so that I could get to, he did and I, for the first time knew all the details as the to who, when and how; it looked bad, real bad.

As I sat in my trailer I contemplated what I had read and "read-in-to" the newspaper article. I wrote down all possible excuses, truths and any possible lies I could tell to exonerate myself. I was very frustrated and in that frustration scribbled in big letters across one of the pages "I'm not guilty."

After a couple of weeks of contemplation I convinced myself that even though I could not exactly remember what I was doing on May the 6th, I felt like there would be ample ways to prove that I did not commit this murder, so I called one of my family members and asked them to come to Mississippi and pick me, so that I could hire an attorney and turn myself in. That person was afraid however, and so I had to ask someone else to come and pick me up, making it abundantly clear that I wanted to turn myself in, but that person had legal problems of their own and in an effort to keep themselves out of jail, told the cops where I was. I was arrested on the 13th of July, 1996 in a Mississippi trailer park. Three days later I was extradited back to Texas to be formally charged with the murder of George Nicholas Brueggen.

While being transported back to Texas by the local Sheriff and one Texas Ranger Oscar Rivera, it was a quiet flight as not a word passed between us, until I looked at the Ranger and said "I'm not guilty." Rivera then asked me questions concerning the case, one of which was to inquire if Frank Boccacchio was involved in any way. Off handedly I replied that Frank had nothing to do with this. I said this because I was privy to what had been said in a Houston restaurant concerning killing Brueggen. However, later in trial, Rivera would use that comment to the benefit of the Prosecution by implying that "if" I knew that Frank was "not" involved then I myself must have been. For the record let me add that Ranger Rivera, under oath, claimed that no other questions were asked of me while we were on that flight back, but he lied under oath; because he did ask me ONE other question, this is what it was. "If this is Mike Beckcom's deal, you'd better tell me now!" I didn't answer him, because I had been raised with my fathers convict code, and I wasn't going to say anything. No other conversation took place.

In July of '97 with Bill May as my attorney I went to trial in Rockport Texas for the first time in State Court. At this trial, the State Prosecutor, Anita Roarke, presented as her two main witnesses, Mike Beckcom who had worked for me (yeah the same one I refused to help the police against) and a friend of his named Kirk Johnson. Johnson was the original undisclosed witness that I had heard implicated me early on while I was in New York. In a nutshell this is what Johnson's first story to the cops sounded like.

UP / Cops have a recording confirming this.

THIS 91 DOESN'T COM ACROSS AS CREDIBLE

→ I'll EXPLAIN WHAT I THINK HERE

MAKES YOU → GUILTY

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Johnson said that Beckcom had called him and asked him to help him "sit on a guy." He agreed and claimed to have met Beckcom in Houston on the evening of May 5th and that in the morning he and Beckcom woke up, stopped at the office where Beckcom paid his rent and then drove to Corpus Christi where they met Nick Brueggen, who was flying in from Houston to meet me. He added that while they were at the airport in Corpus waiting on Brueggen's flight, that Mike had his boots shined and that he, Johnson, bought a magazine to read while waiting. He said that the three of them then drove the thirty-five minutes to the warehouse in Rockport Texas, to meet me. At the warehouse Johnson said that he and I then "drew down on Brueggen, cuffed him and then put him inside of a metal toolbox" where he was later asphyxiated by the exhaust fumes from Beckcom's SUV. Johnson added that he did not know who buried the body behind the warehouse.

POINTS OF INTEREST:

Between their eleven o'clock arrival and the 4:55 p.m. time of death, Johnson said that he, Beckcom and I went to Wall mart and bought some things, most importantly, a pair of bolt cutters, some duct tape and a garden hose. He testified that they used the tape to tape up the open edges of the metal box so that it would hold the exhaust fumes; he testified that the garden hose was taped to the exhaust of Mike's truck; he testified that because the garage door had had a padlock on it, that we had to use the bolt cutters to cut the lock so that we could back Beckcom's truck up inside the warehouse; the cut padlock was found on the floor next to the garage door.

Also, in my State trials Bill May made the point that there was no way that Beckcom could have paid his rent, and then driven to Corpus in time to pick up Brueggen at ten am, its two hundred miles from Houston to Corpus Christi.

← STICK WITH
LAST NAMES
I HAD TO
GO BACK TO
FIGURE OUT
WHO "MIKE"

PROBLEMS WITH THIS TESTIMONY

A) Due to the fact that the murder was not reported for five to six weeks the surveillance tapes at Wal-Mart had been re-recorded over, a normal cycle of about a week, there was no definitive proof about who exactly had gone to Wal-Mart to purchase the items Johnson alleged were used in the murder. However, being that I had been a Mayor and that my wife had herself worked at Wal-Mart prior to me starting my own business, people knew me there and as luck would have it, the lady on the register who rang up the afore mentioned items, knew my wife personally and stated that she did NOT see me there that day, nor could she actually remember the last time she had seen me.

B) When the crime scene photos were taken of the warehouse lots of things were photographed; some of those things photographed was the afore mentioned pipe and satellite dish. More importantly however, was that those Crime Scene Photos clearly showed a stained half roll of duct tape on a tool shelf, and a garden hose in the back yard, and Bill May masterfully made the point that I would not have had to go to Wal-Mart to buy things I already had on hand. It was big! To further this point Mr. May put on the witness stand my mechanic, who testified that the key to the padlock on the garage door was kept IN the warehouse on top of the fuse box, that way we could ALL (to include me) get in and out of the warehouse at our leisure. Of course Mr. May made the point

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also that I wouldn't have had to go to Wal-Mart for bolt cutters, to cut a lock, I had a key to.

C) The police contended in the Rockport trial that Johnson told his story with tearful remorse. Johnson was also asked to describe me which he did as a guy named Mark Thompson or Mark Johnson, not sure which but it was one or the other, he didn't even know the name of a man he supposedly spent the day killing someone with, and he described me as a big guy with a cold blooded stare. The point that needs to be made here is that Johnson is five eleven or six foot and about 185 or 190 and I am 5'-9" and 165, certainly not a big guy to someone his size. Truth is that he had only ever seen me twice and both times I had been sitting, once a few months earlier in Beckcom's truck and on the day of the murder when he and Beckcom came by my convenience store and saw me sitting behind the counter. Anyway, shortly after that he was shown my drivers license photo, not in a lineup, but my photo by itself and asked if this was the guy - he said yea - and there I was, involved in a murder. After Mike's arrest he gave a similar statement and my goose was cooked.

D) Now the police have certain procedures that they by and large follow in this type of case, one of which is to check out critical witnesses by means of polygraph. They followed this procedure with Beckcom, and, of course he failed, why? - because he was lying! For the record I do not know if Johnson was ever tested, if he was, then we were not given the results...things that make you go, hum.

STATE TRIALS

This is the story in a nutshell that was testified to by both Johnson and Beckcom at my first trial in Rockport. Even though Bill May was not allowed to tell the jury that Beckcom had failed a polygraph, he did a masterful job of cross-examining them and came up with what he was later quoted as saying was "a hundred inconsistencies in their testimonies"...it was obvious that a murder had taken place, but it was also obvious that these two were not telling the truth about some element of it. One of the biggest issues was the magazine that Johnson had turned over to the police as proof of the alleged airport pickup of Brueggen. Because, when Mr. May checked out that story he found something very interesting, nowhere in the Corpus Christi airport could that particular magazine be bought, it was not sold in Corpus Christi...for some reason Johnson had lied about the airport, and we had the proof! It was huge.

Next the State called one William Noel to help shore up the beating that their two star witnesses had taken under cross examination. This is the Noel story.

Noel was introduced to me by a friend who recommended him as a man who needed a better job than the one he had delivering newspapers. Noel came clean and told me that he was an ex-con and that if I would give him a chance that he would do his job and be grateful for every opportunity given him. I immediately liked him and decided to give him a chance delivering payrolls for my company.

Noel loved to fish and since I had a home on the water complete with boats and such I invited him and his sister, who was maybe ten at the time, over and gave them permission to fish from my bulkhead, and to use my boat. And true to his word Noel became very protective of my family and I considered him a friend. Might as well get to the dirt.

The point is

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the clerk

in a
draw

were

← WHY ARE Y
NOT TELLING
THE READER
THE NAME OF
THE MAGAZINE

WHEN IS "EARLY ON." BECAUSE THE STORY IS NOT TOLD IN CHRONO SPECIFICITY WOULD HELP THE READER

Early on Noel made it clear to me that he was a man to be reckoned with and told me that if I, or any one I knew, needed a hitter, that he was the man to hire. Low and behold Nick Brueggen called me shortly after Noel went to work for me and told me that some insurance guy from Houston had screwed him over, and he wanted to know if "I knew anyone who would teach this guy a lesson." I told him that I was unsure but that I had this guy...and I explained the situation of Noel to him. I arranged a meeting between them and had the same guy who had introduced Noel to me in the first place drive him to Houston for a meeting with Brueggen, money exchanged hands and my friend watched as Noel waited for the guy in a parking garage and then beat him senseless with a claw hammer, hence the name William "the hammer" Noel.

Over the next year or so Noel became associated with both Beckcom and Brueggen...and for some reason unknown to me, developed a dislike for Brueggen.

One night while in Houston with Noel and Beckcom we went to eat at this Chinese Restaurant and in the conversation that took place it came up that Beckcom had borrowed money from Brueggen to finance drugs (I was told that it was for steroids but would later find out that it was for pot) and the deal had went bad and Beckcom was unable to pay...I wouldn't loan him the money. Mike then added, "If he presses me one more time about it, I'll kill him" to which Noel chimed in, "I'll do it for you, and I'll do it for free!" (Noel told this story under oath at my San Antonio trial, so I'm not telling anything out of school here). Though I assumed that Beckcom was simply running his mouth, I was certain that Noel was not; Noel is a hard man and I believed him perfectly capable of following through on his threat. In relation to this conversation, Noel testified, and truthfully so, that I became angry and said something like, "We ain't killin' nobody. If you have problems with this guy take him out back and whip his ass, and let it go at that." Little did I know at the time that this was the beginning of Brueggen's murder.

For the record: I found out just a few months ago that Beckcom had bought the pot from another gentleman in Houston who is familiar with the players in this drama and who has first hand information on what went down with the pot deal. Why is this important? Because the Feds say that Brueggen was killed to keep him from testifying on me for insurance fraud, when in reality he was killed for another reason entirely. Back to the case at hand.

At the exact time that Brueggen's body was being discovered behind my warehouse, Noel and another man were pulled over by a Deputy Sheriff, less than one block from my house, which sat on a very secluded road; one way in and one way out. When his vehicle was searched it was discovered that he had in his possession a shotgun, a large stun gun and Brueggen's briefcase complete with passport and credit cards. Being that Noel was an ex-felon in possession of a fire arm he was, according to the laws of the State of Texas, taken into immediate custody.

While being held at the local county jail Ranger Rivera showed up to question him about the briefcase that they now knew belonged to a murder victim. Noel's first statement was that one of the kids who worked for me gave it to him, but then several hours later he changed his statement to say that "Mark Crawford gave it to me." With that very incriminating statement, Noel was then released from custody and allowed to go home. For the record: in the State of Texas an ex-felon in possession of a firearm is NOT allowed a bond...but in light of his statement incriminating me, Ranger Rivera or someone above him broke the law, and had Noel released.

HOW CAN
SHE PROVE
THIS?

WHAT'S THE POINT? ARE YOU SAYING THAT YOU THINK RIVERA SET YOU UP? IF SO, SAY IT. DON'T MAKE THE READER GUESS THE POINT.

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At my first trial in Rockport Noel testified that I had given him the briefcase, but even with that testimony Johnson and Beckcom's testimony was so full of holes that the jury ended up hung 10-2, in favor of guilty. The Prosecutor opted to try my case again; however, possibly believing that they would have trouble obtaining a conviction in an area where so many people knew me personally, and who would know from the media that a first jury had failed to convict me, asked for and received a change of venue to San Antonio.

For the record: it should be noted here that Noel was arrested and subsequently convicted for the brutal rape of a Real Estate Agent in between my first trial in Rockport and my second trial in San Antonio. It should also be said that "IF" Ranger Rivera had not violated the law and had Noel released, that this horrible crime could not have been committed. "AFTER THE EMBARRASSMENT OF THE BRUTAL RAPE, I BELIEVE RIVERA HAD EVEN STRONGER MOTIVE TO

THIS WOULD
BE BETTER
EXPRESSED

AS:

PROVE I WAS RESPONSIBLE
FOR THE MURDER

The trial in San Antonio went pretty much like the first, except that the Prosecution attempted to plug up a big hole in their story. That hole was the fact that the jury in Rockport had had trouble believing that I would commit a murder with Johnson, whom by his own prior statements, admitted that we did not know each other. They attempted to do this by having the Port Arthur Texas Police Officer who Johnson was an informant for, testify that Johnson, even though it was not on record, had told him that he, Johnson, and I had met and talked about the murder. Of course this was staged testimony and my attorney Mr. May made that point very obvious to the jury. Another point of interest: there was an ex-cop on my San Antonio jury, I was worried about him not being fair, but when Mr. May cross examined the cop from Port Arthur about this NEW evidence, I saw him lower his eyes at one point and just shake his head...he, more than anyone else, knew that the Prosecutor and the Police Officer had conspired to give false testimony. In my heart I knew then that he was an honest man, the kind of cops that truly are, the good guys. But, the problem with the prosecutions case was still the same and this time around Mr. May had a lot more ammunition and made both Beckcom and Johnson look like complete fools. But, the shocker of the trial came when Noel took the stand.

Noel came into the court room wearing the chains of a prisoner and took the stand, but that would be the only normal thing about what happened after that. In a nut shell, Noel contradicted his prior testimony and told the jury that Beckcom had given him the briefcase and had told him to plant it at my house, which he was in the process of doing when he was pulled over by a San Patricio Deputy Sheriff.

To say the Prosecutor flipped out would be an understatement, she went berserk and began to berate his new testimony by reminding him of what he had said earlier. He went on to tell about the conversation that had taken place in the restaurant in Houston and added that I had had nothing to do with Brueggen's murder; he also filled in one of the missing pieces, when he volunteered that it was he, who had buried the body in the conveniently found hole in the back off the warehouse...this at the request of Mike Beckcom.

My attorney and I were so shocked at Noel's confession that he asked very few questions of Noel, because he himself didn't have any idea what else Noel would say...so he just looked at me and said something like, "that's all we need from him to prove your innocence." And it was, I was acquitted and my wife fell to her knees in the court room and began thanking God in the language of her people.

DON'T ADD STUFF LIKE THIS UNLESS
YOU EXPLAIN TO THE READER WHAT
YOU MEAN.

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Lots of other things happened as well. For instance both Beckcom and Johnson described to the jury that on the alleged day of the murder that I had driven a red convertible Mercedes to the warehouse and that I had left it parked there for most of the day. However, as luck would have it, the guy who lived across the street from the warehouse, who was a gun smith for local law enforcement and a very hostile witness, had to admit that he had not seen my Mercedes or me there at all that day. But the icing on the cake came from a local police officer named Jose Gonzalez, who had pulled a speeder over directly in front of the warehouse at the exact time that both Johnson and Beckcom said the murder was in progress, this was verified by the time written on the citation itself at issuance. When questioned, Officer Gonzales stated that he had not seen my car there either. So damaging was this testimony that the FBI put him under the influence of hypnosis to help his recall, what he was then able to remember was seeing a vehicle which resembled a uhaul truck, in front of the building at the time of the citation.

Mr. May always contended that Brueggen was killed elsewhere and then transported to the warehouse to complete the gambit...a truck would fit that scenario very well.

Other problems that came to light was the fact that the piece of tape that allegedly had my print on it, looked old and worn in comparison to the very new tape that had Johnson's fingerprints all over it. Bill Mays position was, that it was MY warehouse and that you would find my prints on everything in it, just the same as they would find your prints in the garage of your own home, which was true. But later on, after I was convicted in Federal Court, Corpus Christi Attorney Thomas J. Henry would take a look at my case. One of the things he looked into, something no one else had even bother to check, was that print. Guess what he found? - he found that the print expert that both the State and Federal Prosecutors had used, lied! Unfortunately for me, Mr. Henry entered my case after I had been convicted and the Court refuses to acknowledge this new piece of evidence.

← WHAT TAPE?

TOMMY
Print

"FEDS"
→ ABOUT WHAT?

I will say here that Mr. May deserves credit for how he handled my San Antonio trial, but hands down the single most important piece of evidence in my favor was Noel's confession, that he had participated in the framing that took place.

Even though acquitted I was not released because the FEDS had early on filed a Detainer on me to keep me from making my state bond. I was eventually taken to Fresno California where I was to stand trial one more time for the murder of Nick Brueggen, and a slew of other charges to include Organized Crime under the RICO act.

Trial #3

Having had the advantage of seeing the presentation of my case in the first two trials, the Feds decided that their only chance of winning, was to eliminate either the contradictory testimony of either Beckcom or Johnson - that was so the jury would not hear the discrepancies; but how to do that without giving my attorney the right to himself put the one "uncalled" witness on the stand to use against the other. The answer was to indict Johnson, whose testimony had the most holes in it, like the magazine, combined with the fact that he could not accurately describe a man he had supposedly spent the day committing a murder with. So the Federal Prosecutor indicted Johnson for murder and

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tried him as my "co-defendant" thereby preventing any of his prior statements or testimony from coming into play... unless his attorney was to put him on the witness stand, which of course he wouldn't do, because they had a backdoor wink-wink deal that promised Johnson ten years in prison instead of life, so long as he didn't upset the cart by taking the stand.

For the record, I think that a lot of what Johnson had said was true; I don't think that he actually committed the murder itself, and for him to get ten years in prison, after he had been guaranteed immunity, only goes to further illustrate all the devious crap that went on.

To follow up on that, it must be said that it was Johnson who first went to the cops and told of the murder, and that was a big bonus in his favor; but an inquisitive mind would want to know why. *So here it is.*

Johnson was an informant for Law Enforcement in the Port Arthur area, and the cops had testified in my state trials that he ^{had} confessed to be ^{an} associated with the murder out of remorse, but that reason always lacked salt as far as Mr. May was concerned. And so it was, ~~that~~ that in my second trial Mr. May went after Johnson on that issue and eventually drug this story out him. I'm paraphrasing here, but the truth of the matter is there.

After Brueggen's murder Johnson and Beckcom went to a restaurant in Corpus Christi to eat supper with Beckcom's Corpus Christi, girlfriend. After eating they drove, together, back to Houston.

Now Beckcom had a girlfriend in Houston named Susan that he was crazy jealous about. Johnson, under cross by Mr. May, destroyed the remorse angle of his confession by testifying that on the drive back to Houston, Beckcom brought up Susan's name to him and told him that if he ever found out that Johnson was having sex with Susan, that he'd kill him! Being that Johnson WAS having an affair with Susan, coupled with the fact that he had just witnessed, in some capacity, a murder he became concerned.

Johnson went on to say that one day a little later down the road he came out of his house and looked down the street where he saw Noel sitting in a truck and watching his house. Thinking that Beckcom must have found out about him and Susan, he got scared and went to the police with his story.

The interesting thing about this story is that no one to this day has so much as even asked the question, of how, Johnson knew who Noel was, and why he feared him so much. *The murder? Was Noel there?*

Back to the third trial: During the opening statements Bill May told the jury that they would hear from a man named William Noel and that Noel would explain his part in the framing of Mark Crawford for the murder of Nick Brueggen. But that never happened; the jury in my trial did not have the chance to hear Noel's testimony. Lots of speculation why, but Mr. May's explanation was that he thought that the Prosecution was going to call Noel and that he would garner what testimony he needed from him in that capacity... however, Mr. May's Co-Council, an attorney from Fresno named Roger Litman and myself would strongly disagree with that explanation, by standing on the fact that Mr. May gave every indication to us that he was going to call Noel, to include putting him on his intended witness list which he submitted to a Private Detective named Deborah Cordis-Weaver. And as for Mr. May's excuse that he thought that the Prosecution would call him, well, Mr. Noel was NOT even on THEIR list of intended witnesses, so that dog don't hunt. Which brings us to the point of why he didn't call him,

and the choices are relatively simple: either Mr. May is misrepresenting the truth or he was ineffective for not reviewing the Prosecutions intended witness list. Either way, Noel's story was never told and without it I was convicted of a murder I had been previously found not-guilty of.

PROBLEMS WITH THE CASE

From the very beginning both Johnson and then Beckcom promoted the testimony that throughout the day on May the 6th that I had driven my red Mercedes to the warehouse at around 11 am to meet them and Brueggen, and that it had stayed at the warehouse for the most part of the day and most certainly was there in front of the warehouse at the time of the murder.

The problem with this story is that living across the street from the warehouse was a man tied to various local law enforcement officers by way of his gun business (a very hostile witness who did not want to testify in my behalf and only did so under after being forced to do so by way of subpoena) who had given early on a statement that he had checked out the warehouse several times that day in the course of his daily business and had NOT seen my car out front, at all.

In addition to this several people to include Todd Houston, Merisa Gomez and Diana Gordon all saw me that day, at various times, in Ingleside driving my blue Ford Ranger pickup truck. For those of you who might ask why a man with a Mercedes would, on that day, be driving a truck, the answer is this. Yes Johnson and Beckcom were correct in assuming that I would be using my daily driver, however, on that day, May the 6th, I had kept both of my sons out of school and they had been with me that day; my Mercedes was a two-seater.

The only witness called by Mr. May for my Fed trial to substantiate that I had been seen fifteen miles away from the crime scene in another vehicle was Merisa Gomez...Not the gentleman across the street, not Todd Houston and not Diana Gordon, and since Marissa had been the girlfriend of my son, her stand-alone testimony was questioned.

The fact that my sons were with me on May the 6th was the basis of our alibi defense. In order to prove this FACT, Mr. May called to the witness stand the Port Aransas School Principle, who testified in my San Antonio trial, that the school attendance records for May 6th, showed that both of my sons were indeed absent from school that day even though it was a normal school day.

This critical piece of evidence however was not introduced in my behalf at my Fed trial. Ms. Deborah Cordis-Weaver, a Private Investigator who worked for Roger Litman, and who processed all of the Defense Witness List by locating and then serving the subpoenas for those witnesses, would later give a sworn statement saying that Mr. May had never asked her to subpoena the attendance records from the Port Aransas High School. Without this supporting evidence, and or the School Principal, the Prosecutor, in his closing statement to the jury, pointed out the VERY obvious fact that my sons love me, and then added that they would lie on my behalf, if they thought it would help me.

WAS HE
- WITNESS?

WAS THEY
ESTIMATED?

DO YOU
HAVE SCHOOL
RECORDS OF
WITNESSES?

← WHERE
WAS THE
MERCEDES ON
THE 6TH?

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will recognize this

My sons do love me, and anyone who has ever seen us together can see that, and they probably would lie for me, but they didn't have to, because we were together that day. Sworn Statement by Ms. Cordis-Weaver attached.

On May the 6th my sons and I drove together to Rockport to sign the final documents that would make the afore mentioned house in Ingleside ours. I will add here for clarification, that we had had a temporary lease agreement in place that allowed me to begin work on the house before hand.

On that day my sons and I drove to Rockport where we stopped at a McDonald's then proceeded to the realtor's office, where the documents were then executed.

The Realtor was subpoenaed to California, but was NOT put on the witness stand by Mr. May.

— WHY?
Do you HA
THE DOCS
THAT WERE
EXECUTED:

The crux of the Johnson and Beckcom testimony was that Brueggen was picked up from the Corpus Christi airport and then driven by them to the warehouse in Rockport. They claim that he was handcuffed at gunpoint and put into a metal tool box, for up to four or five hours, during which time they say that Beckcom and I left, returned, left and then returned until finally ~~hanging out till~~ deciding to kill Brueggen by pumping exhaust fumes into the metal box he was being held in, thereby suffocating him.

WHO'S FLYING
TO HOUSTON?
THE STORY
REALLY
HARD TO
SOUND
ARK.

Johnson added ~~to this~~ in my San Antonio trial that while Beckcom and I had left for the airport, to fly to Houston...for what reason nobody knows, that he felt sorry for Brueggen, whose hands were at that time cuffed behind his back, so he let him out of the box, removed the cuffs and placed them in the front, then returned him to the box.

Let me add this for thought.

Brueggen was a brown belt in Karate, fought in tournaments and was a scrapper in the purest sense of the word. I can assure you that IF he had been held under gunpoint, handcuffed, put into a box, then let out and uncuffed by a single individual, that there would have one hell of a fight goin' on. This story was totally fabricated to make Johnson appear to be the compassionate witness. It was also completely unbelievable...another reason for the Prosecution to try and figure out some way to keep Johnson's prior statements and testimony out of the ears and minds of the jury.

Both Johnson and Beckcom testified that after going to Wal-Mart and purchasing bolt cutters, duct tape and a garden hose that they then backed Beckcom's SUV into the warehouse where the garden hose was then taped to the exhaust with the other end taped in such a way that the resulting exhaust fumes were pumped into the box asphyxiating Mr., Brueggen.

As I stated earlier there was ample proof that I did not need to purchase any of these items, because they were already present at the warehouse. In my San Antonio trial Mr. May put on the stand one of my employees who testified to the additional fact that the key to the padlocked overhead door was kept in the warehouse. This information was not presented at my Federal trial.

WHY?

What was introduced was the fact that when the tool box was swabbed, it showed NO traces of carbon monoxide inside it, and the medical examiner, under cross-examination, stated that he had NOT checked to see IF the blood of the deceased had contained any carbon monoxide. If this simple function had been performed it would

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have PROVEN inconclusively that the Johnson/Beckcom story had been fabricated. * see attached affidavit of John I Thornton

Gum Wrapper :

The medical examiner, in State Court, testified that when he examined the body of Mr. Brueggen, he found that Mr. Brueggen was holding a gum wrapper in his hand. No one knows why.

Mr. May always proffered the belief that Brueggen had been killed somewhere else and then transported to the warehouse for burial, so that at a later date he, Beckcom, could make an anonymous phone call to the police.

When Beckcom was arrested he was found to be in possession of a large stun gun, a large amount of insulin and a syringe. He was not a diabetic. This led Mr. May to conclude that Brueggen was caught by surprise, probably stunned, hence the gum wrapper in his hand. Mr. May believes that he was then shot up with a large amount of insulin which put him into a coma resulting in death. This would fit perfectly with the conversation Beckcom and I had had while I was in New York, where Beckcom had said that Brueggen's death was an accident.

However it happened, the gum wrapper was always a piece of evidence that seemed out of place, but Mr. May was wont to say, "If your being held prisoner, inside a metal box with cuffed hands, the last thing you'd be thinkin' about was chewing a piece of gum." Never could figure this out. Definitely open for suggestions.

The gum wrapper evidence was not presented by Mr. May in my Fed trial.

One of the problems for the defense was that, as I have already stated, I asked one of the kids who worked for me to dig a 5' x 4' x 3' hole behind the warehouse, and even though my story about the satellite dish and pipe were solid, the bottom line is that a body "was" discovered in that hole!

Interestingly enough is the little known fact that when the kid who dug the hole saw on TV that a body had been discovered at the warehouse, HE himself, notified the police and offered the information on the hole. Which was the right thing for him to do, after all, neither he, nor I did anything wrong.

This young man gave a statement saying that he was asked by me, the Friday before, to dig a hole for a satellite dish, which he did the following Monday. The problem with that statement is, that according to Johnson and Beckcom there was a murder/kidnap taking place throughout that entire day at the warehouse. This testimony would have cleared me, but for some reason, he then changed his testimony to say that he dug the hole on the 7th of May.

This witness was not cross-examined as to why he had changed his testimony.

Another problem for the Prosecution was that with Johnson's obvious credibility problem, they were left with Beckcom as their "only" witness to the events the Prosecution said tied me to the murder...but remember, Beckcom's story had failed a polygraph test...but no problem right, you just have the judge rule that this evidence cannot be admitted into the trial.

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CAUSE OF
DEATH ?

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None of the three juries who heard my case were ever told that Beckcom had failed a polygraph. In addition, in the Fed. Trial, we were not allowed to tell the jury that I had been previously acquitted in the State Court, of this very same murder, either.

PROBLEMS FOR THE DEFENSE

The biggest problem, seen now with hind-site, was that I did not take the witness stand in my own defense. Looking back at it now I can see how that MIGHT have made a difference. However, Mr. May had been correct in keeping me off the stand in gaining two prior victories so I did not question him doing so in a third.

I cannot fully say what his reasoning was, but I was told that since I did not participate in the murder that there was nothing I could add or take away from the equation – and that a slick lawyer might be able to capitalize on my anger at the proceedings and trick me into saying something stupid. Of course he was right in his thinking. But now that I have had time to reflect on this line of thought, I believe that Mr. May just simply did not believe that I was stable enough to put on the witness stand. Yes, I was angry, but I was also under a lot of stress and truthfully, did not regain my balance for a couple of years after the final verdict. If you've never been through a trial where your life hangs in the balance, you cannot imagine even for a second how it feels. So trust me when I tell you that it is the worst possible torture available under the Geneva Convention. And what my family and Brueggen's family went through was even worse.

So I stand on our decision, right or wrong. However, today is today and because it's all water under the bridge now, I can tell you the things I would have told the jury had I taken the stand.

→ I mentioned early on that I was in a running battle with the IRS. In my effort to deceive them I asked Beckcom to start a competitor company in his own name, so that I could transfer my clients over to it and thereby avoid the scrutiny of the ever watching IRS. He agreed and in order to legitimize this new company I took him to my banker and secured him a fifty-thousand dollar loan. I then began to systematically transfer my remaining clients over to this new company. Of course, though no official paperwork had been done there was an agreement between us that even though Beckcom would get a percentage of the profits, that it was still my company. However, with me in prison or dead, that would not be an issue. Neat and clean and totally my fault for not seeing these possible outcomes.

None of this was heard by my jurors.

Another point of interest was that under cross-examination at my San Antonio trial, Johnson gave testimony that he was supposed to have received \$2500.00 for his part in whatever happened. Mr. May made it very clear to the jury that bank records showed that on May 7th \$5000.00 dollars had been drawn out of Brueggen's bank account. His point being that \$2500.00 was exactly half of \$5000.00; stressing the common sense point that someone else, probably Noel, had received the other \$2500.00.

→
WHAT KIND
OF BUSINESS?

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2500
2500

RECENT DEVELOPMENTS

In all three of my trials the Prosecution introduced a fingerprint expert to testify that he had found Johnson's fingerprints on multiple pieces of duct tape at the crime scene. He also testified that he had found "one" of my prints on a piece of duct tape found "under" the metal box, allegedly, used in the murder.

Mr. May had always defended this by telling the jury that it was my warehouse and that my prints would naturally be found in MY warehouse, just like theirs would be found in their own garage. He never concerned himself with having that single print examined, he, like me, assumed that it was my print.

As I mentioned earlier, after my conviction Corpus Christi attorney Thomas J. Henry took a look at my case, one of the first things he did was to have someone review the testimony by the Prosecutions witness on the print...and guess what...he lied under oath concerning it. I have enclosed an expert statement to that fact here for you to read for yourself. *The jury never knew that the only piece of evidence...*

In 2012 I had a cellie who was very interested in my case; he was always trying to encourage me to fight for my freedom. In his interest he read and studied my case thoroughly; he was transferred that same year to another prison. In this new prison he came across a man from Houston Texas and asked if that man by chance knew me or Beckcom, and low and behold the guy knew both Beckcom and Johnson, and the story he tells helped to clear up some of the mystery about it all. This is what he has to say.

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TRULINCS 76603079 - CRAWFORD, MARK E - Unit: POM-F-D

FROM: Crawford, Marco
TO: 76603079
SUBJECT: Emails
DATE: 07/05/2012 01:30:27 PM

MOST RECENT: I got arrested for conspiracy to distribute marijuana and money laundering back in Dec. '96. I got 264 months. I was not part of Mike B. & company's conspiracy other than selling weed on front to Mike who then fronted it to someone else. I knew Mike, but did not know Kurt J. I met Kurt when I was in Seagoville in '04-'05. I didn't know your father either, nor had I ever heard of him until another guy here, Ford, was relating a story about his old "cellie" in Pollock.

I told Ford that he wasn't going to believe this, but I was part of an eerily similar story involving a guy named "Mike" that I fronted some weed to. At which point he said Mike Beckham??

Needless to say, I was floored. Ironically though that's how prison is, despite having so many people locked up it's a very small world.

Ford then related the story of how Mark got railroaded by Mike & Kurt. I knew that despite having multiple priors Mike got off with nothing considering the crime, but I didn't know any of the other players whom he told on.

I haven't come forward before because I wasn't part of that conspiracy and had no knowledge of any difference in the facts.

When Ford told me how Mark got railroaded and that he had issues that he could raise in court, but needed a way to get back in, I volunteered to relate the story as it was told to me.

If you think that I can help by relating the story as it was told to me you have my info.

J.Roth

The Government tied me to Johnson, whom I didn't know by implying, then convicting me of being involved in a marijuana deal with Beckcom - this is the guy who actually sold Beckcom the weed that I was convicted of buying. His name is Jonathon Roth.