e lime ∪655 hrs. 8-4-89

89-070868

SUPPLEMENTARY REPORT

Classification of Incident Homicide

Ca. . Number

Police Department

Lincoln, Nebraska

Victim James E. Etherton w/m 8-9-34 1811 Urbana Lane 464-7076

ALSO MENTIONED:

Melody I Hopper (other victim)

w/f 7-9-48

1811 Urbana Lane

464-7076

Steven M. Jacob

11-26-55 4420 N 10 w/m

477-6842

(suspect)

John E. Ingrain

w/m 11-16-54 1811 Urbana Lane

464-7076

(residing in the lower level of 1811 Urbana Lane at the time the incident occurred)

Bob Lagemann

w/m

12-17-21 1821 Urbana Lane

464-6604

(neighbor to the north of James Etherton)

Deputy Ben Haske

Lancaster Sheriff's Office

Deputy Kod Jacobs

Lancaster Sheriff's Office

✓ Bill Cassell

Pathologist Assistant, Lincoln General Hospital

Vilke Avery

Pathologist Assistant, Lincoln General Hospital

✓Jim McDonald

Wadlow's Mortuary

✓ Steve Brunken

Wadlow's Mortuary

V Larry Wagner

Lincoln Police Garage, employee

✓ Hike Heavican

Lancaster County Attorney

✓ Gary Lacey

Cheif Deputy Lancaster County Attorney

/ John Colborn

Deputy Lancaster County Attorney's Office

SYNOPSIS:

This will be in regards to myself along with Inv. Doetker and Deputy Rod Jacobs from the Lancaster County Sheriff's Office conducting a crime scene investigation at the address of 1811 Urbana Lane. Found dead at the scene on the morning of 8-2-89 was James E. Etherton. The Etherton party had been shot several times

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REPORT TYPED

651 8-4-89 1504 hrs.

INVESTIGATING OFFICERS

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SUPPLEMENTARY REPORT

Police Department

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Victim

with what appeared to be 9mm ammunition. Another individual living at that address, however, was still living and was transported to the hospital suffering from gunshot wounds was Melody Hopper. The body of James Etherton was transported to Lincoln General Hospital Clinical Evaluation area at approximately 1710 hrs. on 8-2-89. Crime scene investigation showed that an individual later thought to be Steven Jacob had entered the residence of 1811 Urbana Lane through a rear ground level door located on the west side of 1811 Urbana Lane. Having gained entry he then ascended the stairs in the split foyer residence to the upper level where it is believed that he found both James Etherton and Melody Hopper in their bedroom located in the northeast corner on the upper level of 1811 Urbana Lane. It is then believed that the assailant started shooting using a 9mm semi-automatic weapon at these individuals striking both Etherton and Hopper.

It is felt that a possible exit after this assault took place upon Etherton and Hopper was through the upper level sliding glass door located on the west side of the residence which would be the rear of the residence going out onto an upper level deck and then descending the stairs to the deck to the back yard.

All articles seized at 1811 Urbana Lane were brought to headquarters and tagged P8908003 through P8908027 and placed into property for further analysis. After securing the scene and placing crime scene signs on both front and rear entrances to 1811 Urbana Lane, these officers left the scene at 2150 hrs. on 8-2-89.

This report will also contain information concerning my follow-up investigation on 8-3-89 regarding the crime scene investigation where in I did re-enter the residence at 1811 Urbana Lane collecting additional articles from the residence

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89-070868	Police Department	Lincola, Nebraska	Victim	

bringing them to headquarters tagging P8908054 and placing it into property.

For additional reports see original reports, see all other AI reports, see all property reports in reference to this investigation.

BODY OF REPORT:

Shortly after 0400 hrs. on 8-2-89 I received a phone call at home by a Public Service Officer advising me that Capt. Flansburg was requesting my assistance in regards to a shooting which had occurred earlier on today's date at 1811 Urbana Lane and that I should proceed to that residence. At approximately 0502 hrs. on 8-2-89 I arrived at 1811 Urbana and was met there by Det. Barksdale, Sgt. Nelson and Lt. Roberts.

In briefing me they advised me that they had received a call at approximately 0355 hrs. and did respond to the residence finding a party by the name of James Etherton to be dead of possible gunshot wounds in the residence. Also found an individual by the name of Nelody Hopper to be in the northeast bedroom of the residence suffering from gunshot wounds and was transported to Lincoln General Hospital for medical attention. Let. Barksdale advised me that upon his arrival to the residence being one of the first responding officers to arrive, he took note that there were no lights on inside the residence nor lights on any part of the exterior portion of the residence. Sgt. Nelson nanded me driver's licenses of James Etherton and Meldoy Hopper. I was also informed that there was an individual that was sleeping in the lower level of this residence when the assailant broke into the rear lower level and ascended the stairs to the upper level where he shot James Etherton and Meldoy Hopper. This individual's name is a John Ingram.

I was informed that John Ingram during the assault ran from the residence running

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Police Department Lincoln Nebraska Classification of Incident

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Victim

to a neighbor's house on Lexington Street and had the neighbor call for help. I was informed that he was currently at police department headquarters being interviewed by Officer Todd Beam.

At this time myself along with Det. Barksdale left the scene leaving it secured by officers who were already at that location. These detectives then came to Police Department Headquarters to obtain a search warrant prior to any further crime scene investigation. After arriving at the residence at approximately 0545 hrs. I met with John Colborn and Gary Lacey of the Lancaster County Attorney's Office while Det. Barksdale was briefing these individuals on his initial observations of the scene at 1811 Urbana, I did have an opportunity to talk with Officer Beam who was interviewing John Ingram.

At approximately 0605 hrs. on this date Officer Beam handed me consent to search of premise which would be his living area in the lower level of 1811 Urbana Lane. Also John Ingram did sign a consent to search of his vehicle, however, it was found that his vehicle was not parked at the residence and was actually parked behind his place of employment (Lincoln Tent and Awning). In talking with Officer Beam, he informs me that John Ingram had informed him that as he was sleeping in the southeast bedroom located in the lower level of 1811 Urbana, he heard a crash. He then heard someone on the upper level of that residence. Then heard shots being fired what sounded as though a female screaming and then more shots being fired. In this activity he did reach in by a table on his bed and obtained a .22 semi-automatic pistol that he owned. He then decided to flee the residence through the lower west door. He then ran to a neighbor's residence on Lexington Avenue where he was able to get the resident at that location to summon the police.

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SUPPLEMENTARY REPORT

Police Department

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I then asked Officer Beam if he would obtain a tape recorded statement from John Ingram. He indicated that he would do this. Then at approximately 0620 hrs. on 8-2-89 I did fill out and request criminal histories on three parties. This being James Etherton, Melody Hopper and John Ingram.

At approximately 0625 hrs. on 8-2-89 Lt. Roberts contacted me at the police department and through his research discovered a report under #89-049194 which indicates that James Etherton was involved in some type of a verbal confrontation with the former girlfriend by the name of Patricia Einspahr who resides at 7510 Comoy which is only approximately a block away from 1811 Urbana. It was also during approximately this time that I called Inv. Doetker at his residence and requested his assistance at Lincoln Police Department Headquarters and, therefore, he did come to this location.

At approximately 0640 hrs. after Lt. Wagner arrived at the police department, myself along with Det. Barksdale and others met with him to coordinate the investigation in this homicide. Also during this time Capt. Flansburg had responded to 1811 Urbana and believed was at that location. He had also called Det. Lantis who also responded to that location with the crime scene van.

At approximately 0730 hrs. I went to the County Attorney's Office to obtain the search warrant and affidavit for the search warrant for the residence of 1811 Urbana Lane. At approximately 0840 hrs. Judge Pokorny came to the County Attorney's Office. After reading the affidavit for a search warrant, he did sign it along with the search warrant. I then drove to 1811 Urbana arriving there and executing the search warrant at approximately 0906 hrs.

After arriving I met briefly with Capt. Flansburg, Det. Lantis, Assistant Chief Baird who was also at our location, and Inv. Doetker. Capt. Flansburg

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SUPPLEMENTARY REPORT
Police Department Lincoln, Nebranka

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instructed me that myself along with Inv. Doetker and Deputy Rod Jacobs who was in route to our location from Lancaster County Sheriff's Office would be conducting the crime scene investigation. That he was going to have Det. Lantis along with Deputy Joe Splichal of the Lancaster County Sheriff's Office conducting other interviews associated with this investigation. Capt. Flansburg also informed me that I was in charge of the crime scene investigation and was the lead detective in the overall investigation.

Inv. Doetker who had been at the scene prior to my arrival and had already taken over all photographs of the exterior portion of 1811 Urbana Lane and had started to tape record observations made of the exterior portion of the residence was instructed to continue with his observations both exterior and interior observations of 1811 Urbana Lane.

At approximately 0915 hrs. on this date with County Attorneys Colborn and Lacey arriving at our location, I did a walk through of the residence with these two individuals entering through the lower west rear door of 1811 Urbana Lane. We went through a den area and then into a small hallway ascending the stairs to the upper level of the split foyer residence. Having ascended the stairs to the upper level we then walked approximately half way down the hallway to the north where we could observe the body of James Etherton to be lying in the hallway also we could look partially into the northeast bedroom where James Etherton and Melody Hopper were prior to being assaulted.

We then backed out of the hallway going south into the living room and then turning and walking west into a kitchen eating area where we then exited the house through the sliding glass door located at the rear west side of the residence. This door was already open and it is felt that the perpetrator exited this way.

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Police Department

Lincoln, Nebraska

Victim

This leads out onto an upper level deck. We then descended the stairs to the patio below.

At approximately 0930 hrs. on this date I continued with taking photographs of the exterior portion of 1811 Urbana Lane. Inv. Doetker had informed me that he had already taken photographs of the front of that area and sides. I then began taking photographs of the rear portion of the residence and at approximately 0940 hrs. on this date it was observed that Inv. Doetker finishes his observations of the exterior portion of the house and actually enters the house through the lower ground level rear door of that residence to make further observations using a tape recorder of the interior portion of the residence.

At approximately 0945 hrs. after Mike Heavican of the County Attorney's Office arrived at the scene, I then escorts Mr. Heavican through the residence using the same path that was used for John Colborn and Gary Lacey prior. With Det. Lantis still at the crime scene van, he was asked to use the department's cancorder and video tape the exterior and interior portions of the residence prior to leaving that location. This was accomplished at approximately 1000 hrs. on this date.

An observations that I made should be noted that the residence at 1811 Urbana Lane sits on the west side of Urbana Lane, therefore, the front of the residence faces east and the rear of the residence west. The residence is between Comoy Circle to the south and Lexington Avenue to the north. The residence itself is a split foyer residence. The residence is painted gray in color with the upper level being of wood siding and the lower level having what appears to be a gray brick. It is observed that the garage is on the north side of the house. There are no vehicles to be observed inside the garage. There are three vehicles

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Police Department

Lincoln, Nebraska

Victim

39-070868

parked in the drive portion of the residence. The first vehicle which is parked somewhat to the north side of the residence is noted a Ford wagon license 2H9767. Behind this also to the north side of the driveway is an '82 gray Cadillac Cimeron license 2C2387 which is registered to Melody Hopper. Along side of this vehicle and parked to the south of it in the drive is a tan colored Buick Regal license 2E4135 which is registered to the Etherton party.

It should also be noted in the total placement of this residence that although it is on Urbana Lane located between Comoy Circle and Lexington Avenue, 76th Street which obviously cuts off of Holdrege east of Urbana Lane circles back to the west and actually comes out on Urbana Lane almost directly in front of 1811 Urbana.

With Deputy Jacobs' assistance while Inv. Doetker is still inside the residence of 1811 Urbana on his recorded walk through of the residence, myself along with Deputy Jacobs first seized an empty one quart bottle of Coors Light located on the northeast corner of 76th and Urbana. This would be approximately directly across the street from the residence. In measuring this bottle to it's exact location it was found to be approximately 23' east of the east curb of Urbana and approximately 4' north of the north curb of 76th lying on the grass at that location. Deputy Jacobs at 1010 hrs. did place the bottle into a paper bag and it was later brought to headquarters and tagged P8908019 and placed into property. It had been pointed out earlier to me that in the shooting that had occurred earlier on that morning one of the shots had exited the residence on the north side traveling north to where it struck a vehicle owned by Bob Lagemann parked on the drive of 1821 Urbana. This bullet then penetrated the (end of tape 1)

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penetrated the door to 1977 light tan over brown Chevy Caprice Classic license 2T8707 registered to Bob Lagemann living at that address of 1821 Urbana. Having penetrated the door it then struck the frame of the vehicle and then dropped to the ground below on the concrete of the driveway. Therefore, at approximately 1020 hrs. myself along with Deputy Jacobs then retrieved the bullet fragments found on the concrete to the driveway below this vehicle. They were found to be approximately 66'6" north of the north curb of 76th Street and approximately 52'10" east of the east curb of Urbana. This was measured later also and found to be approximately 31'7" north of the residence of 1811 Urbana where it exited through the upper level portion of that residence on the north side to where it struck Bob Lagemann's vehicle parked in his drive directly north of the residence. After seizing these bullet fragments they were later brought to headquarters

It should also be mentioned that measurements were taken of where the bullet struck the vehicle parked in the drive. It was found that the bullet struck the venicle on the left door 2'8" above the driveway and approximately 8'9" from the front bumper of the vehicle. While Inv. Doetker was completing his walk through of the residence, I did sketch out a diagram of the rear exterior portion of the residence. After Inv. Doetker had completed with his tape recorded walk through of the residence, he then assisted Deputy Jacobs and myself with measurements and the collection of other items of evidential value.

tagged P8908022 and placed into property.

It is noted that the rear of the residence is fenced in with a chain link fence. There is an irregular shaped concrete patio which has a stairway connected to it to a deck built directly above the south half of this patio below. South of the concrete patio there is a small rock garden measuring 4' wide on the north

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Police Department

Lincoln, Nebraska

Victim

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which angles back towards the house and is 8' long. The south side of the rock garden then measures 1'8" to where it connects to the rear of the house and then follows the rear of the house back north and south to where it connects to the patio 7'7" in length. Located on the northeast portion of this rock garden is a gold chain which appears to be that which would be worn around someone's neck. It was measured to be approximately 8'6" north of south edge of the residence and approximately 7" west of the west edge of the residence. Collected at 1111 hrs. later brought to headquarters and tagged P8908020 and placed into property.

It should be noted for any further evidence which is collected that all evidence was measured by Deputy Jacobs and Inv. Doetker was actually physically collected by Inv. Doetker with myself taking and documenting all activity done at the crime scene.

Directly above this rock garden which is in the far southeast portion of the rear of the residence is a double window. Each window measures 2' by 2'8". Is noted that the storm window which normally is on the far north of this double window has been removed and is lying face down on the ground. This location was found to be approximately 4'2" west of the west wall of the residence and approximately 7" south of the south exterior wall of the residence to the center of the window. This storm window was attached to the main window by metal swivels attached to the main window which swivel around to lock into place the storm window. All these fasteners were moved so that the storm window then could be itself removed.

It was also noted that the side which the storm window was removed on is the stationary side to the double window and that the only side that actually

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Police Department

Lincoln, Nebraska

Victim			

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vented to the house is the south side. In looking at the south window it is also noted that these metal fasteners that also hold the storm window for that window on have been moved so that they are no longer locking the storm window in place. It is noted that all the other windows in the residence the metal fasteners are properly in their place holding the storm windows securely to the window. Since there was moisture on this window when it was recovered at 1115 hrs. on this date, it was placed so that it could dry prior to being printed.

It should be noted that the width of the house from east to west is 24'. The length of the house measured one the west side which is north to south measures 40'. It is observed that there is a lower walkin door which is located at the rear of the residence 20'5" south of the exterior north wall to the north edge of the door opening. That the door opening is actually 2'7" in width. It is also noted that in observing this rear door that it is actually two doors. The outer door is a metal glassed storm door which is opened and held open by a large rock which appears to be of similar nature and size as those rocks found in the rock garden directly to the south. It was also noted that the lock mechanism on this storm door is not operable does not appear as though it has been operable. Also that the storm door is operated on a air compressed system. It is noted that the washer which would normally hold a type of door open such as this is not working properly, therefore, the door does not stay open when the washer is slid to it's furtherest most position not allowing the air compresser device to work properly. Therefore, it was felt that this was the reason why the large rock was placed holding this door open.

The rear door then was found to be closed, it is unknown what state the original officers found it in; refer to their reports for that indication. This

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SUPPLEMENTARY REPORT

Police Department

Lincoln, Nebraska

Victim

rear door which is the entrance into the lower level of this residence is a wood rear door with three panes of glass at the top measuring 1'11" across by 1'1" in height. The door has a normal spring loaded lock mechanism which is in operation.

First article that was seized around the door was this rock that was holding this storm door open. It was found to be approximately 2' west of the west exterior wall of the residence and approximately 19'2" north of the south exterior wall of the residence. It was seized at 1118 hrs. later brought to headquarters and tagged P8908025 and placed into property.

There was quite a bit of glass on the patio side of this door as well as the interior portion of the residence coming from the rear door as it appeared as though a large rock also from this rock bed outside had been used to be thrown through the bottom piece of glass on the wood door landing inside the den. There by throwing glass fragments on the inside as well as the exterior portion with 90% of the glass fragments falling inside, 10% of the glass fragments falling to the outside. Each piece of glass fragment was observed for any type of fiber or hair as indicated the first pieces of glass were picked up on the patio side which would be the outside of the door. These were seized at approximately 1121 hrs. They were measured to be approximately 5'3" west of the rear door threshold and they were over in the area of approximately 2'7" in width which would be the width of the threshold.

At approximately 1121 hrs. these glass fragments were seized, tagged P8908010, and later placed into property.

After seizing all these glass fragments, officers then entered the den area which is the first room inside this rear lower door. Taking over all measurements of this room it was found to be 11'1" wide from east to west and 18'4" in length

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SUPPLEMENTARY REPORT

Police Department

Lincoln, Nebraska

Victim

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from north to south. First article that was seized was also a large rock appearing as though it was similar in nature to the ones round in the rock garden directly outside. This rock was seized at 1127 hrs. It was found to be lying against the base of a chair and was measured to be approximately 7'4" east of the west den wall and approximately 8'4" south of the north den wall. Lying on the brown plush carpeting of the den floor. This was later brought to headquarters, tagged P8908025 and placed into property.

The next articles that were seized were the fragments of glass coming from the rear walkin door which had been broken out by what appears to be the rock being thrown through the door. These glass fragments are ones that fell on the interior portion of the residence on the den floor. The angle of these glass fragments lying on the den floor appears as though they came from the rear door and were found to be lying in a southeasterly direction. They were found to be 6'8" east of the west wall to the furtherest most observable glass piece lying on the floor and found to be approximately 6' north of the north den wall to the center portion of the glass with the glass extending width approximately the width of the threshold which would be approximately 2'7". These glass was seized at approximately 1129 hrs., later brought to headquarters, tagged P8908010 and placed into property.

It should be mentioned as each piece was separately placed into a sack it was observed carefully for any trace evidence.

This rear door was found to be open as it swings open to the north 2'7".

In carefully looking around the glass which was still embedded into the wood frame of the door there appears to be a small white fiber located on one of the pieces still remaining in the door frame. Therefore, this piece of glass was

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·	Police Department Lincoln, Nebranka	Victim

extracted from the frame. It was found to be approximately 2" from the edge of the window and 10" from the doorknob edge of the door. Approximately 2'10 1/2" above the bottom of the door on the small piece of glass in the door frame. This was extracted from the door at approximately 1159 hrs., brought to headquarters, tagged P8908010 and placed into property.

There was also a piece of glass extracted from the glass in the door and brought to headquarters for a comparison of the glass found on the patio and also in the den for similarities in nature. This was extracted at 1159 hrs. brought to headquarters, tagged P3908010 and placed into property.

At approximately 1200 hrs. the drape which is hanging on the inside of this door was seized, brought to headquarters, tagged P8908026 and placed into property.

The opening made by the rock in the lowest portion of the glass pane in the door which is directly above the doorknob measures 1' across and approximately 1'1" in height. Also located on the floor of the den are a pair of yellow handled wire snips. They were collected at 1204 hrs. measured and found to be approximately 7'10" east of the west den wall and approximately 7' south of the north den wall. They were brought to headquarters, tagged later with P8908017 and placed into property.

Located along the north wall of the den on top of a small table are two note pads both of which are blank, however, it is observable that there are indentations on the tops of these pads as though notes had been written on the previous pages. They were found to be located approximately 7'8" east of the west wall of the den located on this small table which is even with the north wall of the den. They were collected at 1208 hrs., brought to headquarters, tagged P8908018 and placed into property.

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Police Department

Lincoln, Nebraska

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Just some overall observations of the den: it has brown plush carpet. As you walk in the rear door directly to the south along the west den wall is a yellow and green print sofa. To the south of the sofa also located along the west wall is a blue chair. The fire place is along the south wall centrally located and has book shelves on either side of it. It is noted that the west wall of the den has grasp cloth wall paper on it. All the other walls are wood panelled. There is also located in the den a chair along the east wall near the north end. As one moves from the rear door leading into the den directly to the east there is a threshold that you then enter into a small hallway also carpeted with brown plush carpeting. Directly to the south there is a threshold of a doorway which can be entered then into the southeast bedroom of this lower level of the split fover residence. This is the bedroom in which John Ingram was sleeping at the time of this incident occurring. This bedroom is also carpeted with brown shag carpeting. His bed a single bed measuring 39" in width from north to south 6'4" in length from east to west and is located in the southeast corner of this southeast bedroom with the head of the bed facing east the foot of the bed facing west. Located just to the north of the bed along the east wall of this bedroom is a small wood table with two drawers one either side of the other. The drawer which is located closest to the bed is partially open you can observe what appears to be a black webbed belt and holster which is empty. It was felt that from the information received by Officer Beam that the gun in which John Ingram got to protect himself with was in this table drawer. The table measured 3'6" from north to south and 1'8" east to west as indicated has two drawers. The drawer which was pulled out to the center of the drawer measures

1'9" west of the east bedroom wall and approximately 5'2" north of the south REPORT TYPED INVESTIGATING OFFICERS TEL-ALFRE IAU ECPORT PEOP E[PORT PARENT ROL (PS 651 8-4-89 1824 hrs. Dongard #254 ADVET CICARIB (((4))) 010#U01#Q 01 STR. 670

SUPPLEMENTARY REPORT

Police Department

Lincoln, Nebraska

Victim

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tedroom wall. Retrieved from that drawer is the holster. It was retrieved at 1226 hrs., brought to headquarters, tagged P8908012 and placed into property.

It was also observed that there are a pair of what appears to be prescription eye glasses sitting on top of this table. It was also observed that there is an Emerson radio which was left on tuned to what appears to be 102.7 FM. Also located in this southeast bedroom are two pianos. One located along the west wall of the bedroom and the other one located along the north wall of the bedroom.

As one moves out of this southeast bedroom in the lower level back into the hallway if you were to turn then directly to the east you find a closet area. If you were to continue in the hallway then walking towards the north you come to a set of stairs which ascend to a small landing to the front door. From there you ascend another set of stairs as you would normally do in a split foyer home then to the upper level.

Still remaining in the lower level north of the stairs in the hallway to the west is an uncarpeted concrete floored wash room and furnace room. To the east is an uncarpeted tiled bathroom. If you were to continue going then in the hallway to the north you come to a door leading into the garage.

Next observations and measurements were taken of the lower level hallway. It measures in length from north to south 12'4". The bath downstairs measured approximately 4'10 1/2" north to south 7'9" east to west. The wash room and furnace area measured approximately 7'1" north to south and approximately 11'2" east to west.

Ascending the first level of stairs there are five stairs excluding the basement floor or the lower level floor in the landing above. The stairs are carpeted with a two tone tan and rust colored sculptured carpeting. Each step

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measured 12" the riser is 8". The width of the stairway is approximately 3'. The total length from the lower level below to the first landing is 6'2". As one ascends then to the landing above you find a tiled floor which measures 6'5" in length from north to south. (end of tape 2)

And approximately 3'9" in width from east to west. On this landing is located the front door to the residence. As one then turns to ascend the next set of stairs back to the east there are six total stairs excluding the landing below in the upper hallway area of the upper level above. Again the width of the stairway is approximately 3' the length from landing below to the upper level above is approximately 7'.

At this time the investigation myself along with Inv. Doetker and Deputy Jacobs took a short lunch break. It should be noted that the entire time that these officers were at the scene the front and rear of the residence were protected and secured by two uniformed officers.

At approximately 1345 hrs. on this date I continued the investigation by first taking photographs of the upper level residence. These were overall photographs depicting each room in the residence. And also some specific shots of the body of James Etherton in the northeast bedroom. All photographs of the crime scene investigation were taken using the departments Wikon FM 35mm camera using Kodak color film 100ASA.

As one ascends the stairs from the landing to the upper level above there is a wall located on the north side of the stairway on the south side of the stairway there is a railing with vertical spindles so that it would be then open to the living room above. It is noted that there are 11 such spindles and it is also noted that the 4th spindle from the west side of the railing is broken.

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As you then ascend to the hallway in the upper level if you were to turn immediately to your left or south you walk into the living room area located in the southeast corner of the residence. This was found to be approximately 15'3" in width from north to south and 11'6" in length from east to west.

Located on top of an octagon shaped table located on the north side of the living room is an old vehicle registration to Melody J. Hopper showing an address of 3931 N 8, registered on a 1982 Cadillac gray Cimeron 4-door, showing the previous owner to be Standley II. and Melody J. Hopper of Lincoln. Also with this was a photo business card depicting a photograph of Melody Hopper. The business card was a Lincoln Memorial Funeral Mome business card which is where the Hopper party is employed. These were seized at 1425 hrs. brought to headquarters and tagged P8908014 and placed into property.

Located on the west wall of the living room near the north end is a threshold and if you were to walk through this threshold to the west you would enter a kitchen and eating area. The eating area portion is located on the north side and the kitchen area is located on the south side and this would be the far southwest corner of the residence on the upper level.

Walking through this eating area to the west you then come to sliding glass doors. It is noted that the sliding glass door is open and is open 2' wide. The sliding glass door appears to be 6' in width and it is of a metal frame construction. The overall measurement of the area of the kitchen and eating area is 16' from north to south and 11'4" from east to west.

Starting in the northwest corner of this eating/kitchen area you first have a 4' in diameter round kitchen table with three chairs. Then located in the northeast corner along the north wall is an antique looking oak buffet. Located

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on the buffet and also in the drawers are not only dishware but also several letters appeared to be of business nature addressed to James Etherton and also to Nelody Hopper. All of these letters, correspondence business correspondence were read, gone through by these officers at the scene.

One such letter was typed by Helody Hopper indicating to her insurance agent that she had moved and her new residence as of July 22, 1989, would be 1811 Urbana Lane.

The threshold then into this area as one moves clockwise is located also in this northeast corner along the east wall. Past this threshold located along the east wall is a small desk measuring approximately 3'1" from north to south and approximately 1'9 1/2" from east to west. On the desk is a phone white in color. It is noted that the receiver is off the phone and is lying on the desk. As indicated this desk is butted up againt the east wall. Next to it to the south is a narrow cabinet where garbage is stored. Next to it to the south along the east wall is the refrigerator. There is a small amount of counter space which is 2' in width extending to the south wall of the kitchen. Located on the counter in the southeast corner of the kitchen is a microwave oven. Then as you move along the south wall westwardly you next come to a stove followed by counter space extending to the west wall of the kitchen then moving to the north along the west wall you have a small amount of counter space then a sink. From the sink area you have approximately 2'2 1/2" of counter space to where the counter then turns back towards the east to give you an island effect with cabinets up above it. This then extends eastwardly 6'3" east of the west kitchen wall. Past this center island of the kitchen northwardly then is into the eating or dinette area of the kitchen. It is noted that all of the kitchen and the

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eating area is carpeted with what would be known as kitchen carpeting with the color as basically rust with print.

As one moves then out of the kitchen and eating area back through the threshold into the living room if you were to then turn towards the north you then come to the ascending stairs down to the landing and also this is the hallway area. Looking down the hallway towards the north there observed a white male to be lying nude on his back near the far north end of the hallway this was found to be James Etherton.

The hallway measured to be 3' in width from east to west. The length of the hallway from the opening into the kitchen which would be along the west wall of the hallway measures 17'4 1/2" from north to south. If you were to take the same measurement along the east wall of the hallway from north to south it measures 12'10" from the far north wall of the hallway or to where the hallway ends to the north wall extended from where the stairs ascend down to the lower landing.

The thermostat to the residence is located in this hallway along the west wall. It was noted that it was set on 60°. Lying on the floor of the hallway initially is observed a shell casing from a 9mm round. On the bottom of the shell casing are the initials NCC 9mm Luger. This was recovered at 1448 hrs. It was found to be approximately 2'10" north of the north wall extended from the stairway and approximately 5' west of the east hallway wall. It was brought to headquarters, tagged P8908009 and placed into property.

Also observed lying in close proximity to this shell casing is an unspent 9mm cartridge. This was recovered at 1451 hrs. and it was found to be located on the hallway floor 3'1" north of the north stairway wall extended and approximately 9" west of the east hallway wall. This was brought to headquarters, also tagged

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P8908009 and placed into property.

As these officers were doing the entire time we were conducting the crime scene investigation and that is attempting to make observations for blood and other trace evidence. We did not some darkened stains believed not to be blood, however, we did decide to take a sample of these stains. This was done at approximately 1509 hrs. The stain was measured to be approximately 8" in diameter. Was located on the floor approximately 1'9" east of the west living room wall and even with the south edge of the south edge of the opening into the kitchen dining area. This was later brought to headquarters, tagged P8908016 and placed into property.

Noving back into the hallway area first some overall observastions of the body of James Etherton. As I indicated before this individual was lying on his back. His head is pointed north. Feet are point south. Head is nearest the northwest corner of the hallway. The legs are extended straight out from the upper torso. The right arm is bent at the elbow so that the nand is then coming back towards the body and is actually touching the right hip. The left arm is out from the body bent at the elbow as though one would be flexing the bicep muscle. The hand is in a fist position up even with the head approximately a foot to a foot and a half away from the head. By the left knee of Etherton is observed a fairly clean appearing white gauze pad. This was pointed out earlier by Det. Barksdale as one that was left by emergency personnel responding to the residence. Det. Barksdale instructed me that when medical personnel came into the residence they did not move the body of Etherton as he informed them that Etherton was deceased and they were to leave him as he was. This gauze pad was retrieved at 1513 hrs. it was located on the hallway floor as I indicated very close to Etherton's left knee area. Was measured to be approximately 1'2" west

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of the east hallway wall and approximately 4'1" south of the north hallway wall. It was brought to headquarters, tagged P8908007 and placed into property.

Heasurements were then taken of the body. And the following measurements are noted. To the center of the left hand is approximately 2" south of the north hallway wall and 12" west of the east hallway wall. To the left elbow is approximately 1'4" south of the north hallway wall and approximately 1'1" west of the east hallway wall.

To the center of the head which is tilted slightly to the left or looking back towards the east is located 6" south of the north hallway wall and 2'6" west to the east hallway wall.

The right elbow was located approximately 1'10" south of the north hallway wall and approximately 3'6" west of the east hallway wall.

The right wrist located 2'7" south of the north hallway wall and even with the west hallway wall.

The left knee approximately 4' south of the north hallway wall and approximately 1'4" west of the east hallway wall.

The right knee approximately 4'4" south of the north hallway wall and approximately 2'3" west of the east hallway wall.

The left foot approximately 6'2" south of the north hallway wall and approximately 9" west of the east hallway wall.

The right foot located approximately 6'5" south of the north hallway wall and approximately 1'8" west of the east hallway wall.

At this north end of the hallway directly above the body of Etherton there also is noted a hole which appears to be a bullet hole in this north hallway linen closet door. The linen closet door is closed. The measurement of the

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with the north nallway wall. On the door approximately 5'4" above the floor.

The hole was measured to be approximately 5/16" in diameter. The bullet then is observed to have travelled north through this linen closet 1'7" where it strikes the north rear wall of the linen closet. It then exits the linen closet north wall and then enters the clothes closet of the northeast bedroom. The hole coming out of this south closet wall of the northeast bedroom measures approximately 2'11" above the floor it then travels northbound through the closet 6'1" to where it strikes the north wall of the closet which is also the north wall of the upper level to the residence. It then strikes this wall at 1'4" above the floor having travelled through clothing articles in the closet. Exterior measurements show that the bullet hole in the exterior portion of the residence as it comes out of the wood exterior measures 9'11" above the ground and was located 10'3" west of the east wall of the house using the concrete area. It then travels 31'7" north of the residence to where it finally came to rest after hitting Bob Lagemann's

There are also what appears to be blood stains and blood smears located on the west wall of the nallway directly above body of Etherton. The first main blood area was measured and found to be 3'9" south of the north hallway wall approximately 1'6" above the floor to the lowest point and 1'10 1/2" above the floor to the highest point. The width of the blood smear is approximately 11" north to south. This blood stain was retrieved by use of swab at approximately 1544 hrs. it was labeled as evidence #19 in this total crime scene search, was later brought to headquarters, tagged P8908015 and placed into property.

The second blood stain area directly below it was found to be 4'2" south

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of the north hallway wall. At the highest point it extended 1' above the hallway floor. At the lowest point 6 1/2" above the floor. It was approximately 10" in width north to south. It was recovered by the same manner using a gauze pad at 1544 hrs. labeled as evidence #20, also brought to headquarters, tagged with the same number P8908015 and placed into property.

At approximately 1555 hrs. Deputy Ben Maske from the Lancaster County Sheriff's Office arrived at our location and at approximately 1615 hrs. Bill Cassell and Hike Avery, Pathologist Assistants from Lincoln General Hospital arrived along with County Attorney Mike Heavican. At that time I did brief Bill Cassell and Mike Avery on our investigation thus far. They did take some photographs for their own purposes. Then an examination of the body was made by Bill Cassell. At the scene he noted at least seven or eight different noles made by bullets penetrating the body of James Etherton.

At approximately 1645 hrs. Bill Cassell and Mike Avery started moving the body to look beneath it at which time it was observed that blood was flowing from the body onto the carpet below. It was during this time that Wadlow's Mortuary had been called by Deputy Maske had arrived at our location that was Jim McDonald and Steve Brunken.

Prior to the body being moved Deputy Jacobs and Inv. Doetker did place paper bags over the hands of the body. Jim Fobonald and Steve Brunken with Inv. Doetker did then place the nude body of James Etherton into a clean white sheet which was wrapped around the body. The body was then placed into a dark colored zippered body bag. This was then transferred to a gurney so that James Etherton's body could be transferred from the residence to the venicle of Wadlow's Mortuary.

At approximately 1710 hrs. after James Etherton's body was placed into the Wadlow's

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vehicle. It was then transported by Jim McDonald and Steve Brunken to Lincoln General Hospital Clinical Evaluation area. The body was followed for chain of custody by Deputy Ben Haske.

After the body was removed myself along with Inv. Doetker and Deputy Jacobs did take a short break.

After taking the break the investigation then continued inside the residence with these officers going to the northeast bedroom of the residence which was the room in which Etherton and Hopper were in at the time they were assaulted. The bedroom measurement from north to south is 11'9". The measurement of the northeast bedroom east to west is 10'2".

As you enter the bedroom through the doorway located along the west wall near the south end which measures 2'6" and you move clockwise around the room the following measurements are noted. The west wall from the north edge of the doorway opening measures 1'4" to the north at which time this west bedroom wall then jogs further to the west of a distance of 1'. Then the wall extends northward 2'6" to the south closet opening. The closet then extends 3'11" to the north opening of the closet at which time the west wall continues 1'1" to the far north wall of the bedroom. There then is a small window located along the north wall which measures 10'2" to the east wall. The east wall then measures (end of tape 3) The east wall then extends from north to south 11'9" with a large bedroom window located in the center of it. Which is approximately 6' wide. The south wall of the bedroom is a continuous wall extending 10'2" to the west bedroom wall.

As you move north 4" from the south bedroom wall along the west bedroom wall you then come to the south edge of the doorway leading into the northeast bedroom from the hallway. Moving around the room clockwise again starting from

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the stairway threshold the following furniture pieces are observed. The clothes basket with several articles of clothing is sitting on the floor approximately 2' north of the north edge of the doorway butted up against the west wall. Located in the northwest corner of the bedroom is a four drawer dresser unit. Located along the east wall just on the south edge of the window is a chair, wood legs, blue vinyl seat. Along the south bedroom wall is a dresser and vanity unit which measures 6' in length from east to west and 1'7" north to south. And is approximately 2'8" in height. Attached to the back of this dresser unit are two large mirrors. Placement of the dresser is approximately 3'8 1/2" east of the west wall to the west edge of the dresser and approximately 2 1/2" north of the south wall to the west edge of the dresser.

Observed on the dresser are two jewelry boxes containing women's jewelry and also papers with the name of Melody Hopper on it. Also located on the dresser is one mens jewelry chest with ID and paper of James Etherton inside of it. It is noted that in both dressers that being the dresser and vanity unit and also the chest of drawers located in the northwest corner of the bedroom are both mens and womens clothing as well as both mens and womens clothing in the closet located along the west wall of the bedroom. Located just to the west of the dresser located on the floor is a pottery appearing trash container with mexican designs on the outside of it.

Located in the center of the bedroom and taking up most of the floor space of the bedroom is a king sized bed having frame, wood head board with spindles, box springs and mattress. The head of the bed is pointed in a east direction and slightly turned to the north. The foot of the bed is pointed in a west direction and turns slightly to the south. The measurement of the bed is approximately

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6'5" from side to side and approximately 6'6" from head to foot. Heasuring the top portion of the mattress. It was also noted that the mattress is offset from the box springs approximately 10" from the head of the bed.

The placement of the bed in the bedroom is as follows: the southwest corner of the mattress was found to be 1'8" east of the west wall door wall of the bedroom and 2'9" north of the south wall of the northeast bedroom. The northwest corner of the mattress was found to be 8'9" north of the south wall of the bedroom and approximately 1'7" east of the west closet wall of the bedroom.

The first article seized in the northeast bedroom is a 9mm shell casing. It was located on the floor approximately 9 1/2" east of the west door wall and approximately 1'7" north of the south bedroom wall. It was seized at 1547 hrs., brought to headquarters, tagged P8908009 and placed into property.

Observed on the bed is quite a quantity of blood and blood splatters. There are two pillows, one a yellow pillow, the other one a blue pillow lying on top of the fitted sheet to this king sized bed. The sheets to the bed have a white background with yellow flowers and there is also some green color in the flowers. The top sheet along with the comforter are nearly off the bed onto the floor near the northwest corner of the bed. Also observed on the bed is one 9mm shell casing and one what appears to be 9mm bullet or slug. The pillow which was lying on top the bed near the south side and was lying in an east west direction the southeast corner of which was found to be 3' west of the east bedroom wall and 3'8" north of the south begroom wall. The northeast corner of the pillow was found to be approximately 2'11" west of the east bedroom wall and approximately 5'2" north of the south bedroom wall. It was recovered at 1736 hrs., brought to headquarters, tagged P8908024 and placed into property.

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The pillow covered with a blue colored pillowcase was located on the bed mear the northwest corner in a diagonal position. The southwest corner of the pillow was approximately 6'7" north of the south bedroom wall and approximately 4'9" east of the west bedroom wall. The northeast corner of the pillow was approximately 7'10" north of the south bedroom wall and approximately 5'5" east of the west bedroom wall. It was recovered at 1739 hrs., brought to headquarters, tagged P8908024 and placed into property.

The spent 9mm cartridge casing lying on the bed was recovered at 1742 hrs., brought to headquarters, tagged P8908009 and placed into property. It's location on top of the bed was found to be 5'2" north of the south bedroom wall and 5'10" east of west bedroom wall. The 9mm bullet or slug lying on top of the bed was found to be located approximately 5'7" north of the south bedroom wall and approximately 5'11 1/2" east of the west bedroom wall. It was recovered at 1743 hrs., brought to headquarters, tagged P8908009 and placed into property.

The top sheet which is also the same design as the fitted sheet being of white background having yellow flowers with green leaves was found to be wrapped up into the comforter at the northeast end of the bed. Most of the sheet was on the floor and it is noted that the comforter is also on the floor at that end of the bed. This was recovered at 1748 hrs., brought to headquarters, tagged P8908024 and placed into property.

The bottom fitted sheet was next removed from the bed. Prior to it being removed again photographs were taken of the top portion of the bed showing the fitted sheet after all the items on top of the bed had been removed such as the bullets, the pillows, comforter and top sheet. Inv. Doetker did label the southwest corner of the sheet as such prior to it being removed from the bed. It was removed

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at 1753 hrs., brought to headquarters, tagged P6908024 and placed into property.

llaving removed the fitted sheet there was also observations then made of the top portion of the mattress. This being a King Coil Master Firm Mattress. There were large areas of blood areas near the center portion of the mattress. Also what appears to be a bullet hole found in the mattress on the south side. This was found to be approximately 5'5" north of the south bedroom wall and approximately 7'8" east of the west bedroom wall. The mattress was then removed from the bed, a clean white sheet was placed over the top of the mattress and taped to the mattress to preserve items of evidential value on the mattress.

Next in observing the King Coil Box Springs below the mattress as on all king sized beds there are two box springs. It is noted that on the box spring closest to the south edge of the bed there is a hole that appears to have been made recently by a bullet. This was found to be approximately 6'10" north of the south bedroom wall and approximately 8'3" east of the west bedroom wall. There is also located near the east end of the box spring. The box spring was then removed at approximately 1759 hrs. from the bed as the mattress before that was removed at approximately 1753 hrs. The box spring like the mattress was covered in clean white sheet attempting to preserve items of evidential value on it. The other box spring which would be the one closest to the north side of the bed was examined for any evidential value and none was found. Therefore, it was not brought into headquarters but left at the scene.

Later garage personnel, specifically Larry Wagner of the Lincoln Police Department Police Garage, did arrive with a pickup truck and the mattress and box springs were loaded on this pickup truck and transported to the property room with Officer G. Hoore of the police department observing this transport

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from 1811 Urbana to the Police Department. This was then tagged in under P8907994 and placed into property. After removing both mattress and both box springs from this bed we then exposed the metal frame of the bed along with the headboard. It is noted that the headboard has a clearance of 10 3/4" from the bottom of the headboard to the floor. Clearance of the metal frame of the bed is approximately 6" from the floor to the bottom of the metal frame of the bed.

Mext observed and then collected was another bullet slug which was lying on the bedroom carpet in the northeast bedroom under the east end of the bed near the south side. This was measured and found to be approximately 6' north of the south bedroom wall and approximately 9'9 1/2" east of the west bedroom wall. Collected at 1819 hrs., brought to headquarters, tagged P8908009 and placed into property.

As indicated the headboard was made up of several spindles, one of the spindles was observed to have a piece of wood chipped out of it and it appeared as though it had been struck by a bullet. This was measured to be approximately 2'9" above the floor, approximately 7'11" north of the south bedroom wall and approximately 9'4" east of the west bedroom wall. Also lying on the floor near the east wall is another bullet slug this was recovered at approximately 1830 hrs., brought to headquarters, tagged P8908009 and placed into property. It's location on the floor was found to be approximately 9'3" north of the south bedroom wall and approximately 10'8" east of the west bedroom wall.

There then is three 9mm shell casings all of which are observed near the east wall of the bedroom. The first labeled as #31 measured and found to be approximately 10'6" north of the south bedroom wall and approximately 10'4" east of the west bedroom wall. Recovered at 1831 hrs., brought to headquarters, tagged

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P8908009 and placed into property.

The next shell casing labeled #32 was found on the floor approximately 11'5" north of the south bedroom wall. Approximately 9'4" east of the bedroom wall. It was recovered at 1833 hrs., brought to headquarters, tagged with the same property number and placed into property.

The third 9nm shell casing located on the floor labeled with #33 was located approximately 10'6" north of the south bedroom wall and approximately 8'1" east of the west bedroom wall. Recovered at 1834 hrs., brought to headquarters, later tagged with the same property number P8908009 and placed into property.

Also located on the floor on the north side of the bed near the east end is a Lone Starr telephone. It has blood smeared on it. The base of the phone is white, has a blue cord and blue receiver. The receiver is off of the phone lying on the floor. This was brought into headquarters, recovered at 1835 hrs., tagged P8903003 and placed into property. It's location to the center of the phone on the floor was found to be approximately 11'2" north of the south bedroom wall and approximately 8' east of the west bedroom wall. It is noted that the phone was properly plugged into the phone outlet on the north bedroom wall near the east end. The handle to the receiver as indicated was lying on the floor away from the phone base. It was found to be approximately 10'i" north of the south bedroom wall and approximately 9'6" east of the west bedroom wall.

As indicated before at 1915 hrs. Officer G. Moore arrived along with Larry Wagner and at that time Larry Wagner transported the mattress and box springs to police department property room followed by Officer G. Moore in her vehicle.

Next it is observed that on the east bedroom wall there is a hole made in the wall directly below the window. This hole goes all the way through the wall

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and exits the exterior wood portion of the residence. The hole on the inside of the wall was measured and found to be approximately 7'1" north of the south bedroom wall and approximately 6 1/4" above the floor. The hole itself is measured to be 1" in length north to south and 1/2" in width.

It was at approximately this time that I was summoned by Det. Breen to given him a call. Therefore, a phone call was made using the phone in the crime scene van. Det. Breen advised me that he was about ready to search the residence at 4420 N 10 and requested any information that we might have concerning the crime scene investigation. At that time I did advise Det. Breen the inscriptions that we had been finding on the shell casings that being WCC 9mm Luger.

Getting back to the northeast bedroom with Inv. Doetker and Deputy Jacobs we continued our investigation. We next made observations of large blood stained areas on the floor which would have been somewhat under the northeast corner of the bed. The blood stain area measures approximately 1'9" east to west and 1' north to south. Is located to the center of the stain 9' north of the south bedroom wall and 8' east of the west bedroom wall. A swabbing of this stain was taken using sterilized gauze at 1931 hrs., brought to headquarters, tagged P3908013 and placed into property.

In attempting to place a probe into the east wall from where the bullet had entered the wall to where it exited the exterior of the wall 1811 Urbana it was noted that the bullet traveled from the north to the south and, therefore, it was determined that a small piece of wall board would be cut from the east wall where this bullet had entered the wall. After removing the wall board it was observed that there was a 2x4 stud supporting the wall directly to the south of where the bullet had entered the wall. It was observed that the bullet then

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struck this stud. After doing so exited the residence. Portion of the stud that was struck was measured and found to be approximately 3" east of the east bedroom wall and approximately 6'9 1/2" north of the south bedroom wall. Located approximately 7 3/4" off the floor extended. This small of wall board was recovered at 1947 hrs., brought to headquarters, tagged P8908008 and placed into property.

Was also located a blood stain on the east bedroom wall approximately in the area of 4 1/2" in height from floor to ceiling and approximately 1 1/2" in width north to south. It was found to be approximately 9'5" north of the south bedroom wall and 1'3" above the floor to the center. It was recovered by use of sterilized gauze at 2004 hrs., brought to headquarters, tagged P8908013 and placed into property.

There was also blood stain which is on the west wall of the bedroom located just north of the bedroom door. It's location was found to be approximately 4" north of the north edge of the door entrance even with the wall of the bedroom door. Located approximately 3'2" above the floor and measures 7" from floor to ceiling and is approximatel 4" in width north to south. It was recovered in the same manner at 2016 hrs., brought to headquarters, tagged P8908013 and placed into property.

We did note other areas of the upper level in the northwest corner of the upper level is another bedroom. In this bedroom we found articles belonging to Brian who is thought to be James Etherton's son. This room contained a water bed, did have a dresser and in the closet there was observed to be womens clothes thought to be clothing of Melody Hopper's. The bedroom measured approximately 11'4" from east to west and 11'1" north to south. It had green colored sculptured carpet.

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Also located on the west side of the house centrally located north and south is what could be another bedroom, however, it appears as though it is used as a storage room for suitcases, clothing, sewing machine, files of Melody Hopper's of business correspondence etc. The clothing in the room is that of a female's, clothes in the closets are also for a female. Has red shag carpeting. Measures 9' north to south and 11'4" east to west. There does not appear to be anything of evidential value located in this room or the northwest bedroom.

Across the nallway located on the east side of the residence centrally located is a bath with blue sculptured carpeting. Total measurements are 4'11" from north to south and approximately 9'8" from east to west.

Located along the south wall towards the west end is a vanity and sink area this measures 4'8" east to west. There then is a wall which is used as a permanent partition between this area and the area where the tub and toilet is located. The toilet is then located also along the south wall just east of this partition. The tub is then located along the east wall and runs lengthwise north to south.

Coming out of the bathroom and continuing southbound in the hallway there is a coat closet. Upon examining the clothes there are both male and female clothing. One of the pockets of a three quarter length blue womens wool coat is a business card of Helody Hopper's.

It should be mentioned that all of these rooms and the contents of the rooms were searched thoroughly for anything of evidential value. Was noted that in searching through the west centrally located bedroom which is (end of tape 4) which is used as a utility or storage room going through correspondence addressed to Nelody Hopper it was discovered that the name Tami Ziegendein found to be a daughter of Helody Hopper's and also other correspondence written to the Hopper

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party from an individual by the name of Cory Ziegendein was discovered to be ner son. Also found divorce papers from a previous marriage to a Harrison Stanley Hopper.

While I and Inv. Doetker were completing measurements and also reading through all letters any correspondence that we found in the rooms upstairs, I had requested Deputy Jacobs to begin dusting the residence for fingerprints specifically the window which was now at this time dried which had been removed from the rear of the residence and also the sliding glass door located in the diming area on the upper level along with doorknobs and any other locations which he felt might contain fingerprints.

At approximately 2039 hrs. on 8-2-89 Inv. Doetker discovered in the northeast bedroom mexican pottery trash container a large white envelope addressed to James Etherton in care of Lincoln Tent and Awning. Inside the envelope was a letter which appears to be generated from a word processor dated July 9, 1989, addressed to James Etherton at 1811 Urbana Lane, Lincoln, Nebraska, 68505. Starts out Dear Jim. This letter then starts out by stating "I'm writing this letter to you to explain what I meant by saying I would hold you responsible for Meloxiy. I didn't want you to interpret that as some kind of threat it is not. I believe very strongly that every human being has value even and especially Meloxy. I don't wish to see her hurt any worse that she already is and I realize I'm no longer in a position to help her even if she wanted me to. I read enough books on psychology to give us both hermias if we had to lift them all at once and think I understand what is happening. It is important to understand Melody if you are to help her achieve any sort of piece of mind. I do hope and believe that you will do this. I have learned enough about you to believe that you are

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not just trying to take advantage of ner and leave her. I would like you to be successful where I failed her."

The letter then goes on for four pages explaining somewhat of their relationship that being Steve Jacob and Melody's relationship as this is a letter written by Steve Jacob. It talks alot about Melody's feeling of guilt even though she has a hard time expressing or talking about this guilt and that is Steve Jacob's opinion that she covers this guilt by one relationship after another.

He ends the letter by saying "I may sound like a psychiatrist now but I feel this is important. Melody has been through this cycle a number of times. That is I think evidence that her past pain and guilt hasn't healed. This will happen again. Generally on important dates, birthdays, anniversaries, Christmas, New Years, etc. When it does happen you need to be able to talk to her openly and honestly. She needs to be told that the future is more important then the past. Emphasize the past is always painful and most be left behind. She is very likely to suffer greatly for awhile. She could cry for days but in the end that is good because that too is a necassary part of healing. Naybe you've (pka out 2225 hrs. 8-4-69)(#751 in 2350 hours) heard the phrase, "primal scream".

It's the subconscious mind's way to cry out to God or the world to make the pain stop. It is a release from deep inside. Then of course you have to make your plans for the future come true but that is usually the easy part. The letter then continues on with the next paragraph:

I wrote this letter because it is important for you to understand what can happen and when it can happen in order to break this cycle. I sincerely hope that you are more successful than I was. I think you can see that if you don't stop it Nelody will eventually find a new lover and start all over

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again. Eventually age will catch up with her and she won't be as attractive as she is now, what happens then. What happens when she can't find a new lover to mask the pain. Have you ever seen a bag lady or a homeless person and wondered how human life could be so ruined and worthless. As I said before I believe every human being has value. I don't want to see Melody continue being in pain. I really don't think you do either.

(last paragraph) I doubt that you or Melody will see or speak to me again. I do hope that you will be happy and more successful than I have been. (letter is then signed) Sincerely, Steven M. JACOB (signed by him in his own penmanship) Steven M. JACOB.

As indicated this letter inside the envelope was found inside of this trash container. A measurement then was taken of the exact location of the trash container and it was found to be 7'1" east of the west bedroom wall and approximately 7" north of the south bedroom wall to the center of the container.

The envelope and letter were recovered at 2039 hours, brought to headquarters tagged P8908011 and placed into Property. Further measurements of both the north side of the residence where the bullet exited the residence and also the east side where bullets exited the residence were further measured. These measurements took place at approximately 2107 hours. I've already covered the measurements taken on the north side. The measurements taken on the east side where the bullet exited the residence was found to be approximately 9'5" above the ground and approximately 5'7" south of the north edge of the house.

At approximately 2125 hours the three vehicles sitting in the driveway of

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the residence were searched, nothing of evidentiary value found in them. were then locked and secured with the use of keys found in the residence. At this time Deputy JACOBS had completed dusting for prints outside the residence and inside, did hand me fingerprint cards of latent lifts. These cards were later brought to headquarters by myself and turned into Sgt. Rauscher in the ID Division.

Keys found at the residence was one KHAT key ring #065218 and Melody's keys had seven keys on this key ring. These were taken off the oak buffet located in the kitchen/dining room area along the north wall and also five keys on a Jack Keef key ring, these were removed from a top the dresser in the northeast bedroom. Both sets of keys were collected at 2120 hours, brought to headquarters tagged P8908006.

At approximately 2150 hours we secured the scene locing all entrance and exit doors to the residence. Also placing at the front and rear of the residence on the doors crime scene signs. It is noted that front and rear walk in doors are only secured with a spring loaded lock. There are no dead bolt locks on the rear or front doors. The sliding glass door is secured by sliding mechanism. All inner doors of the residence can not be locked. It should be noted that when examining the rear walk in door in the lower level of the residence it appeared as though prior to the glass being broken out of this door the framing around the glass had been freshly pried on by an instrument with approximately a quarter inch bite and there was a fresh wood piece laying on the concrete patio to the outside of this door that was brought in along with glass pieces and tagged into Property.

The residence after being secured was left by us at approximately 2150

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hours on 08-02-89. The tapes of the walk through that Inv. Doetker had completed were brought to headquarters tagged P8908004 and placed into Property. An ACI was made out to Records for those tapes to be transcribed. There was a total of seven rolls of film used in documenting this crime scene investigation. This film was also brought to headquarters, tagged P8908023.

The driver's license of James ETHERTON and Nelody HOPPER which were handed to me by Sgt. Nelson in the early morning hours of 08-02-89 were tagged P8908021 and placed into Property.

In conclusion it was felt by us that entry was initially attempted by removing the storm window to the rear window located on the west side of the residence near the south end. Unsuccessful with this attempt the individual then went to the west rear door of the residence at the lower level, took a rock from the rock garden, placed it so that it could hold the metal storm door open. He then attempted to pry the framing around the lower pane of glass in this rear door attempting to remove the glass. Unsuccessful with this he then took another rock from the rock garden throwing it through this pane of glass.

then went directly from the den area of the lower level ascending the stairs to the upper level going north in the hallway to where he observed both ETHERTON and HOPPER lying in bed where he shot both of these individuals in the bedroom. Melody HOPPER removing herself on the north side of the bed, climbing or pulling herself under the bed as this is the location where Det. Barksdale indicates he observed her upon entering the house and the ETHERTON party getting up from the bed, going out into the hallway of the residence

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where he fell to the floor.

I believe there was at least one shot fired in the hallway as there was one round in the linen closet located at the north end of the hallway which I indicated before exited it, went through the closet of the northeast bedroom and then exiting the north side of the house, striking the car in the neighbor's driveway to the north.

We then believe this individual may have exited the residence through the sliding patio door located on the west side upper level of the residence as this door was standing open approximately two feet upon officers arrival. This individual then exited the house by way of the rear deck, descending the stairs to the patio below. There was a total of six empty 9mm shell casings recovered from the upper level of the residence.

There were three slugs recovered inside the residence, one remains of a slug recovered outside the residence on the driveway of 1821 Urbana and one unspent round found in the hallway in the upper level of the residence. This then includes the crime scene investigation that date which is 08-02-89 at the residence of 1811 Urbana by these officers.

After arriving at work on 08-03-89 I did contact Sgt. Rauscher in the ID Division informing him of the fingerprint cards that had been turned in by these officers from the crime scene at 1811 Urbana. Sgt. Rauscher indicated that he would attempt to look at the prints for value in making comparisons and if prints of value were found, would attempt to eliminate them by comparing those prints to prints that he would have on file of individuals living at the residence and also the suspect Steven JACOB.

It was learned a short time later in the morning of 08-03-89 that Sgt.

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Rauscher contacted me and advised me that prints found on the window that being the storm window that had been removed from the rear of the residence were identical to the prints of Steven JACOB. Refer to Sgt. Rauscher's Supplementary Report for details in regards to those findings. After conferring with Gary LACEY of the County Attorney's Office I re-entered the crime scene at 1811 Urbana at approximately 0915 hours on 08-03-89.

My purpose in doing this was again to look for things of evidentiary values specifically additional shell casings and also to review the business and personal correspondence which Melody HOPPER and James ETHERTON had received which were stored in various places in the residence. At approximately 1000 hours I did remove from the top of the oak buffet located in the northeast corner of the kitchen/dining area, a typed paper dated 08-27-89 (??) typed by Nelody HOPPER with instructions to her insurance agent in regards to future coverage on her policies that as of 07-22-89 her new residence would be 1811 Urbana. This was tagged into Property under P8908054 after arriving at Lincoln Police Department headquarters.

Also removed from the northeast bedroom a top the vanity dresser which is located along the south wall of that bedroom, a black leather trifold billfold with identification belonging to James ETHERTON, also cash in the amount of \$110. This was also brought to headquarters tagged P8908054 and placed into Property. This was recovered at approximately 1020 hours from that dresser.

At approximately 1025 hours on this date I removed from the living room floor a blue leather woman's purse with contents which included a tan colored wallet with identification, credit cards, and cash of Melody HOPPER's, cash amounting to \$20. This was also brought to headquarters, tagged P8908054 and

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placed into Property.

Prior to leaving the scene I did leave a copy of the Search Warrant on the dining room table, along with Receipt of all items seized from the residence and at approximately 1045 hours after securing the front door of the residence I then left.

I was later notified by Inv. Doetker who was attending the autopsy of James ETHERION that there was a total of I believe 12 holes in the ETHERION party and it is felt possibly that there might be other shell casings or bullet holes left on the floor at that residence, therefore at approximately 1315 hours on this date I re-entered the residence through the front door which was still secured by the use of a key.

At this time Gary LACEY of the County Attorney's Office was with me. We examined the hallway and bedroom floors, did not find any further holes. We ripped up a portion of the carpeting in the north end of the hallway where James ETHERTON was lying to examine the rear of carpet for holes which might not have been so readily apparent as looking at the top of the carpeting. We did not observe any holes in the carpeting. We did not observe any other shell casings at the scene.

Myself along with Gary LACEY then left the scene at approximately 1400 hours on 08-03-89 again securing it with the use of a key. Later after the autopsy was completed I did have an opportunity to talk with Inv. Doetker. He informed me that although there were several holes in James ETMERTON, I believe it was determined that he was only shot three times however refer to Inv. Doetker report for findings of the autopsy.

This will conclude the follow up investigation at the crime scene which I

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conducted on 08-03-89. The following will be a list of all property seized from the residence thus far in the investigation and will be listed in the order that it was seized and also will be identified by the number that it was given at the time that it was seized:

- #1: an empty quart bottle of Coors Light Property Tag P8908019
- #2: bullet fragments found on the driveway of 1821 Urbana Tag P8908022
- #3: One gold chain found on the rock garden at the rear of the residence - Tag P8908020
 - #4: Storm window found at the rear of the residence P8908027
 - #5: A rock holding the rear storm door open Tag P8908025
- #6: Glass fragments from the rear door found on the patio Property Tag P8908010
 - Rock found on the inside den floor P8908025
- #8: Glass fragments found on the den floor P8908010
 - #9: Piece of white fiber found in glass pane on the rear door P8908010
 - Piece of glass from the rear door Tagged P8908010
 - The brown and tan drape off the rear door P8908026
 - Yellow handled wire snips found on the den floor P8908017
- #13: Two blank note pads found in the den on top of a small table -P8908018
- A black holster with web belt found in the southeast bedroom lower level - P8908012
- Lincoln Memorial business card and vehicle registration of Melody HOPPER found in the upper level living room - Property Tag P8908014

#15: A shell casing located in the hallway upper level - P8908009

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#16: A unspent 9mm cartridge located in the upper level hallway - Tagged P8908009

- #17: Dark spot on the living room floor Tag P8908016
- #18: A white cloth or gauze pad located on the hallway floor by the victim P8908007
 - #19: A swab of blood stain found in hallway upper level Tag P8908015
 - #20: A swab of blood stain found in hallway P8908015
 - #21: A 9mm shell casing located in the northeast bedroom P8908009
- #22: A pillow off the bed with a yellow case found in the northeast bedroom Tag P8908024
 - #23: A pillow with a blue case found in the northeast bedroom P8908024
 - #24: A 9mm cartridge shell laying on the bed P8908009
- #25: A bullet or slug lying on the bed in the northeast bedroom P8908009
 - #26: Top sheet and comforter Tag P8908024
- #27: The bottom fitted sheet off the bed in the northeast bedroom Tag
 P8908024
- #28: The King Coil Masterful Mattress and one half box springs from the bed in the northeast bedroom Tag P8907994
- #29: A slug found near the east end of the bed (end tape 5) (begin tape 6) Property Tag P8903009
- #30: Flatten (?) bullet or slug located near the east wall of the bedroom Tag P8908009
- #31: A 9mm shell casing located near the east wall of the bedroom Tag P8908009

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#32: A 9mm shell casing located near the east wall of the bedroom - Tag P8908009

#33: A 9mm shell casing located near the east wall of the bedroom - Tag P8908009

#34: Lone Star telephone located in the northeast bedroom - Tag P8908003

#35: A swabbing of a blood stain under the northeast corner of the bed in the northeast bedroom - Property Tag P8908013

Piece of wallboard with a bullet hole in it removed from the east wall of the northeast bedroom - Property Tag P8908008

#37: A swabbing of blood stain on the east wall in the northeast bedroom - Property Tag P8908013

A swabbing of blood stain on the west wall by the door in the northeast bedroom - Property Tag P8908013

#39: A swabbing of blood stain along the north wall close to the east end of the northeast bedroom - Property Tag P8908013

#40: Letter addressed to James ETHERTON, signed by Steven JACOB found in the trash container in the northeast bedroom - P8908011

#41: A typed letter from Nelody NOPPER to insurance agent indicating that she was moving to 1811 Urbana on 07-22-89 located in the kitchen, northeast corner - Property Tag P8908054

Wallet belonging to James ETHERTON located on top of the vanity #42: dresser in the northeast bedroom - P8908054

Woman's blue purse and contents located on the living room floor -Property Tag P8908054

Seven rolls of 35mm film taken of crime scene - P8908023

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SUPPLEMENTARY REPORT

Police Department

Lincoln, Nebraska

Victim

89-070868

Four cassette tapes of walk through by Inv. Doetker of crime scene - P8908004

Driver's license of Helody HOPPER and James ETHERTON handed to me by Sgt. Nelson - P8908021

Five keys on a Jack Keef key ring - P8908006

Seven keys on a KHAT key ring belonging to Melody HOPPER - P8908005

This concludes information concerning the crime scene at 1811 Urbana on 08-02 and 08-03-89.

Det. DOMGARD dictating.

END OF REPORT

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