



**Oklahoma High School
Mock Trial Program
2022-2023**

State of Oklahoma

V.

Kody Lee Shannon

Adapted from original materials written by Indiana High School Mock Trial as adapted by the
Iowa State Bar Association Center for Law & Civic Education

We hope you find these materials interesting and educational. Best of luck during the competition!



**OKLAHOMA
BAR FOUNDATION**
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WITNESSES

For the Prosecution

Dr. Brook Coleman
Detective Louis(e) "Lou" Fitzgerald
Jayce "JJ" Jefferson

For the Defense

Kody Lee Shannon, *Defendant*
Dr. Milo/a Everett
River Shannon

All witnesses may be female or male.

EXHIBITS

Teams in competition may use the following exhibits. They are pre-marked and are to be referred to by number, as follows:

Exhibit No. Exhibit Description

1. Curriculum Vita of Brook Coleman, M.D.
2. Case Evaluation of Kody Lee Shannon by Dr. Brook Coleman
3. Excerpts of Medical Records from St. Eleggis Hospital
4. Excerpts of Medical Records from Wellness Mental Health Clinic
5. Las Vegas Police Department Arrest Report
6. Excerpts of Investigation Notes of Detective Lou Fitzgerald
7. Transcription of Taped Interview of Kody Lee Shannon
8. Transcription of 911 call of Jayce Jefferson
9. Excerpts from Zii Website
10. Case Evaluation of Kody Lee Shannon by Dr. Milo/a Everett

STIPULATIONS

1. The Defendant is charged with Murder, Attempted Murder, Manslaughter, Reckless Homicide, Criminal Mischief, and Wanton Endangerment relating to 26 incidents of sniper shootings or wood or bricks or other items being thrown from an overpass. Defendant admits to the 26 incidents of shooting or throwing something from an overpass. If the defendant is found guilty of any of the charges, a sentencing hearing will be conducted at a later date. (Note: For mock trial purposes, the jury instructions have been shortened to include only the charges of murder and manslaughter.)
2. The Defendant has properly filed its notice of insanity defense. The Defendant is, however, competent to stand trial.

3. The exhibits are true and accurate copies and their authenticity may not be challenged. Unless stated otherwise herein, the admissibility of the exhibits on other grounds may be challenged.
4. Anna Anderson died from a gunshot wound to the chest at approximately 10:15 a.m. on November 15, 2019.
5. The ballistics reports conducted on January 12, 2020 show that the reported shootings, as listed in Exhibit 6, came from the defendant's guns.
6. Defendant Shannon admits that s/he fired the bullet from her/his gun that resulted in the death of Anna Anderson. The issue of Kody Lee Shannon's mental state at the time of Anderson's death and whether the act was intentional are disputed.
7. Exhibits 3 and 4 (Excerpts of Kody Lee Shannon's medical records from St. Eleggis Hospital and Wellness Mental Health Clinic) were made at or about the time of the events by a person with knowledge of the events, and are kept in the course of regularly conducted business activity, and it is the regular practice to make such a report.
8. Exhibit 5 (the Las Vegas Metropolitan Police Department Arrest Report) does not need to be introduced through a custodian of the records. The Arrest report shall be deemed to be part of Detective Lou Fitzgerald's Investigation File and was made at or about the time of the arrest of Kody Lee Shannon in Las Vegas by a person with knowledge of the events, and is kept in the course of regularly conducted business activity of Fitzgerald's investigation file, and it is the regular practice to make such a report.
9. Exhibit 7 is an accurate transcription of the taped interview between Detective Fitzgerald and Kody Lee Shannon, the defendant.
10. Exhibit 8 (transcribed 911 call) and Exhibit 9 (Zii Website excerpts) are deemed admitted, without objection, and may be introduced at any time during the trial, whether or not through the testimony of a witness.
11. Throughout the calendar year 2019, Kody Lee and River Shannon's primary residence was an address on Deckawoo Drive in Windsor Heights, Oklahoma.
12. Exit 4 on I-235 is the exit to 63rd Street/Highway 28 and this street/highway is the east/west boundary between Windsor Heights and Wheatville. This intersection has the actual physical characteristics of this exit. The overpass consists of four lanes (two in each direction), the north/south traffic lanes are divided by a raised concrete median and there are raised pedestrian lanes on the outside of each side of the overpass.
13. The witnesses (Jayce Jefferson and/or Kody Lee Shannon) are free, within reason, to describe the location where the red car/Gremlin was located in relation to Exit 4 at the time of the shooting.

STATEMENT OF THE CASE

(This is intended as a summary only and not to be used as evidence in the trial)

“The Freeway Menace”

For a span of 4 months in 2019, drivers in the area of Wheatville, Oklahoma lived in fear of “The Freeway Menace” as reports of objects thrown at passing vehicles turned into gunshots. This fear was only magnified by the lack of a discernable motive for the attacks. Fear of the Menace reached its peak when on November 15th, 72-year-old Anna Anderson was shot and killed while being driven by her grandchild Jayce Jefferson. In a twist seemingly made for the movies Jefferson later provided the tip that led police to investigate defendant Kody Lee Shannon. Jefferson tracked down Shannon by tracking the source of suspicious postings to a gaming community to a coffeeshop spotting a vehicle similar to one Jefferson had seen at the scene of the crime, and following Shannon’s vehicle on the way home.

Detective Louis(e) Fitzgerald investigated Jefferson’s tip, visited the Shannon residence on January 12th and asked River Shannon to turn over Kody’s guns to the police. That same day, Kody Shannon left the house, telling River that they were going to play video games, and did not come home. Kody was later arrested in Las Vegas and eventually admitted to twenty-six incidents of throwing objects or shooting at cars and stands charged with Murder in the First Degree, Murder in the Second Degree, Voluntary Manslaughter and Involuntary Manslaughter. Kody, who had been previously diagnosed with paranoid schizophrenia has raised an insanity defense to these charges.

**IN THE DISTRICT COURT OF TRAVIS COUNTY
STATE OF OKLAHOMA**

THE STATE OF OKLAHOMA)	
)	
v.)	Case No. CR171209
)	
KODY LEE SHANNON,)	INDICTMENT
Defendant.)	

The Grand Jury in and for the county of Travis, State of Oklahoma, upon their oath and in the name and by the authority of the State of Oklahoma, does hereby charge the following offense under the Criminal Code of the State of Oklahoma:

That on or about November 15, 2019, at and within the County of Travis in the State of Oklahoma, Kody Lee Shannon committed the crimes of

Count 1: MURDER IN THE FIRST DEGREE in violation of Oklahoma State Statute Title 21, Section 701.7 in that s/he, unlawfully and with malice aforethought caused the death of Anna Anderson with a deadly weapon, namely a 9 mm handgun.

Count 2: MURDER IN THE SECOND DEGREE in violation of Oklahoma State Statute, Title 21, Section 701.8 in that s/he, by an act imminently dangerous and evincing a depraved mind, caused the death of Anna Anderson by firing a deadly weapon, namely a 9mm handgun.

Count 3: MANSLAUGHTER IN THE FIRST DEGREE in violation of Oklahoma State Statute, Title 21, Section 711 in that s/he, in a heat of passion, by means of a dangerous weapon, namely a 9mm handgun, caused the death of Anna Anderson by firing a deadly weapon, namely a 9mm handgun.

Contrary to the form of the Statute and against the peace and dignity of the People of the State of Oklahoma.

A TRUE BILL:

Martin Balsam

Foreperson of the Grand Jury

Harvey Dyke

Harvey Dyke, OBA #100
District Attorney in and for
Travis County, State of Oklahoma

JURY INSTRUCTIONS

Attached are some of the Oklahoma Model Criminal Jury Instructions which might be pertinent to a fact finder's understanding of the case. The instructions are in general form only and have not been modified for the specific facts of this case. You should apply the principles set forth in the instructions solely as you deem appropriate for the presentation of your case.

OUI-CR 1-8: Opening Instruction:

You have been selected and sworn as the jury to try the case of the State of Oklahoma versus DEFENDANT. The defendant is charged with the Crime of Murder in the Second Degree/Felony-Murder by an Information filed by the State.

The Information in this case is the formal method of accusing the defendant of a crime. The Information is not evidence and the law is that you should not allow yourselves to be influenced against the defendant by reason of the Information.

The defendant has pled not guilty. A plea of not guilty puts in issue each element of the crime with which the defendant is charged. A plea of not guilty requires the State to prove each element of the crime beyond a reasonable doubt.

The defendant is presumed innocent of the crime and the presumption continues unless after consideration of all the evidence you are convinced of guilt beyond a reasonable doubt. The defendant must be found not guilty unless the State produces evidence which convinces you beyond a reasonable doubt of each element of the crime.

Evidence is the testimony received from witnesses under oath, agreements as to fact made by the attorneys, and the exhibits admitted into evidence during the trial.

It is your responsibility as jurors to determine the facts from the evidence, to follow the law as stated in the instructions from the judge, and to reach a verdict of not guilty or guilty based upon the evidence.

OUI-CR 4-60: Homicide – Causation

No person may be convicted of homicide unless his/her conduct caused the death of the person allegedly killed. A death is caused by the conduct if the conduct is a substantial factor in bringing about the death and the conduct is dangerous and threatens or destroys life.

OUI-CR 4-61 – Murder in the First Degree with Malice Aforethought – Elements

No person may be convicted of murder in the first degree unless the State has proved beyond a reasonable doubt each element of the crime. These elements are:

- First, the death of a human;
- Second, the death was unlawful;
- Third, the death was caused by the defendant;

Fourth, the death was caused with malice aforethought.

OUI-CR 4-62 – Murder in the First Degree – Definition and Explanation of Malice Aforethought

"Malice aforethought" means a deliberate intention to take away the life of a human being. As used in these instructions, "malice aforethought" does not mean hatred, spite or ill-will. The deliberate intent to take a human life must be formed before the act and must exist at the time a homicidal act is committed. No particular length of time is required for formation of this deliberate intent. The intent may have been formed instantly before commission of the act.

[If you find that [Name of Defendant] deliberately intended to kill [Name of Intended Victim], and by mistake or accident killed [Name of Actual Victim], the element of malice aforethought is satisfied even though [Name of Defendant] did not intend to kill [Name of Actual Victim]. In such a case, the law regards the intent as transferred from the original intended victim to the actual victim.]

OUI-CR 4-63 – Murder in the First Degree – Proof of Malice Aforethought

The external circumstances surrounding the commission of a homicidal act may be considered in finding whether or not deliberate intent existed in the mind of the defendant to take a human life. External circumstances include words, conduct, demeanor, motive, and all other circumstances connected with a homicidal act.

OUI-CR 4-91: Murder in the Second Degree by Imminently Dangerous Conduct – Elements

No person may be convicted of murder in the second degree unless the State has proved beyond a reasonable doubt each element of the crime. These elements are:

- First, the death of a human;
- Second, caused by conduct which was imminently dangerous to another/other person(s);
- Third, the conduct was that of the defendant(s);
- Fourth, the conduct evinced a depraved mind in extreme disregard of human life;
- Fifth, the conduct is not done with the intention of taking the life of any particular individual.

You are further instructed that a person evinces a "depraved mind" when he engages in imminently dangerous conduct with contemptuous and reckless disregard of, and in total indifference to, the life and safety of another.

You are further instructed that "imminently dangerous conduct" means conduct that creates what a reasonable person would realize as an immediate and extremely high degree of risk of death to another person.

OUI-CR 4-95 Manslaughter in the First Degree by Heat of Passion – Elements

No person may be convicted of manslaughter in the first degree by heat of passion unless the State has proved beyond a reasonable doubt each element of the crime. These elements are:

- First, the death of a human;
- Second, caused by the defendant(s);
- Third, the death was not excusable or justifiable;
- Fourth, the death was inflicted in a cruel and unusual manner;
- Fifth, when performing the conduct which caused the death, defendant(s) was/were in a heat of

passion.

OR

Fourth, the death was inflicted by means of a dangerous weapon;

Fifth, when performing the conduct which caused the death, defendant(s) was/were in a heat of passion.

OUJI-CR 4-99 – Manslaughter in the First Degree – Passion Defined

The passion or emotion which must exist in the defendant(s) refers to any strong emotion, such as fear, terror, anger, rage or resentment. This passion or emotion must have existed to such a degree as would naturally affect the ability to reason and render the mind incapable of cool reflection. However, the passion need not have been such as would entirely overcome reason, or be so overpowering as to destroy free exercise of choice. This emotional state must, however, actually dominate the person at the time of the commission of the homicidal act and must be directed toward the deceased and not toward another.

OUJI-CR 8-31 – Defense of Mental Illness – Introduction

Defendant has raised the Defense of Mental Illness and asserts he/she should be found not guilty by reason of mental illness for [Crime Charged in Information/ Indictment]. Under Oklahoma law, no person can be convicted of a crime if that person was:

- 1) mentally ill at the time of the commission of the acts or omissions that constitute the crime, and
- 2) was either unable to understand the nature and consequences of his or her actions or was unable to differentiate right from wrong, and
- 3) has not been diagnosed with antisocial personality disorder which substantially contributed to the act for which the person has been charged.

OUJI-CR 8-32 – Defense of Mental Illness - Requirements

The existence of mental illness standing alone is not sufficient to establish the Defense of Mental Illness. Instead, a person is not guilty by reason of mental illness when that person committed the act for which the person has been charged while mentally ill and was either unable to understand the nature and consequences of his/her actions or was unable to differentiate right from wrong, and has not been diagnosed with antisocial personality disorder which substantially contributed to the act for which the person has been charged.

OUJI-CR 8-33 – Defense of Mental Illness – Guilty with Mental Defect

I am also required by law to instruct you concerning the verdict of guilty with a mental defect. A person is guilty with mental defect if that person committed the act for which the person was charged and was either unable to understand the nature and consequences of his/her actions or was unable to differentiate right from wrong, and has been diagnosed with antisocial personality disorder which substantially contributed to the act for which the person has been charged. At the end of these instructions you will be asked to determine whether the Defendant is guilty, guilty with a mental defect, not guilty, or not guilty by reason of mental illness.

OUJI-CR 8-33A – Defense of Mental Illness - Consideration

In considering the Defense of Mental Illness, you shall first determine whether, at the time of the

commission of the acts or omissions that constitute the crime, the defendant was either unable to understand the nature and consequences of his/her actions or was unable to differentiate right from wrong. If you find that the defendant was able to understand the nature and consequences of his/her actions and was able to differentiate right from wrong, then the Defense of Mental Illness does not apply.

If you find either that the defendant was unable to understand the nature and consequences of his or her actions or was unable to differentiate right from wrong, then you must determine whether the defendant has been diagnosed with antisocial personality disorder which substantially contributed to the act for which the person has been charged. If you find that the defendant has been so diagnosed and that his/her antisocial personality disorder substantially contributed to his/her criminal act, you shall find the defendant guilty with mental defect if the State has proved all elements of the charged offense beyond a reasonable doubt.

If you find that the defendant has not been diagnosed with antisocial personality disorder or that the disorder did not substantially contribute to his/her criminal act, you must determine whether the defendant is mentally ill. If you find that at the time of the commission of the acts or omissions that constitute the crime the defendant was mentally ill, and that the defendant was either unable to understand the nature and consequences of his/her actions or was unable to differentiate right from wrong, then the defendant is not guilty by reason of mental illness. If you find that the defendant was not mentally ill, then the Defense of Mental Illness does not apply.

OUJI-CR 8-33B – Defense of Mental Illness – Burden of Proof

Every person is presumed to be of sound mind, and unless evidence is produced that the defendant is not guilty by reason of mental illness, the defense of mental illness does not apply. Therefore, unless you determine that sufficient evidence has been presented to raise a reasonable doubt that the defendant is not guilty by reason of mental illness, the State may rely on this presumption and not offer any proof that the defense of mental illness does not apply. However, if sufficient evidence has been presented to raise a reasonable doubt that the defendant is not guilty by reason of mental illness, the State has the burden to prove beyond a reasonable doubt that the defendant was not acting under circumstances sufficient to constitute the defense of mental illness. If you find that the State has failed to sustain that burden, then the defendant must be found not guilty by reason of mental illness.

OUJI-CR 8-33C – Defense of Mental Illness – Explanation of Consequences of Verdict of Not Guilty by Reason of Mental Illness and Guilty with Mental Defect

If you decide that the defendant is not guilty by reason of mental illness at the time of the commission of the crime charged, the defendant shall not be released from confinement in a mental hospital until the court determines that the defendant is dangerous to the public peace and safety by being a risk of harm to himself/herself or others on account of a mental illness.

If you decide that the defendant is guilty with mental defect, you shall then determine the proper punishment as prescribed in these Instructions.

OUJI-CR 9-1: Evidence – Inferences

You should consider only the evidence introduced while the court is in session. You are permitted to draw such reasonable inferences from the testimony and exhibits as you feel are justified when considered with the aid of the knowledge which you each possess in common with other persons. You may make deductions and reach conclusions which reason and common sense lead you to draw from the fact which you find to have been established by the testimony and evidence in the case.

OUJI-CR 9-2: Direct Evidence Defined

"Direct evidence" is the testimony of a person who asserts actual, personal knowledge of a fact, such as the testimony of an eyewitness. "Direct evidence" may also be an exhibit such as a photograph which demonstrates the existence of a fact. It is proof which points immediately to a question at issue and which proves the existence of a fact without inference or presumption.

OUI-CR 9-3: Circumstantial Evidence Defined

"Circumstantial evidence" is the proof of facts or circumstances which gives rise to a reasonable inference of other connected facts that tend to show the guilt or innocence of a defendant. It is proof of a chain of facts and circumstances that indicates either guilt or innocence.

OUI-CR 9-4: Direct and Circumstantial Evidence – Weight

The law makes no distinction between the weight to be given to either direct or circumstantial evidence. You should consider circumstantial evidence together with all the other evidence in the case in arriving at your verdict.

STATEMENT OF DR. BROOK COLEMAN

1 My name is Brook Coleman. I am board certified in psychiatry and forensic psychiatry.
2 Exhibit 1 is a true and accurate copy of my curriculum vita. I am frequently called upon to testify
3 in high profile cases. I do not limit my testimony solely for the prosecution. I have assisted for
4 the defense in approximately 35 to 40% of the cases which I have reviewed.

5 I was retained by the Prosecutors in this case to perform a psychiatric evaluation of Kody
6 Lee Shannon and to offer an opinion as to whether Shannon met the criteria in Oklahoma for
7 legal insanity at the time of the criminal acts for which s/he is charged. The fee for my
8 professional services is \$750 per hour for my evaluation and \$1,500 per hour for my trial
9 testimony.

10 To perform my evaluation, I conducted a nine-hour interview with Shannon on October
11 31, 2020, which was approximately 9 months after her/his arrest. At the time of the interview,
12 Shannon was heavily medicated. I also conducted a 40-minute telephone interview a week later
13 with River Shannon, the surviving parent of Kody Lee Shannon. In addition to interviewing the
14 Shannons, I reviewed Kody Lee Shannon’s past medical records and the police report from Las
15 Vegas regarding the capture and transportation of Kody Lee Shannon back to Oklahoma.

16 Exhibit 2 is a true and accurate copy of my Case Evaluation of Kody Lee Shannon.
17 During my interview of Kody Lee Shannon, the defendant admitted to throwing wooden planks
18 and bricks from highway overpasses starting in July 2019. When Shannon ran out of a supply of
19 those materials, s/he switched to a handgun, opening fire at least 200 times between July and
20 November 2019.

21 It is my medical opinion Kody Lee Shannon would not qualify for an insanity defense
22 because Shannon’s behavior and actions point to a guilty conscience. Shannon was in her/his

23 right mind when s/he went on a four-month shooting spree, killing one person. Although
24 Shannon was diagnosed with paranoid schizophrenia in 2018, Shannon did understand the
25 wrongfulness of his/her conduct. When Shannon fired the weapon on each occasion, s/he knew
26 that firing the weapon was wrong.

27 One can look at Shannon's behavior to know whether s/he knew right from wrong when
28 s/he committed the acts. For example, Shannon took steps to avoid detection, from hiding the
29 murder weapon to concealing her/his involvement in the shootings. Shannon had something to
30 hide because s/he knew what s/he was doing was wrong rather than be proud of it. If s/he
31 thought what s/he was doing was right, I would expect her/him to share it with her/his treating
32 medical professionals or the investigating officers upon being taken into custody. Shannon left
33 the crime scenes immediately to avoid detection and expanded her/his target area after the police
34 installed cameras on the freeway and the highways that the shooter was known to frequent. Also
35 evidence of a guilty conscience was Shannon's choice to flee Wheatville after s/he found out
36 police wanted to run ballistics testing on her/his 9 mm Beretta handgun. Shannon cut and dyed
37 her/his hair, withdrew \$600 to \$700, which emptied her/his bank account, took \$4,000 in cash
38 advances against her/his credit cards, then drove straight to Las Vegas and ditched her/his car at
39 an out of the way local garage. The whole sudden series of things indicates that this is a criminal
40 fleeing rather than someone merely taking a vacation.

41 I have reviewed the psychiatric report of defense psychiatric expert Dr. Milo/a Everett. I
42 do not dispute Dr. Everett's diagnosis that the defendant suffers from severe paranoid
43 schizophrenia marked by delusions of a conspiracy to persecute Shannon. Shannon also has
44 reported hallucinations of voices broadcasting through the television. Shannon described to me
45 one particular hallucination in which Shannon believed Kelly Clarkson suggested through the

46 television that Shannon tear down the walls in her/his home in search of hidden cameras. I also
47 agree with Dr. Everett that Shannon never expressly intended to harm anyone, but rather fired
48 the shots to let her/his harassers know that s/he could strike back. The shootings also abated the
49 voices of her/his imagined persecutors. This demonstrates that Shannon’s criminal conduct was
50 out of anger, frustration, striking back in an effort to reduce harassment to her/him. Shannon told
51 me that s/he knew that what s/he was doing was against the law and, had a police officer been
52 present, s/he would not have made that statement because s/he realized that s/he would be in
53 trouble and go to jail.

54 I also believe that the claim that the video games controlled the defendant’s behavior is a
55 recent fabrication. Kody Lee Shannon could not recall which video games were in the hotel room
56 when captured, and specifically said that s/he did not really enjoy playing “Contract Killer” or
57 “World Destruction.” Moreover, in all of Shannon’s prior psychiatric treatment, Shannon never
58 mentioned clones taking over the world and never claimed to be chosen to “save the world.”
59 Shannon also did not relate any hallucinations of cloning or world domination by “others” when
60 captured by the police in Las Vegas. Finally, Kody Lee Shannon never mentioned these types of
61 hallucinations to the person with whom s/he shared the closest relationship, her/his parent, River
62 Shannon. I suppose it is possible, although unlikely, that someone with paranoid schizophrenia
63 could intentionally choose not to disclose these hallucinations to the police, a parent, or other
64 treating psychiatrists, if the patient was severely delusional in believing that everyone was part of
65 the conspiracy.

Sworn this 8th day of August, 2022

Dr. Brook Coleman

STATEMENT OF DETECTIVE LOU FITZGERALD

1 My name is Lou Fitzgerald. I am a Detective with the Oklahoma Department of Public
2 Safety, Division of Criminal Investigation. I graduated from Southwestern Oklahoma State
3 University in May, 1992 with a degree in Criminology. Throughout college, I was a reserve officer
4 for the local police department. Upon graduation, I attended the Oklahoma Law Enforcement
5 Academy. I have served in law enforcement full time for close to 15 years. I have advanced training
6 in investigative techniques from the FBI Center in Quantico, Virginia and regularly attend and
7 participate in professional development opportunities – workshops, seminars, and field training
8 exercises. I have worked with the DCI for the past 8 years. I have been an investigating officer in
9 homicides for the past 8 year and have been in law enforcement for early 15 years.

10 My role at the DCI is to head up investigations where homicides or attempted homicides
11 have been committed. All information for ongoing investigations come through my office. I
12 became involved in the sniper shootings that occurred in the Wheatville area after a pattern
13 emerged with repeated methodologies and locations, and it appeared to be more than a childish,
14 although dangerous, prank of something being thrown from an overpass. The shootings later
15 became more random and did not repeat the same pattern in location. I suspect that as the police
16 investigation and media scrutiny intensified, Shannon purposely travelled farther east or west and
17 did not stay centralized on the I-235 overpasses.

18 Exhibit 6 is a true and accurate copy of excerpts of my investigation notes related to the I-
19 235 sniper shootings that occurred between July 20, 2019, and November 28, 2019. The excerpts
20 were from documents that were made in the ordinary course of my investigation or were reviewed
21 by me as part of my investigation and were made at or about the time of the incidents described in
22 each excerpt, and such records are maintained in my investigation files.

23 On January 7, 2020, at approximately 19:00 hours, I received a tip from an anonymous caller that
24 guns involved in the sniper shootings might be located at the home of River Shannon. At the time
25 I had been chasing several different leads, and so I was not able to follow up on this lead until
26 January 12. As is commonplace in high profile investigations, we had established tip hotline for
27 people to call if they believed that they had information pertinent to the investigation. The hotline
28 offered a substantial reward for any information leading to the arrest and conviction of a suspect.
29 Needless to say, we received hundreds of calls with tips. It takes a while to wade through the
30 volume of calls and to separate the wheat from the chaff as it were. Upon arriving at the residence
31 of River Shannon, I requested that the guns be turned over to me for an investigation. I did not
32 explain further the reason for requesting the guns.

33 On January 15, 2020, I interviewed River Shannon. I learned that on the same day that I
34 had retrieved the guns, Kody Lee Shannon had said that s/he was going to play video games and
35 had not returned. River Shannon stated that Kody Lee knew that the guns were picked up and was
36 “okay” with it. River stated that Kody Lee had never disappeared like that in the past. River had
37 filed a missing person report on January 12. When I reviewed the missing person report, I recall
38 noting that River Shannon indicated that Kody Lee was diagnosed with paranoid schizophrenia,
39 had not taken her/his prescribed medications when s/he left, and was paranoid of police. I don’t
40 know why I didn’t mention those things in my excerpts of the missing person report.

41 I am aware that the actual missing person report is now itself missing. Those reports and
42 files are maintained by a different part of the department. The original had to have been filed with
43 the local authorities and then the file or a copy would have been provided to my office for the
44 purposes of this investigation. I do not know the circumstances under which the report was lost. It
45 is possible that the missing person report merely states “had not taken prescriptions,” which I

46 suppose could also be interpreted to refer to the subject's prior history of cheeking her/his
47 medication; but I feel pretty certain that the missing person report said that the subject had not
48 brought her/his prescribed medication when s/he left the house.

49 On January 16, I obtained a search warrant and through my investigation learned that on
50 12 January, Kody Lee Shannon emptied out her/his bank account of \$600 and made multiple cash
51 advances from credit cards totaling \$4,000. Also on January 12, Kody Lee Shannon purchased
52 another Beretta, as well as additional Winchester 9 mm ammunition. No credit card purchases had
53 been made other than the cash advances. Also, during the search of the Shannon residence, it was
54 noted that Kody Lee Shannon's prescription medication was not located. I issued an immediate
55 news release soliciting information about the whereabouts of the fugitive.

56 The next day, I spoke with Frank Carroll, the owner of Carroll's Shooting Supplies in rural
57 Travis County outside of Wheatville. Carroll told me that he sold Shannon a 9mm Beretta on
58 January 12 at about 2:30 p.m. Shannon filled out the standard ATF form for purchasing a gun and
59 passed a background check for felony records or outstanding warrants. Carroll described the
60 exchange with Shannon that stuck in his memory. "Shannon knew right away what s/he wanted to
61 purchase and indicated s/he had had two of them prior to that. The last one, Shannon, said, s/he
62 had shown her/his mother/father and s/he liked it so much s/he took it. Shannon said, "That's what
63 parents are allowed to do."

64 Shannon was arrested at about 2:45 a.m. on January 18, 2020, in her/his hotel room at the
65 MGM Grand in Las Vegas after local authorities, acting on a phone tip, learned that Shannon was
66 staying there. On January 18, 2020, I received a phone call at 8:30 am from the Las Vegas Police
67 Department informing me that they had Shannon in custody and that s/he would not talk to anyone
68 except the Oklahoma investigating officer. Shannon was given three cups of coffee and cigarettes

69 at her/his request, and chose to sleep on the carpeted floor of the interview room where Shannon
70 awaited the arrival of Oklahoma authorities. The officers at the LVPD did not realize that Shannon
71 was previously diagnosed as a paranoid schizophrenic. The LVPD stated that they had no
72 indication from Shannon to make them believe that Shannon didn't understand what was going on
73 around them.

74 I got the earliest flight to Las Vegas, arriving at the LVPD at 16:30 hours. I reviewed the
75 arrest report. Exhibit 5 is a true and accurate copy of the Arrest Report. I then interviewed the
76 subject after making sure that her/his Miranda rights had been read to her/him. Shannon was
77 responsive, alert, and did not appear psychotic at the time. I did not inquire whether Shannon was
78 on her/his medication at the time. I assume that Shannon was not on the medication because there
79 was no documentation that it was with her/his belongings or in the hotel room when captured.
80 Also, I recalled that the missing persons report stated that Shannon had not taken her/his
81 medication when s/he left the Shannon's residence. No drug tests were performed by the LVPD at
82 the time of the arrest because Shannon was wanted for crimes in Oklahoma and was going to be
83 transported to Oklahoma. Exhibit 7 is a true and accurate transcription of the taped interview with
84 Kody Lee Shannon on January 18, 2020.

85 Kody Lee Shannon spent her/his last days as a free person gambling and dealing with car
86 troubles while on the run in Las Vegas. I was informed that at the time of the arrest, Shannon was
87 cooperative and did not offer much reaction to the arrest. Following the arrest, Shannon talked
88 about her/his time on the run after leaving Oklahoma on January 12. We had a general conversation
89 about things Shannon had been doing while in Las Vegas. Shannon said s/he has gambled in a few
90 establishments, and prior to the arrest, s/he had been playing 3-card poker in the MGM casino.
91 Shannon was able to explain the rules of the game to me. Shannon also told me of the car troubles

92 s/he had experienced.

93 Shannon told me that after s/he learned that the police were going to test her/his guns, s/he
94 took off for Las Vegas because “it looked bad for her/him.” Shannon told me that s/he had rented
95 the room for a week and paid cash. Shannon admitted to the shootings and to the other acts of
96 mayhem – tossing items off of overpasses along the I-235 corridor. Shannon described the first
97 time s/he shot at a driver on I-235 and that the first location was closest to her/his house. Shannon
98 said that s/he constantly heard voices that harassed her/him. Shannon said that s/he believed that
99 there was a conspiracy. Shannon indicated that by throwing things off overpasses or shooting at
100 people that s/he was letting “them” know that s/he had the ability to strike back. When I asked
101 how Shannon first got the idea of dropping something or shooting from an overpass, Shannon
102 responded that s/he had no idea and could not think of any TV show or video game which gave
103 her/him the idea.

104 I asked Shannon why s/he stopped throwing items from the overpass and started shooting.
105 Shannon replied that s/he had run out of materials to throw off the overpass. Shannon purchased
106 her/his first gun on May 3, 2019 and her/his second gun on September 30, 2019. Shannon reported
107 that s/he felt bad about throwing things from the overpass because “it could hurt someone.”
108 Shannon did not appear to be remorseful. On the return flight to Oklahoma, Shannon joked and
109 talked about gambling in Las Vegas. After a passenger went to the plane’s bathroom, Shannon
110 joked that “no one was allowed to poop on the plane because we wouldn’t want to hit any cars,
111 would we?”

Subscribed and sworn this 15th day of July, 2022

Det. Lou Fitzgerald

STATEMENT OF JAYCE JEFFERSON

1 My name is Jayce Jefferson. Everyone calls me JJ. I am the grandchild of Anna
2 Anderson, who was killed by one of the sniper shootings from an overpass on I-235. I'm 19
3 years old. I was then and still do work for Zii (Zahradnik Imagineering & Innovation) – the
4 cutting-edge virtual reality video game company.

5 I was hired by Peanut herself in May 2019 just as I was finishing up high school in North
6 Carolina. I moved to Wheatville right after graduation and was living with my grandmother while
7 I looked for a place of my own. One of the perks of the Zii job was a company car – more like a
8 moving advertisement. The one in 2019 was a VW bug all painted and with decals advertising a
9 brand-new version of one of our bestselling games – World Destruction. Because of the weird
10 nature of my job at Zii, I pretty much set my own hours. My Grandmother at 72 no longer drove a
11 car, so I was available to take her shopping and to whatever appointments she might have. I liked
12 helping her out and getting a chance to spend time with her.

13 On November 15, 2019, I volunteered to drive her to the doctor's office out in Urbandale.
14 Having lived in the Wheatville area for only 6 months or so, and not really having had time to do
15 a lot of exploring, I was not very familiar with roads, directions and stuff. I was pretty sure that I
16 could get out to Urbandale by taking I-235 westbound. Of course, I had heard about the sniper
17 shootings on I-235. I mean who hadn't heard about the Freeway Menace that year. I decided to
18 take I-235 anyway. In retrospect, I realize that when you're young you think you're invincible,
19 and it never occurred to me that Grandma or I could be targets. I took I-235 because it seemed like
20 the most direct route.

21 As we chatted in the car, I missed the exit. I exited on Exit 4 and got right back on the
22 freeway to head back the other way. As I entered the freeway again, we heard a "pop" that sounded

23 like a balloon popping. It almost sounded like a “backfire.” Grandma said something like, “Oh,
24 what was that?” and then her head dropped to the side. I made a wrong turn. If I hadn’t made the
25 wrong turn, this would never have happened.

26 I immediately pulled the car over. I thought the bullet came from the overpass near the exit
27 and then noticed through my rear-view mirror someone getting into a little red car. I saw a gun in
28 the shooter’s hand and saw the shooter’s face – it showed absolutely no emotion, almost zombie-
29 like. I now recognize the person that I saw in the mirror is Kody Lee Shannon. S/he got into the
30 red Gremlin and drove away. It appeared to me that the shooter left after s/he noticed that I had
31 picked up my cell phone and was making a call.

32 I was trying to stay calm, and at the same time, make sure that no one else was hurt. I called
33 911. Exhibit 8 is an accurate transcription of the call I made. I felt helpless. The police were there
34 in no time, but Grandma died before the ambulance could arrive. I held on to her until the
35 paramedics pulled me away and sent me to the hospital to be treated for shock. Afterwards, I spoke
36 with the police about what I saw. I told them about the little red car and gave an approximate
37 physical description of the shooter. At the time, I did not remember that the car was a Gremlin. I
38 found that out by doing some web research of my own. The police took the information and told
39 me that they would contact me if there were any developments in the case. When I hadn’t heard
40 from them after a week, I decided to do my own research. Something about the car, the look on
41 the shooter’s face and the whole scenario seemed somehow very familiar to me. I think it took
42 Grandma’s funeral and getting back to work for it all to click.

43 My job at Zii is to run their Beta testing games website. You see when a game company
44 develops new products, before they’re released to the general public, we try to get some real
45 gaming experts to try them out and tell us what they think. That way we can work the bugs out and

46 improve the quality before it goes on sale. As the Director of Beta Testing, I got to recruit gamers
47 on-line and then moderate the web discussion board about ways to improve. During the late Spring
48 and Summer of 2019, we were working on the new version of World Destruction, one of the most
49 popular games for the Zii virtual reality console system. I had a group of about 20 gamers trying
50 out the new version and giving ideas on cool new features and levels.

51 Most of the comments and suggestions were really useful and helped improve the games a
52 lot. Every once in a while, though, the discussion would veer off into a real tangent. At that point,
53 I had to be the bad guy and cut off the banter and get the focus back on track. Sometimes I caught
54 a little flack about that. One of the best contributors (and one of the biggest violators of the
55 protocol) was a gamer with the handle “ZiiKLeR” – which I read to mean “Zii Killer.” I had to run
56 her/him off a number of times for co-opting the thread with some kooky theory about clones being
57 real and somehow the games were real and being used to recruit real people to fight the clones. I
58 remember a series of books by Orson Scott Card about Ender that followed the same kind of line
59 of thinking. So I thought it was a neat idea at first and kind of encouraged it, but when it got too
60 weird, I really had to put my foot down. I remember clearly one suggestion that World Destruction
61 should include ways for the user (playing the heroes) to drop stuff off of highway overpasses onto
62 known clone vehicles. The suggestion was to start with things like tomatoes, watermelons,
63 pumpkins and stuff at the lower levels but then move up to wood, bricks, rocks and finally guns,
64 bazookas, and bombs at the more advanced levels to get rid of the clones. I thought this was an
65 interesting twist on the Freeway Menace, but never thought at the time that it could actually BE
66 the Freeway Menace making the suggestion!

67 It seemed like every time I had to run ZiiKLeR off, s/he would be back later with either
68 another strange idea or, scarier for me, some personal information about the company or me. S/he

69 had figured out my real name and my company email address and sent me a few “Dear JJ” emails.
70 S/he asked about my grandmother in another email and in still another asked about my house hunt.
71 I started to feel a bit like I was being cyber stalked. Anyway, some of the comments that I recall
72 were made by ZiiKler on the chat boards over the Summer came back to me as I started to think
73 about the Freeway Menace and the shooter who killed Grandma Anna. I went back to check a few
74 things out and really thought that I had hit upon something good.

75 I called the police tip line set up for the Freeway Menace, but never got any response. So I
76 kept investigating it myself. I realize that I probably violated a whole bunch of internet privacy
77 laws, but I was able to track down the IP location for ZiiKler – it traced to a WiFi router at NLV
78 – a coffeehouse in Windsor Heights. I decided to hit the pavement and camped out in my car
79 outside the coffeehouse for a while until ZiiKler logged back into the chat room. I tried to figure
80 out who in NLV it might be. When ZiiKler logged out, I noticed the person I now know as Kody
81 Lee Shannon exit the store and get in to a very distinctive red Gremlin and drive away. I’ve seen
82 enough cop shows and played enough police video games to know how to tail a suspect. I stayed
83 far enough back so that the driver might not notice my own pretty unusual car. I followed the car
84 as it pulled into a driveway on Deckawoo Drive in Wheatville or Windsor Heights – who knows
85 where the city limits begin and end – and then drove on past. I noted the house number and again
86 called the police tip line with the information. I don’t know if it was my research that led to the
87 arrest or not. I’m just glad that my Grandma’s killer is going away for a long time!

88 I can never forgive Kody Lee Shannon for what s/he has done to me and my family. I don’t
89 know if s/he was aiming at my car because of some weirdness in her/his brain or just because we
90 happened to be driving in the wrong place at the wrong time. The police have told me that the
91 bullet took an unlucky bounce to hit my grandmother. The shot should have gone over our knees,

92 but it hit some mechanism in the car and ricocheted to hit Grandma in the chest.
93 I've had nightmares ever since that day. It will be something I can never forget. I only hope that
94 bringing the killer to justice might help me get over the worst of it.

Sworn this 10th day of June, 2022,

Jayce Jefferson

STATEMENT OF KODY LEE SHANNON

1 I am Kody Lee Shannon. I am now 21 years old. I deeply regret the things that I've done.
2 At the time I did not think they were wrong because of my illness. I thought I would save the world
3 and innocent people, like me, from clones programmed for world domination. Now that I am under
4 medication, I have a full appreciation for what I have done.

5 My illness started about 10 or 11 years ago. When my father/mother died, I was pretty
6 young and it was hard to cope. My father/mother's death left us short a second income so we
7 moved into a smaller house and in a different neighborhood. All of the changes were confusing
8 me. My mother/father was also badly shaken up over the death of my dad/mom, so I didn't get
9 much support from her/him either. I recall thinking that the TV satellite dish left by the former
10 owner of our new house was there to spy on us. I also thought that there were cameras in the drain
11 spout of the bathtub. Those thoughts were with me on and off for a long time. We moved again
12 when I was 18 and I really hated that house and neighborhood. I thought the neighbors were
13 making fun of me all the time and harassing me. I remember shoveling snow and people driving
14 by laughing. At one level I realized that they might be honking and waving to greet a neighbor,
15 but I still felt that they were harassing and ridiculing me. I started to become more of a loner and
16 got through the days by playing video games.

17 I started playing more and more violent and action games because they're the fun ones to
18 play. I really got into "Contract Killer" and "World Destruction." I played them as often as possible
19 and successfully completed all of the levels. I even became a regular contributor to the Zii Games
20 Beta Testing Website – posting my thoughts on new game ideas and designs; interacting with some
21 of the game designers themselves; and chatting with other hardcore gamers. It was like we were
22 our own little virtual reality gaming world. Because I had dropped out of Bidwell Community

23 College and had lost my job at the local Fjerbergerherder's, I had lots of time to play games. I
24 could go 10to 12 hours at a stretch without hardly stopping. It became an obsession. I began to
25 think of my virtual world as real life and rarely came up for air into reality. When I wasn't playing
26 video games, I watched TV. At the time, I thought I was a mind reader and because my mind was
27 open to reading other minds, I began to obsess that others could read my mind too. It's sort of
28 weird to talk about this now. It's like I'm talking about another person when I look back at my old
29 ideas and actions. It's an out-of-body experience. It's all still fuzzy to me looking back, and I don't
30 have recall of specifics. I do remember a few things.

31 Prior to going to St. Eleggis Hospital in October 2018, I recall thinking that Kelly Clarkson
32 was telling me through the TV that people were watching me through surveillance cameras in the
33 house. I became convinced that Kelly Clarkson was talking to me because one day Maury Povich
34 was wearing a bandana on his show, and I had worn the same bandana the day before. So, I started
35 searching for cameras, pulling away the paneling in the house, and taking down all of the mirrors
36 to make sure that nothing was hiding behind them. That shook up my mom/dad so s/he brought
37 me to the hospital. I've heard that the hospital records say that I tried to choke my mom/dad or that
38 I got violent with her/him in some way, but that's not true. I've never been a violent person. I've
39 never wanted to hurt anyone.

40 I hated taking my medication; it made me nauseous, gave me diarrhea, and I didn't get
41 good sleep when I was on it. So I pretended to take it. I became even more paranoid. I thought
42 people in the neighborhood were severely harassing me. I didn't trust anyone. I thought that the
43 government and police were in on some conspiracy and so were the doctors, psychiatrists and
44 social workers. My neighbors kept looking at me suspiciously and so I knew that they were in on
45 it too. I was convinced that they had been cloned and that no one was who they seemed to be. I

46 took my medication less and less because I thought it was a mind-altering drug that was part of the
47 cloning process or that it would hinder my ability to read minds so that I could protect myself from
48 the clones, like in the video games.

49 Have you ever seen the Batman movie where the Joker takes everyday common household
50 products like shampoo, hairspray, shaving cream and adds chemicals to use them for his evil
51 intentions? Well, that's sort of what was going on in my mind, except everyone was being cloned
52 through items they least suspected. I believed that when my neighbors played loud music, it was
53 part of a conspiracy to harass me. My mom/dad discussed the idea of moving because I hated
54 noise, and there were lots of noisy kids in the neighborhood. I started to build a deck off the back
55 of the house hoping that it would help sell the house. The TV ridiculed my work on the deck and
56 told me that my deck would interfere with our ability to sell the house. One day in July 2019 when
57 I was working on the deck, a piece of wood struck me on the head. I decided I would drive to an
58 overpass and drop a 2-foot or 3-foot 4x4 piece of wood onto the freeway. I mostly did it to
59 blackmail "them" and control the voices. I thought "If you are going to do this to me, then this is
60 what I'm going to do back." I let the clones know that I had the ability to strike back. I wanted to
61 get "them" to stop harassing me and to leave other innocent people alone.

62 I did not tell my mother/father about it because I knew s/he would not approve. When I
63 dropped the piece of wood, I did not want to hurt anyone directly. My mind went blank; I just did
64 it. After I dropped the wood from the overpass, I felt relief because I thought I probably scared the
65 clones. When I got home my noisy neighbors, the Lipski's, were not out, so I decided that they
66 knew what I did by "mind reading" and they must have gone into their houses. I decided that
67 dropping the wood reduced the harassment and controlled the clones. After each of the occasions
68 of dropping something from the overpass, my harassment seemed to decrease, but it would come

69 back with a vengeance in a few days.

70 I can't distinguish the details of one from another, but I recall that about half of the incidents
71 involved pieces of lumber from the deck and the other half involved bricks that I found lying
72 around. I used the materials that I had on hand from my work. When I dropped things, I only
73 looked a couple of times to see what happened when the object dropped. I never saw or heard any
74 object directly hit a vehicle. I started shooting because the wood and the bricks weren't stopping
75 the clones. I had purchased the gun for protection because Stephen Colbert told me to do it. I did
76 not tell my mother/father about purchasing a gun because I believed that s/he would not want one
77 in the house.

78 When the gun disappeared, I knew the clones had stolen it. Later, I dismantled the Beretta
79 and threw away some of the pieces so that it could not be fired. I did this because I had doubts
80 about the six degrees of separation. They were trying to connect the world to me. When I shot the
81 gun, I never aimed it at anyone or anything. I was just shooting it to scare the clones. The first time
82 I fired the gun, I was driving in my car and fired out an open window. I shot into the wind and I
83 don't think the bullet went very far. I never aimed at an object or a moving vehicle. I had no reason
84 to. When I fired from an overpass, I aimed at the berm on the side of the road. I didn't take much
85 aim because I had to look away to avoid being blinded by the firing. I noticed that when I was
86 under an overpass that the shots made my ears ring, so I got the idea to shoot from the top of
87 overpasses. I believed "they," who controlled the TV and conspired to take over the world, were
88 amused and distracted by this activity. It was like six degrees of separation. They, who controlled
89 the voices and the television, were playing a game. As long as I made the ears ring of persons
90 going under the overpass, the clones left the innocent people alone. My motivation was the same
91 for all the shootings after that.

92 I was unaware during the whole time that there was any publicity about the shootings or
93 things being dropped off the overpass. I didn't even know about Anna Anderson passing until I
94 was arrested in Vegas. We did not get the newspaper delivered to our house, and I did not watch
95 the local news. So, it's crazy to think that changed my pattern of conduct to avoid detection. I also
96 never took off fast after any of the incidents. I left because I had nothing else to do there. I didn't
97 know that what I was doing was against the law. I was not in my right mind at the time. I didn't
98 have any plan or pattern as to which overpass I chose. I would just drive around and pick one. I
99 didn't think about where they were located with regard to how I would get away. I never chose an
100 overpass based on increased police patrols or the placement of surveillance cameras in a particular
101 area. Let's face it, I drive a pretty recognizable car. I mean how many red Gremlins do you see on
102 the road these days?

103 I never took any steps to avoid being apprehended. I did not leave town because I was
104 fearful of being arrested. I did not tell my mom/dad because I knew that s/he wouldn't like the idea
105 of being on my own on a vacation. I left for Vegas because I was bored with the shooting and tired
106 of trying to save the world. The TV told me that what happened in Vegas stayed in Vegas. I thought
107 that maybe I could lure the clones to Vegas and then leave them stranded there. I wanted a little
108 adventure vacation. I expected to stay about a week – lure the clones into a sense of false security
109 – and then race back home. On my return I planned to shoot a couple of times in each state as I
110 drove through. That would confuse any of the clones that had not been trapped in Vegas. I thought
111 that resuming the shooting would keep the clones at bay. I took \$4,000 in cash advances against
112 my credit cards before leaving for Vegas. I wanted to strike it rich while I was there and you know
113 what they say, you've got to have money to make money. I made no effort to hide my identity in
114 Vegas, and I was unaware that there was a police bulletin out for me. I didn't use my credit cards

115 because I prefer to use cash when I have it. I changed my hair color and cut because I was ready
116 for a new adventure in Vegas. If I were trying to hide, would I get a player card at the hotel and be
117 out at the gaming tables? I never said that I knew things would not look good for me if the ballistics
118 matched. I took my car to be fixed at a local garage in Vegas. I think it was called Lorentzen's
119 Auto Repair. I'm pretty sure that I used my own name and I definitely told the mechanic, Kim
120 Smith, where I was staying. So I was not exactly hiding out in Las Vegas.

121 I sincerely apologize to the citizens of Wheatville and mostly to the Anderson family. I
122 only wish that I had been on the medication I'm taking now so that I wouldn't have had all my
123 crazy thoughts and caused to harm people.

Sworn this 18th day of May, 2022

Kody Lee Shannon

STATEMENT OF DR. MILO/A EVERETT

1 My name is Dr. Milo/a Everett. Counsel for Defendant Kody Lee Shannon engaged my
2 services for the purposes of evaluating Kody Lee Shannon and determining the existence of a
3 medical basis for a plea of not guilty by reason of insanity. I have offered my professional services
4 gratis as I am aware that the defendant has limited financial resources. I have not been involved in
5 many high-profile cases and admit that the exposure in this case could be beneficial professionally.
6 I have had some discussions with Kody Lee Shannon and her/his parent River Shannon regarding
7 a book deal, but nothing has been put into writing, and it is not my primary purpose for getting
8 involved in this case.

9 I received my undergraduate degree Summa Cum Laude from Tabard University. I
10 graduated with honors from McGill University Medical School. I did my residency at Indiana
11 University Hospitals while also attending law school at IU. Given my background and experience
12 in both medicine and law, I am developing a specialized practice in both, offering services to
13 determine medical bases for deviant behavior and exploring the legal ramifications of such. I have
14 written and presented extensively on these topics in regional, national and international forums.

15 I am a physician, specializing in psychiatry, and hold board certification in psychiatry and
16 forensic psychiatry. I have performed scores of competency evaluations at the request of judges,
17 prosecutors, United States Attorneys, and defense attorneys throughout the country. In addition to
18 my medical education, training and experience, I hold a law degree from Indiana University Law
19 School. I have held positions of President of the American Psychiatric Association and the
20 American Academy of Psychiatry and the Law. I have received numerous honors and awards,
21 including the Isaac Ray Award for outstanding contributions to forensic psychiatry and psychiatric
22 aspects of jurisprudence from the American Psychiatric Association, “Pearl of the Year” award

23 from Current Psychiatry, the Golden Apple Award for significant contributions to forensic
24 psychiatry, American Academy of Psychiatry and Law, and the Distinguished Life Fellow,
25 American Psychiatric Association (APA), in recognition of significant contributions to psychiatry.
26 I maintain a private practice in Washington, D.C. with the Mundy Group, a world renowned
27 forensic psychiatric organization.

28 I have acquired sufficient information to provide an opinion on the issue of Kody Lee
29 Shannon's mental state at the time of the alleged offenses. For the purposes of this evaluation, I
30 have reviewed Oklahoma law regarding the test for the plea of not guilty by reason of insanity. I
31 have also conducted testing and clinical interviews of Kody Lee Shannon over three days, and
32 have reviewed Shannon's medical and psychiatric records prior to her/his arrest, Social Security
33 Administration records, medical records since her/his incarceration, and Shannon's
34 neuropsychological evaluation as performed by Dr. Pat McAvan, M.D. In addition, I have
35 consulted with Dr. McAvan by telephone and in person on a great number of occasions.

36 Based upon my education, training, and experience, clinical testing and interviews and
37 review of pertinent records, it is my opinion that at the time of committing the alleged offenses,
38 Kody Lee Shannon, by reason of severe mental disease, did not appreciate the wrongfulness of
39 her/his conduct and therefore did not know right from wrong.

40 Kody Lee Shannon is twenty-one years old and appears to be well nourished for the stated
41 age. Shannon's affect is significantly constricted, although s/he is readily oriented to time, place,
42 and circumstance. Shannon understands that s/he has been charged with numerous crimes
43 including murder. Specifically, Shannon understands that s/he is charged with having discharged
44 a weapon on Interstate I-235, and further that s/he faces life imprisonment without the possibility
45 of parole if convicted of murder. Shannon understands that s/he is incarcerated pending trial, and

46 further that her/his jailers are presently in control of her/his medical care. This is important because
47 it relates to her/his understanding that s/he needs to cooperate with the mental health liaison as
48 provided by the Sheriff's Department. Kody Lee correctly identifies her/his counsel by name and
49 appears to understand their functions and goals. S/he is aware of both the identities and roles of
50 the Court and the Prosecuting Attorney.

51 As is my custom, I did not complete a formal physical examination of KodyLee Shannon;
52 however, s/he appeared without injury. Shannon reports no acute trauma or discomfort. Shannon's
53 medical records of treatment during incarceration indicate no trauma or injury. According to
54 accounts from River Shannon, Kody Lee is appropriately affectionate toward River. Shannon
55 reports successfully graduating from Millard Fillmore High School and thereafter attending a
56 community college. Kody Lee also described having held a clerk level position but reported no
57 regular work since at least 2018. In 2019, Shannon was determined totally and permanently
58 disabled as a result of a mental illness by the Social Security Administration.

59 Based upon materials reviewed, including medical records from St. Eleggis Hospital that
60 described her/his October 2018 hospitalization and outpatient records from Wellness Mental
61 Health Clinic, it is my understanding that Kody Lee Shannon has functioned with a diagnosis of
62 paranoid schizophrenia for several years. Schizophrenia is one of the most serious of the chronic
63 mental illnesses, where the sufferer typically develops delusions of persecution and/or personal
64 grandeur. The paranoid subtype of this disorder exhibits preoccupation with one or more
65 systemized delusions or with frequent auditory hallucinations, often related to a single theme.

66 While paranoid schizophrenia's cause or causes are not fully understood at this time, the
67 illness is known to have a genetic component to its etiology. Kody Lee Shannon suffered from
68 paranoid delusions that could only be quelled by shooting at cars and throwing wood planks or

69 bricks onto freeways. Shannon said that demeaning voices tormented her/him. Shannon was
70 desperate to control the voices. Shannon had the sudden distorted perception that if s/he dropped
71 things from the overpass or shot at cars, it would attenuate the voices. As a result, the defendant
72 could not distinguish between right and wrong when s/he opened fire on numerous targets, killing
73 one person.

74 The disease's onset is ordinarily observed between ages 18 and 25, but earlier or later
75 emergence often occurs. During the course of Shannon's clinical evaluation, Kody Lee related
76 symptoms consistent with the sufferance of paranoid schizophrenia dating back to age ten.
77 Shannon told me that the first signs of her/his psychosis began surfacing when s/he suspected the
78 bathroom spout was actually a camera. As is common among paranoid schizophrenics, Shannon
79 never told anyone of this growing paranoia, which peaked in 2018 when Shannon began tearing
80 apart the walls in search of hidden cameras. Shannon's delusions became so severe s/he began
81 passing notes to River Shannon in their home to avoid speaking aloud.

82 Kody Lee Shannon understands that s/he is mentally ill and does not dispute the existence
83 of the disease nor its effects on her/him. Kody Lee also concedes failure to take prescribed
84 medications at various times throughout his/her illness. It is my understanding that Dr. Waterman,
85 Shannon's treating psychiatrist, had prescribed various antipsychotic medicines in an effort to
86 control the illness, and most recently, that is prior to Shannon's incarceration, had utilized 2 daily
87 milligrams of Risperdal. Shannon currently takes 8 daily milligrams of Risperdal. Shannon and I
88 have agreed that s/he will accept 10 milligrams, the maximum for this medication, if the jail
89 psychiatrist prescribes it for her/him, as well as Trazodone to facilitate the regulation of her/his
90 sleep cycle, and perhaps more importantly, to help control depressive symptoms. Shannon reports
91 feeling dramatically better under this current regimen.

92 As observed during each day of the evaluation, Shannon is cooperative with adequate
93 social skills. Shannon is polite and responsive during the evaluation process. Shannon is also
94 motivated to assist the defense counsel. To help determine Shannon's competence, I employed the
95 Minnesota Multiphasic Psychological Inventory, Third Edition (MMPI-3), as well as a number of
96 interviewing techniques. Shannon successfully completed the test. Interpretation of the
97 examination, together with other information, confirms a severe paranoid schizophrenia diagnosis.
98 Additional factors confirming the primary diagnosis of severe paranoid schizophrenia include the
99 opinions and diagnosis of previous treating physicians, the opinions, diagnosis and case history
100 provided by the mental health liaison since the incarceration, the results of Shannon's
101 neuropsychological evaluation, and positive responsiveness to antipsychotic medication.

102 It appears from the evaluation performed by Dr. Pat McAvan and me that Shannon has
103 average premorbid capacities for intelligence and memory. However, Shannon's present-day
104 situation indicates significantly below average levels of both intelligence and memory. Further,
105 Shannon's memory respective to the circumstances of the offense is not optimal. Shannon's
106 depressed intelligence and memory are consistent with the cognitive and executive functioning
107 deficiencies typically observed in those with paranoid schizophrenia. Shannon's decreased ability
108 to remember the specific circumstances of her/his conduct at the time of the offenses is further
109 consistent with being significantly psychotic and delusional at the time of these offenses. The
110 disease rendered Shannon unable to accurately recall details from the shootings. Most people don't
111 like to think of themselves as nuts. It's common to shut off the part of memory that describes
112 mental illness.

113 After I employed a variety of interviewing techniques, Shannon admitted that s/he has
114 engaged in a wide variety of conduct that s/he now understands to have created risk and/or was

115 illegal. Shannon explains that her/his conduct included dropping wooden 4 x 4 stakes and bricks
116 from various overpasses of I-235, and ultimately firing a gun near, around, or at the I-235 freeway.
117 Shannon's illness caused her/him to experience auditory hallucinations and ideas of reference for
118 a great number of years. Over the last year, Shannon's hallucinations became more prevalent.
119 Shannon's auditory delusions were of a consistent theme wherein people had been able to read
120 her/his mind and used the information read to harass Shannon. Shannon's invented abusers
121 incessantly used Shannon's innermost insecurities, depressions, and thoughts to harass and torture
122 Shannon.

123 Generally speaking, the source of the harassment was the television and virtual reality
124 gaming. Shannon reports having experienced a great many ideas of reference when he was
125 threatened or demeaned by characters on television or within video games. When Shannon's
126 residence changed on two occasions, the illness changed sharply and became more acute.
127 Shannon's auditory hallucinations magnified and not only included television, but the degree to
128 which video games were effected increased substantially. Shannon was consumed with playing
129 video games, and the distinction between reality and the virtual reality of games blurred for
130 her/him. Shannon became obsessed with mastering the different levels of the video gaming
131 scenarios and under her/his delusion defeating "the harassers," those who were out to harm her/him
132 or other innocent people. The two video games that were located in the hotel room when Shannon
133 was captured were "Contract Killer" and "World Destruction." The video games suggested that
134 clones were taking over the world or that a contract killer needed to save innocent people. Exhibit
135 9 is a true and accurate copy of excerpts from the Zii website describing the "Contract Killer" and
136 "World Destruction" games.

137 Shannon's delusional thoughts led her/him to believe that the clones were reading her/his

138 mind to gain world domination and that s/he needed to save the world. During this time, Shannon
139 also suspended taking the prescribed medications based on the paranoid delusional thought that
140 the medications were part of the cloning process. Suspension of the medication resulted in totally
141 uncontrolled delusions and ideas of reference. The intensity of Shannon’s affliction, coupled with
142 her/his well-documented proclivity toward “cheeking,” or pretending to take medication, made the
143 psychosis particularly severe. Shannon admitted to cheeking the medication because, according to
144 Shannon, “It interfered with the ability to read minds to determine if people were real or clones,
145 like in the video games.” During this time period, Shannon’s delusions were not constant, but
146 certainly were frequent.

147 At times between psychotic episodes or delusions, Shannon contemplated killing others for
148 protection. Shannon eventually procured a handgun for this purpose. At or near the same time
149 period of procuring the handgun, Shannon developed the idea that dropping wooden 4 x 4’s would
150 cause the voices to stop. Shannon began dropping the wood from overpasses and would experience
151 immediate relief from the auditory hallucinations. Shannon then conceived the idea of dropping
152 bricks from the overpasses to procure the desired results. Doing so again while quite psychotic,
153 made the voices stop. Shannon believed that her/his actions scared the clones away. Over time the
154 effect of the bricks and wood lessened. Then Shannon developed the idea that shooting the gun
155 would scare the clones because they would know that s/he “meant business.”

156 Shannon initially fired the gun out of the driver’s window while operating her/his car.
157 Due to the lessening of desired relief from the clones, Shannon changed methods and went from
158 shooting from a moving vehicle, to parking beneath overpasses and shooting, to exiting the
159 vehicle to shoot, and ultimately shooting from overpasses. Shannon reports not paying any
160 attention to the directions of the shots. In fact, the point of Shannon’s psychotic delusions was not

161 to hit anything, but rather to merely fire the gun to scare away the clones. Shannon never intended
162 to harm anyone.

163 Shannon's testing shows low cognitive function that is consistent with what one expects to
164 find in someone suffering from prominent symptoms of suicidal thoughts, thoughts of delusions,
165 feelings of suspicion, and acute psychotic turmoil. Clearly, Shannon is psychologically impaired.
166 Although the testing was done more recently than at the time of the incident, I believe that these
167 appear to be long-standing results. Moreover, I tested Shannon under optimal circumstances
168 because of the "significant" amount of medication Shannon was receiving when evaluated.
169 Shannon was probably experiencing greater cognitive deficits at the time of the shootings.

170 In relationship to legal insanity, during the times of the offenses Shannon was doubtlessly
171 aware of a great many conditions existing around her/him. Shannon was able to function in the
172 world. Shannon was able to operate a vehicle, for instance. It's very common in paranoid
173 schizophrenics to have areas of significant impairment and islands where cognitive skills are
174 preserved. There's a lot of truth to the adage, "I may be crazy, but I'm not stupid." Therefore, it is
175 not surprising that Shannon performed well on general knowledge tests, including one in which
176 s/he successfully identified Dr. Martin Luther King Jr. and Shakespeare. It is also important to
177 note that when these tests were given to Shannon, the defendant was on four different types of
178 medication, including the antidepressant Risperdal, and was given a dosage that was 4 times higher
179 than the initial amount.

180 Despite Shannon's cognitive ability, in relationship to the actual conduct charged, it is my
181 opinion that Shannon did not appreciate the wrongfulness of her/his conduct. My opinion is based
182 upon two reasons. First, during these times, Shannon was acutely psychotic, delusional, and was
183 experiencing a separation from reality. Second, and closely related to the first issue, at the time of

184 committing the offenses, the offenses themselves were their own predetermined realities. Shannon
185 explains this in the following context: because of the clones around her/him and due to the
186 harassment and demands of the voices, shooting the gun was the “right” conduct, and further,
187 Shannon believed that everyone knew what s/he was doing while s/he was doing it. There was
188 never any effort to conceal herself/himself or her/his actions.

189 I cannot say that the defendant was in the thrall of the psychosis during the time frame of
190 the shootings. During this period, I consider Kody Lee Shannon chronically and severely
191 psychotic. But it would be disingenuous for me to say that at any given particular moment s/he
192 was psychotic. I disagree with Dr. Coleman that Shannon took a number of steps that indicate s/he
193 appreciated the implications of her/his conduct by fleeing Wheatville for Las Vegas when s/he
194 became a suspect. Shannon may have been “escaping,” but it was not an escape because of
195 knowledge of the wrongfulness of the conduct; rather, Shannon was looking for a new adventure
196 to find inner peace. Shannon saw going to Las Vegas as a vacation. Shannon did not hide in Las
197 Vegas, but rather was very public in her/his appearance at various gaming tables and frequenting
198 local businesses. Shannon changed her/his hair as part of this new adventure/new life. It is my
199 opinion that Kody Lee Shannon was psychotic, delusional, and experienced a separation from
200 reality in conjunction with her/his conduct, and that these conditions were caused by the
201 sufferance of severe paranoid schizophrenia marked by delusions of conspiracy to persecute
202 Shannon and delusions of cloning for purposes of world domination. Accordingly, Kody Lee
203 Shannon did not appreciate the wrongfulness of her/his conduct.

Sworn this 1st day of September, 2022

M. Everett, M.D., J.D.

STATEMENT OF RIVER SHANNON

1 I am River Shannon, the parent of Kody Lee Shannon. As a young child, Kody Lee was a
2 normal, popular kid throughout school. When Kody Lee was 10, her/his mother/father died in a
3 tragic accident. In retrospect, I see that Kody Lee had a difficult time coping with this loss.
4 Honestly, I withdrew myself, as it is difficult to lose someone you love. I feel the same way now
5 about Kody Lee. I feel like I've lost Kody Lee to this illness – the paranoid schizophrenia. We
6 used to play games and have fun together. Kody Lee, once a boisterous and outgoing student,
7 began to withdraw from friends and become isolated.

8 After Kody Lee's graduation from high school, s/he became even more withdrawn, even
9 reclusive. S/he spent much of her/his time holed up watching television or playing video and
10 computer games. Other than normal household communication between us, I think Kody Lee could
11 go weeks without communicating with anyone other than on-line. S/he did get a real lift a while
12 ago. I hadn't seen Kody Lee so excited when s/he was named to some special advisory group for
13 some computer game testing thing. It's all way too technical for me to understand, but Kody Lee
14 loved it. I began to think that maybe all those hours spent gaming might finally pay off.

15 A series of bizarre incidents began to follow, including occasions in which Kody Lee
16 removed panels and mirrors from the walls in our home in search of hidden cameras. In 2018, I
17 came home after being out with friends to find that Kody Lee had removed four-foot panels from
18 the basement walls in search of cameras/he claimed were spying on her/him. Kody Lee would also
19 remove mirrors in the wall to search for cameras. Kody Lee told me a story about Kelly Clarkson
20 telling Kody Lee through the television that there were surveillance cameras and that someone was
21 watching her/him.

22 I was very scared at that point. I didn't know what to do or where to turn. I knew that the

23 reclusiveness and lack of communication was probably just normal teenage behavior, but the
24 search for cameras and the destruction of our home was another thing entirely. I was fearful that
25 Kody Lee might be suicidal or that s/he might hurt someone else. Kody Lee would not go
26 voluntarily to a mental institution because Kody Lee thought that everyone was involved in a vast
27 conspiracy. So I made up a story to have Kody Lee involuntarily committed. I was desperate and
28 it was my way of trying to help Kody Lee get some professional help. So, I brought Kody Lee to
29 St. Eleggis Hospital and told them that Kody Lee had choked me, although this never happened.
30 Through my job, I was somewhat familiar with what need to be established for involuntary
31 commitments. Kody Lee was treated by Dr. Waterman, who was phenomenal. It was the first ray
32 of hope that I'd had for Kody Lee for a long time.

33 Dr. Waterman diagnosed Kody Lee with paranoid schizophrenia during that
34 hospitalization, which lasted about 4 days. Later, Kody Lee was deemed permanently disabled due
35 to the schizophrenia and began receiving SSI benefits. After Kody Lee was diagnosed with
36 paranoid schizophrenia, Kody Lee resisted treatment and avoided taking her/his medication to the
37 point where s/he was prescribed water-soluble medication that made it more difficult for her/him
38 to "cheek," or pretend to take the medication because it made Kody Lee bloated and caused muscle
39 spasms and stomach issues. I made threats to kick Kody Lee out of the house if s/he did not take
40 the medication. Kody Lee was "weary" and "zombie-like" when s/he would not take the
41 medication. I could usually tell it from Kody Lee's eyes. Kody Lee has a look like s/he won't look
42 at you, but sort of like s/he's looking right through you. Not like today. Kody Lee would not be
43 focused, or Kody Lee would be confused and had trouble remembering things. You would say
44 something to Kody Lee and there'd be a pause. You could tell there were visual things going on
45 in her/his eyes. Kody Lee was seeing things that we're not seeing.

46 Although I knew Kody Lee wasn't taking the medication, I didn't force her/him to do it. It
47 was a constant battle. Kody Lee was an adult. I had only so much energy that I could expend and
48 only a certain frustration level that I could endure before I simply threw up my hands. I've noticed
49 a significant change in Kody Lee since s/he was booked into the county jail, where Kody Lee
50 receives medication – including the antipsychotic drug Risperdal and the antidepressant Trazadone
51 – 4 times more than her/his original dosage. I got my child back, with her/him being on all he
52 medications s/he's been made to take on a regular basis. That was my child from 10 years ago.
53 Just a month ago, Kody Lee came out humming a song s/he hasn't sung since s/he was a child.
54 Kody Lee's able to smile now, for the first time in a long time. Kody Lee was recently able to have
55 a little bit of a giggle, also for the first time in years. When I first began visiting Kody Lee in jail,
56 Kody Lee would be very listless and non-responsive. Now, we're able to have a lot more logical
57 interaction. I attribute Kody Lee's mental stability to Dr. Everett. Finally, there's someone who
58 understands Kody Lee's world and can improve her/his life. I owe my daughter/son's life to Dr.
59 Everett. I've never met Dr. Everett personally, but if s/he wants exclusive rights to a book deal,
60 it's the absolute least we can do!

61 Around the time of the shootings, Kody Lee did not appear oriented in time, place and
62 circumstance. Even after we went to Goosmann's to eat an hour after one of the incidents, I did
63 not notice anything unusual. Kody Lee asked me to place the order because Kody Lee did not want
64 to interact with people. It is true that none of the truly strange behavior such as the removal of the
65 paneling and the mirrors was evident during the time of the shootings, and Kody Lee did not talk
66 about hearing voices at that time. But after the one incident when Kody Lee was hospitalized after
67 telling me about the voices from the TV, Kody Lee never talked to me about hearing voices
68 anymore.

69 The Freeway Menace had been the talk of central Oklahoma from months. It started with
70 reports of someone dropping stuff off of the overpasses, but then escalated to shootings. You would
71 have to have been living under a rock not to hear about it – and to not think about other ways to
72 get places than to drive on the freeway. I never suspected Kody Lee was involved in the shootings,
73 even after I began finding guns in the home. I was concerned Kody Lee would use them to kill
74 someone. So I decided to take away the guns from Kody Lee. I confiscated 4 guns from Kody Lee
75 and handed them over to the authorities, including the weapon which was apparently used in the
76 shootings.

77 There were three instances when I discovered Kody Lee was stashing weapons in our
78 home. Once, I staged a ruse to seize a gun from Kody Lee without her/him knowing. I asked Kody
79 Lee to mow the grass, and while Kody Lee was doing that I smuggled the gun out of the house and
80 stashed it in the trunk of my car. It was important that Kody Lee not notice the gun had been taken
81 because it would probably make Kody Lee upset. This way, I thought Kody Lee would think s/he
82 misplaced it. Later, I discovered two shotguns under Kody Lee's bed. Kody Lee said s/he wanted
83 them for hunting. I moved the guns to a friend's house. Subsequently, I found two pieces of a
84 disassembled 9 mm Beretta that would prove to be the weapon used in the shootings. I confronted
85 Kody Lee about the gun. Kody Lee said s/he needed it for protection. Kody Lee thought the other
86 gun had been stolen. In January 2020 after the police had contacted me and requested the guns
87 without explaining why, I called Kody Lee on her/his cell phone and asked Kody Lee's permission
88 to hand over the guns. Kody Lee just said, "No problem." Later, that evening, Kody Lee left home,
89 telling me that s/he was going to an arcade to play video games, and never returned. Kody Lee did
90 not act suspicious.

91 I contacted the Travis County Sheriff's Department on January 12, 2020, several hours

92 after Kody Lee had left the house, to report Kody Lee as missing because it had gotten late, and
93 when I had tried to make contact with Kody Lee on her/his cell phone, s/he could not be reached.
94 This had never happened previously. I also noticed that Kody Lee had taken some things from the
95 house that made me suspicious, like Kody Lee's Zii console and a suitcase. I provided Kody Lee's
96 description and noted that Kody Lee was diagnosed as a paranoid schizophrenic. I also indicated
97 that Kody Lee was paranoid of police officers. I never indicated that Kody Lee had not taken
98 her/his medications with her/him. I know I wouldn't have said this because after I realized that
99 Kody Lee was gone, I began to check what things were missing, and I noticed that Kody Lee's
100 Risperdal was missing. I never heard from Kody Lee again until Kody Lee was captured in Las
101 Vegas and brought back to Oklahoma.

102 I talked to the police a few days after Kody Lee was missing and provided as much
103 information as possible. The following day, I was served with a search warrant. I don't think they
104 found anything that made Kody Lee's acts look like they were calculated, planned, or
105 premeditated. I was still in a state of disbelief that Kody Lee was involved in the sniper shootings.
106 In the past, when I had talked to Kody Lee about the sniper shootings and the person had been
107 killed, Kody Lee seemed genuinely surprised to hear that.

108 I sincerely apologize to the victims of Kody Lee's shooting spree that killed one person
109 and terrorized central Oklahomans for months. I felt such utter grief for the Anderson family.
110 These were two tragedies in one; I can't express how truly sorry I am.

Sworn this 22nd day of September, 2022.

River Shannon

EXHIBIT 1

Curriculum Vita of Brook Coleman, M.D.

Education:

B.A. Psychology, Tabard University, 1979

M.D. University of Oklahoma Medical School, 1983

Post-Graduate Internships & Residency:

North Dakota State Hospital, Dinkla Institute for Psychosomatic & Psychiatric Studies, 1983-1989

Specialized Education:

Southwestern Oklahoma State University School of Law, 1995-1997

Current Academic Appointments:

Southwestern Oklahoma State University School of Medicine, Professor of Psychiatry, 2000-present

Past Academic Appointments:

ShIPLEY State University, Professor of Psychiatry – Director, Division of Forensic Psychiatry

Tabard University, Adjunct Professor of Law

Certifications:

General Psychiatry, American Board of Psychiatry and Neurology, 1991 Forensic Psychiatry, American Board of Forensic Psychiatry, 1999 Forensic Psychiatry, American Board of Psychiatry and Neurology, 2004

Practice History:

Prison Health Service for the Oklahoma Department of Corrections, 2001-Present Staff Forensic Psychiatrist, PHAT Investigative Service, 1997-2001

Private Practice of General Psychiatry in North Dakota and Oklahoma, 1989-1995

Consultation and Testimony in Cases of National Interest:

- Florida v. William Kennedy Smith; consultant to defense in alleged rape
- Wisconsin v. Jeffrey Dahmer; consultant to prosecution in multiple murders
- Massachusetts v. John Salvi; testimony for defense for abortion clinic homicides
- South Carolina v. Susan Smith; consultant to defense in two child murders
- Pennsylvania v. John DuPont; testimony for defense in homicide
- U.S. v. Timothy McVeigh; consultant to U. S. Attorney in Oklahoma bombing
- U.S. v Terry Nichols; consultant to U.S. Attorney in Oklahoma bombing

- U.S. v. Theodore Kaczynski; consultant to U.S. Attorney in Unabomber homicides
- Delaware v. Amy Grossberg; consultant to defense in neonaticide
- U.S. v. Russell Weston; consultant to defense in Capitol shooting
- Texas v. Andrea Yates; testimony for defense in five child drowning
- California v. Scott Peterson; consultant to defense in drowning of Laci Peterson

Honors:

- Fellow, American Psychiatric Association (APA), 1999
- Silver Apple Award, American Academy of Psychiatry and the Law (AAPL), 1995 Alpha Omega Alpha, Honorary Member, 1998
- First Annual Award for Teaching Excellence, North Dakota State University Seymour Pollack Distinguished Achievement Award, AAPL, 2001
- Listed in The Best Doctors in America, 1992-present
- American Psychiatric Association Award for Outstanding Educational Contributions, 1996 Presidential Commendation for Forensic Psychiatry Review Course, AAPL, 1998 Psychiatric Times, Teacher of the Year, 1999
- Isaac Ray Award for outstanding contributions to forensic psychiatry and psychiatric aspects of jurisprudence, APA, 2002
- Golden Apple Award for significant contributions to forensic psychiatry, AAPL, 2002 Distinguished Life Fellow, APA for significant contributions to psychiatry, 2003

Members and Offices:

- American Academy of Psychiatry and the Law, President, 2004-2005
- American Academy of Psychiatry and the Law, Midwestern Chapter, President, 2003-2004 APA Council on Psychiatry and Law, Task Force on the Insanity Defense, 2005-present APA Committee of Psychiatric Services to Jails and Prisons, 2004-present
- American Psychology-Law Society, 200-present American Society of Law and Medicine, 2003-2004

Workshops:

- The Psychiatric Prediction of Violence The Insanity Defense
- Risk Assessment for Violence
- The Mental Health Professional as Expert Witness Child Murder by Parents
- Legal Issues in Mental Health

Public Service:

- Testimony before the Oklahoma General Assembly on legislation regarding civil commitment, insanity, competency, psychiatric aspects of criminal offenders, and mental health services to prison populations.
- Testimony before the National Commission on the Insanity Defense; Washington, D.C.

Task Force on Implementation, American Bar Association's Criminal Justice Mental Health Standards

Publications:

- "Insanity Defense Evaluations," Directions in Psychiatry, 19:325-338, 1999 "The Psychiatric Expert Witness," Journal of Psychiatry, 37:145-153, 2000
- "Insanity as a Criminal Defense in Oklahoma." A Psychiatrist's View of the Insanity Defense, Vol. 5, No. 12, 1998
- "The Abolition of the Insanity Defense," National Mental Health Association, 2002

- "How Can One Distinguish a Person with True Mental Illness from One Who Pretends to be Mentally Ill?" Schizophrenia Research, 49, 33, 2004
- "Violence and Mental Illness," Current Opinion in Psychiatry, 12:683-687, 2005
- "Insight and Its Relationship to Violent Behavior with Schizophrenia," Am J Psychiatry, 161: 1712-14, 2004

Major Recent Presentations:

- The Insanity Defense Should Be Abolished, Mt. Holyoke College Symposium, 2020 Demon-Possession, Self-Mutilation, and Insanity, AAPL, Midwest Chapter, 2018
- The Insanity Defense: A history of Revenge, Reform, and Rationalization, AAPL, 2005 Direct and Cross-examination of Mental Health Experts, Oklahoma Prosecutors Assn, 2004 The Andrea Yates Trial: Murder Out of Love, AAPL, Midwest Chapter, 2004
- Vincent Gigante: Was He Faking Insanity? AAPL, Texas Chapter, Oct. 2005 Deceit and Coercion in the Quest for Truth, AAPL, Texas Chapter, Oct. 2005 Pitfalls in Forensic Practice, AAPL, Southwest Chapter, Oct. 2018

EXHIBIT 2

CASE EVALUATION OF KODY LEE SHANNON BY DR. COLEMAN NOVEMBER 8, 2020

Family Background: Kody Lee Shannon was born on September 1, 1998, in Martensdale, Oklahoma. Shannon has no siblings. Shannon was raised by River and Skyy Shannon in an “easygoing and cheerful” environment until 2008, when a tragic automobile accident killed Skyy Shannon. Kody Lee Shannon was “shaken up: by the loss of the parent, and felt more isolated because River Shannon became emotionally unavailable, not having coped well with the tragedy.

Family Psychiatric History: Shannon reported that a cousin is schizophrenic

Religious History: Shannon was not raised in any religion and says that s/he “tries to abide by the golden rule.”

Education: Shannon was a “C student.” Shannon claims to have had friends throughout high school and was popular. After graduating from high school, Shannon attended Bidwell Community College and took a course on computers. Shannon did not complete a second course because of “paranoid ideas.”

Employment: While in high school, Shannon worked part-time in a Fjerbergerherder’s restaurant as a cashier. Shannon kept the job two to three months after high school, but has not worked since; Shannon attributes this to her/his “schizophrenia.”

Legal History: Shannon has no juvenile record. At age 18, Shannon was arrested once for trespassing for being on the roof of a school. Shannon was placed on probation as a result of that incident.

Drug and Alcohol Use: Shannon claims to have first consumed alcohol at age 13, drinking about once a month in high school, both to be sociable and “to get a buzz.” River Shannon apparently urged Kody Lee Shannon to cut down on the alcohol use because s/he was using too much. Shannon did not have any blackouts. Shannon has not used any illegal drugs.

Medical History: Shannon reported having a tonsillectomy in the 3rd or 4th grade, but otherwise has been healthy.

Recreational Activity: Shannon’s primary recreational activity since age 10 has been playing video games. Shannon claims that the games made her/him feel better because s/he could “escape into another world and forget my problems.” Shannon says it also reduced tension.

Shannon said that playing video games had no effect on her/his hallucinations. Shannon plays action games that involve the “use of strategy and have realistic graphics.” I asked Shannon about which video games s/he took to Las Vegas when s/he was captured. Shannon said, “I just grabbed a bunch.” Shannon said that s/he did not pick out her/his favorites. Shannon could not recall what games were in the hotel room when captured. When I asked Shannon directly whether s/he had ever played “Contract Killer and “World Destruction,” Shannon replied that s/he had played them, but didn’t much like them. Shannon acknowledged that the games involved sniper shooting. Shannon then acknowledged that s/he had taken those games with her/him to Las Vegas. Shannon also admitted that although s/he had previously said that s/he never played a game in which the protagonist shot innocent people, s/he had actually done so. Shannon was positive that s/he had never played a game in which persons could be shot from an overpass.

Psychiatric History: Shannon reported that at about age 10, after Skyy Shannon died, and River and Kody Lee Shannon moved from Martensdale to New Virginia, Shannon noticed that satellite dishes were left by the former owner. Shannon developed the idea that hidden cameras were installed in the bathroom of the home. Shannon chose not to share this thought with anyone else. Shannon described it as a “suspicion.” Shannon had this idea intermittently about a couple of months each year between ages 10 and 16. Shannon reported that at the age of 16 the idea dissipated. When Shannon moved again at age 18, the belief reappeared and has been present to some degree ever since. Shannon reported that due to her/his belief in hidden cameras, Shannon was self-conscious in her/his own home. Shannon did not reveal these ideas to anyone until her/his 2018 psychiatric hospitalization.

Shannon related the events leading to hospitalization at St. Eleggis Hospital in October, 2018. Shannon believed that s/he could communicate with celebrities because s/he was thinking of them. Shannon gave the example of a belief that Leonardo DiCaprio said to Shannon directly, “Are you watching this?” Shannon is sometimes convinced that the voices are real and sometimes not. Shannon said that sometimes the voices instruct her/him to do something, but s/he could not provide an example. S/he explicitly stated that the voices never convinced her/him to fire a gun. Shannon denied ever having hallucinations other than auditory.

Shannon believed that people on TV knew private things about her/him because secret cameras were recording what s/he was doing. Shannon believed that people on TV were talking to her/him directly. Shannon said s/he followed Kelly Clarkson’s advice transmitted though the TV to take down paneling to look for the hidden cameras. Shannon said that TV messages had been occurring intermittently, and Shannon was convinced that cameras were present rather than it just being a suspicion. Shannon believed that cameras were sending pictures of her/him to neighbors because “they were all in on it.” When I asked Shannon to explain further, Shannon said that s/he believed that the neighbors had been cloned and were out to destroy the world. When I mentioned to Shannon that this idea was not reported in her/his psychiatric reports previously, Shannon said

that the psychiatrists were part of the conspiracy.

Shannon said that s/he never believed that s/he had any special powers. S/he never believed that God talked to her/him directly. Shannon said that s/he never believed that s/he might be shot by the conspiracy so s/he was not fearful. Shannon did feel the need to carry weapons to protect her/himself from those in the conspiracy.

Shannon reported that since her/his hospitalization in 2018 s/he has been under the care of Dr. Waterman at Wellness Mental Health Clinic. Shannon intermittently has been off anti-psychotic medication. Shannon reported that for the year before s/he was arrested in January 2020, s/he had not taken any medication. Although River Shannon would give her/him medication, Shannon would spit it out after pretending to take it. Shannon claimed that s/he did this as part of her/his hallucination that people were being cloned and s/he believed that the medication was part of the cloning process. Shannon also felt that the medication had a backward effect which caused her/him to feel worse. Shannon said that s/he did not tell Dr. Waterman that s/he was non-compliant with the medication because the appointments were rushed and s/he did not want to go into the reasons. Shannon stated that s/he consciously lied to Dr. Waterman about not hearing voices. Shannon said that it was easier to lie to them than to get into a conversation about her/his symptoms.

Shannon reported that s/he was taking Risperdal at the time of my evaluation.

Mental Status Examination: Shannon was seen in the county jail. Shannon was neatly dressed in prison garb and showed adequate hygiene. Shannon was cooperative during the examination. At times, Shannon reported being anxious, and looked quite anxious. On two occasions Shannon reported that s/he might throw up because of increased anxiety. On those occasions, I gave Shannon a break from my inquiries for an hour or so each time. Shannon thoughts were clear and logical during the majority of the interview. At times, Shannon thinking was convoluted and difficult to understand. Shannon was oriented to time, place, and person. Shannon could accurately name the last four presidents. Shannon showed adequate judgment about hypothetical questions, and showed the capacity for abstract thinking.

Summary of Interview with River Shannon: River Shannon reported that s/he first observed psychiatric symptoms in Kody Lee Shannon in 2018. In retrospect, River saw Kody Lee becoming withdrawn from friends at age 11 or 12. River said that Kody Lee thought the voices on TV were talking to her/him. On one occasion Kody Lee asked River if River had heard Howard Stern just tell her/him to do something. When River said no, Kody Lee would not discuss it further. In October 2018, Kody Lee was taking mirrors and paneling off walls to look for hidden cameras. These symptoms led to her/his hospitalization. River stated that Kody Lee would not go into a psychiatric hospital voluntarily. River deliberately made up a story about Kody Lee being violent

and choking River in order to get Kody Lee involuntarily hospitalized.

River stated that Kody Lee presented ongoing problems with non-compliance of the anti-psychotic medication. River exercised tough love by forcing Kody Lee to take the medication. River reported that several months prior to Kody Lee's arrest in January 2020, River was giving Kody Lee the anti-psychotics each night. River said that Kody Lee often made excuses to go downstairs with the medication in her/his hand. At times when Kody Lee put it in her/his mouth, s/he would excuse her/himself to go to the bathroom. River suspected that Kody Lee was actually taking the medication only some of the time, but chose not to confront Kody Lee. River reported that when Kody Lee took Zyprexa, Kody Lee did much better. However, due to side effects of weight gain, Kody Lee went back to taking Risperdal.

Kody Lee did not tell River Shannon about any conspiracy theory or thoughts of people being cloned for world domination. Kody Lee only mentioned to River that Kody Lee heard demonic voices, and those voices talked about spying on Kody Lee. Kody Lee believed that someone was controlling the TV.

According to River, Kody Lee also talked about the "powers that be, watching us," referring to government officials watching us from satellites. Kody Lee was particularly distrustful of the police. River said that Kody Lee has never given up talking about satellites and being watched. River reported that when they moved to their most recent address that Kody Lee appeared excessively bothered by noise. Kody Lee was upset by neighbors who played a radio loud in a van. On occasion, Kody Lee asked the neighbors to reduce the volume but it would be loud again the next night. Kody Lee was upset enough that s/he wanted to move. River attempted to sell the house, and Kody Lee was upset a couple of months later when a potential sale fell through. In the year before Kody Lee was arrested, s/he was not talking about voices. Kody Lee might say, "I don't feel so good" or refer to her/his head hurting. According to River, in the 12 months before his/her arrest, Kody Lee seemed to be in an "episode" 75% of the time. When asked if Kody Lee could hide her/his illness, River responded that "Kody Lee didn't have a problem going to the store to get something and talking to people."

River reported Kody Lee spent a great deal of time playing video games, up to 8 to 10 hours each day. Some of these games were "shooter games." River said that Kody Lee generally played a game until s/he mastered each level of the game. River said that in one of the games it is possible to stop on a bridge and do the shooting from there. Kody Lee had little interest in television. River thought that Kody Lee had trouble concentrating on television.

At the time of the I-235 shootings, River told Kody Lee to be careful. River mentioned to Kody Lee that a woman had been killed by the shooter. River said that Kody Lee replied, "Oh, wow, really?" River believed that Kody Lee was genuinely surprised. River stated that Kody Lee

was never violent. Kody Lee did not show any temper and never raised her/his voice. River did find a gun in Kody Lee's room and some spent shell casings in Kody Lee's car. River removed the Berretta from the room, but did not know that Kody Lee had another one. When River asked about it, Kody Lee said it was from target practice. River said that it was hard to talk to Kody Lee, because Kody Lee often did not answer.

Kody Lee receives approximately \$700 a month for Social Security benefits, which goes for health insurance and the rest for spending money.

Summary of Police Report: Kody Lee Shannon was arrested in Las Vegas on January 18, 2020 at 2:45 a.m. Prior to the arrest, but after fleeing Oklahoma, Kody Lee cut and dyed her/his hair. Shannon was arrested with guns, ammunition, cash, Zii console and the games "Contract Killer" and "World Destruction." Kody Lee told Detective Lou Fitzgerald that River told her/him that the police were going to test her/his guns and after that s/he took off to Las Vegas because "it looked bad for him/her." Kody Lee was "responsive, alert, conversant, and not in an emotional, psychotic or detached state."

Kody Lee told Detective Fitzgerald that s/he rented the room for a week. The clerk said that Kody Lee appeared "very normal." The registration card was filled out incorrectly, either because Kody Lee made some mistakes or was hopeful to avoid detection. Kody Lee paid cash for the room. Kody Lee was gambling prior to the arrest. Kody Lee learned to play three-card poker after arriving in Las Vegas and won at least \$400.

Kody Lee admitted to the shootings. Kody Lee described to the police the first time s/he shot at a driver on I-235 and that the first location was closest to her/his house. Kody Lee told the investigator that s/he constantly heard voices that harassed her/him. Kody Lee said that s/he believed there was a conspiracy. On day in July 2019 when Kody Lee was working on the deck, a piece of wood struck her/him on the head. Kody Lee decided that s/he would drive to an overpass and drop a 2-foot to 3-foot 4x4 piece of wood onto the freeway. Kody Lee said that s/he did it mostly to control the voices. Kody Lee explained to the investigating officers that s/he thought "if you're going to do this to me, then this is what I'm going to do." Kody Lee told Detective Fitzgerald that the decision followed a build-up of anger and frustration toward those who were harassing her/him. Kody Lee indicated that by throwing things off the overpasses or shooting at people that s/he was letting "them" know that s/he had the ability to strike back.

Kody Lee said that before s/he dropped the wood, s/he knew that the driver wouldn't like it. Kody Lee wanted the voices to stop. Kody Lee said that at the times/he threw the first piece of wood, Kody Lee was actually not hearing voices at the time, but knew that s/he was the victim of the harassing conspiracy because of what was said on television. Kody Lee said that the voices were reduced after doing something from the overpasses. Kody Lee said that when s/he dropped the

wood or did any of the shootings, s/he did not want to hurt anyone directly. But, s/he added that “I caved in and did it.” After dropping the piece of wood over the overpass and shooting at vehicles, Kody Lee felt relief. When asked by Detective Fitzgerald how Kody Lee first got the idea of dropping something from an overpass, Kody Lee responded that s/he had no idea and could not think of any TV show or video games which gave her/him the idea.

Kody Lee was asked why s/he stopped throwing items from the overpass and started shooting. Kody Lee replied that s/he had run out of materials to throw off the overpass. Kody Lee purchased her/his first gun on May 3, 2019, and her/his second gun on September 30, 2019. Shannon reported that s/he felt bad about throwing things from the overpass because “it could hurt someone.” Kody Lee Shannon told officers that s/he was prepared to protect him/herself by carrying around a firearm, but later believed that David Letterman could read her/his mind through the television and persuaded him/her not to do so.

Kody Lee Shannon’s Account of the Criminal Conduct: Kody Lee Shannon admitted to throwing wooden planks and bricks from highway overpasses starting in July 2019. Kody Lee stated that s/he did not want to hurt anyone. I also asked Shannon if s/he had any concerns because the shootings might harm someone. Kody Lee replied that s/he developed that concern toward the end of the shootings in November 2019. Kody Lee said that s/he fired a bullet through the car door and became aware of just how dangerous it was. Kody Lee stopped the shootings a couple of weeks later. Kody Lee said that s/he was not aware that Anna Anderson had died from her/his shooting. (River Shannon indicated that Kody Lee was aware of the death from the shooting because it had been discussed one night at dinner.)

Kody Lee said that when s/he put the piece of wood into the car, s/he knew that s/he was going to drive to the overpass a few miles away. Kody Lee did not tell River about it because s/he knew that River would not approve. Kody Lee also did not tell River about purchasing a gun because Kody Lee believed that River would not allow the gun in the house. Kody Lee hid the gun in the house. Kody Lee stated that s/he left her/his car running on the overpass and took only about 10 seconds to throw the wood or shoot at someone. Kody Lee immediately drove home. I asked why Kody Lee left immediately after a shooting and Kody Lee replied that “I had nothing else to do there.” Kody Lee was not fearful of being caught if s/he remained at the location. When I asked why s/he was not fearful of being caught in view of the fact that s/he knew what s/he was doing was against the law, Shannon replied, “I don’t know.” I asked why Shannon changed overpass locations after the publicity about increased police control and surveillance cameras, and Lee replied it was “to mix it up a little bit, but not to avoid getting caught.”

Kody Lee stated that the voices inside her/his head made her/him do it. Kody Lee explained that through the television and video games that s/he heard voices talking directly to her/him that people were being cloned and that they were going to take over the world and destroy us. Kody

Lee said that voices from the video games gave her/him ideas that it was up to her/him to save the world and to keep innocent people from suffering. Kody Lee said that s/he did not tell the police officer this when s/he was arrested because “they” are part of the conspiracy. Kody Lee said that s/he doesn’t trust police officers. Shannon reported that the shots were to scare the clones so that they would go away. Shannon reported that her/his motivation for the shootings was the same for all of the shootings.

I asked Kody Lee if s/he would have carried out her/his illegal acts if a police officer had been on the overpass and Kody Lee said that s/he probably would not because s/he knew s/he would get into trouble and be arrested. I asked Kody Lee whether s/he believed that the shooting was against the law. Kody Lee said that s/he did not know it was against the law when s/he did the shootings. I asked her/him whether s/he believed the shootings were morally right. Kody Lee said that s/he did the shootings because it helped save the world from the clones.

I asked Shannon whether s/he took any steps to avoid being captured. Kody Lee said that s/he never took any steps to avoid being apprehended. Shannon said that sometimes it didn’t matter if s/he got caught, and other times it did matter. When it did matter, Kody Lee explained that s/he wanted to avoid getting in trouble for firing a gun because s/he knew it could cause her/him to be sent to prison. I asked about River talking to her/him about the police checking the ballistics on the gun. Kody Lee said s/he told River it was okay because s/he had not been involved in the shootings. Kody Lee said that it was a conscious lie to avoid arousing River’s suspicion. I also asked Kody Lee why s/he left town and went to Vegas. Kody Lee said that s/he was “bored with the shooting” and wanted “a little adventure vacation.” Kody Lee explained that the stay in Las Vegas was for one week. On her/his return, Kody Lee planned to shoot a couple of times in each state that s/he drove through. Shannon maintained that s/he did not leave town because s/he was fearful of being arrested. Shannon said that s/he did not tell River because River would not approve of the vacation. Shannon added, “I thought I was the only person living and everyone else is just a backdrop.”

I asked Shannon why s/he took \$4,000 in cash advances on credit cards. Kody Lee replied, “to strike it rich in Vegas.” I asked Shannon whether s/he tried to hide her/his identity when s/he went to Las Vegas. Kody Lee replied that s/he made no effort to hide her/his identity and that s/he was unaware that there was a police bulleting out from her/him. Kody Lee changed her/his hair because it was “part of the adventure, to try something new and outrageous.” S/he used cash for the hotel room because s/he prefers to use cash when s/he has it. I asked Shannon

about her/his remark to the police officer that s/he left Oklahoma because s/he knew things would not look good for her/him if the ballistics matched. Shannon replied that s/he never said that.

Psychiatric Diagnosis: Paranoid Schizophrenia

Kody Lee Shannon's paranoid schizophrenia is manifested by delusions of persecution, auditory hallucinations, ideas of reference, and emotional constriction. It has interfered with her/his ability to be employed.

Opinion: It is my opinion that Kody Lee Shannon did suffer from a severe mental disease, paranoid schizophrenia, during the times that s/he engaged in the shooting behavior resulting in the criminal charges. However, it is my further opinion that at the time of each of the shootings which resulted in criminal charges, Shannon's schizophrenia did not prevent her/him from knowing the wrongfulness of her/his acts. It is my further belief that the references to the video games as controlling the defendant's behavior are a recent fabrication, as such hallucinations were never reported to Shannon's treating psychiatrist, family member, or the investigating officer when apprehended.

Dr. Brook Coleman

EXHIBIT 3

EXCERPTS FROM KODY LEE SHANNON'S MEDICAL RECORDS FROM ST. ELEGIS HOSPITAL

10/8/18 – Intake: patient gets messages from TV, is agitated; tried to attack parent today. Parent reports concerns of a “substantial risk of physical harm to others.” Parent states patient feeling this way for 2 weeks ... denied having these delusions before...put hands around the neck of parent attempting to choke...never happened before...patient was fired from job.

Nurse Notes: Review Aggression Checklist completed by patient's parent – noted “has hunting gun.” “Yes” checked for: acts upon paranoid ideations, exhibits command auditory hallucinations, hallucinating, paranoid thoughts, brought in involuntarily aggressive behavior within one week, aggression provoking factors within environment, recent nonviolent psychosocial stressor within environment. The following were noted by patient's parent as severe: suspiciousness, hallucinatory behavior, and unusual thought content. Patient started using a flashlight to look into cracks and light sockets to find cameras, but when couldn't find them started to take walls apart to find. Thinks food may be poisoned or patient thinks may have HIV. Patient “fears the house was bugged” ... speech was very disorganized with tangential thought process ... speaking gibberish ... playing games with patient ... patient saw her/himself on television during World Series ... patient said was going to tear up the house, is convinced hidden there ... responding to internal stimuli...expelled during middle school after an incident where patient is accused of smearing feces in textbooks in school...withdrawn, is not sleeping or eating, lost approx. 20 lbs., going on for about 6 months. Family recently moved to new house. Patient bothered by neighbors.

10/09/18 – Dr. R. Waterman: patient eloped from hospital unit and was stopped by security. Patient ran away because “s/he is not crazy” and “doesn't belong here.” Patient planned to leave unit deliberately. Patient felt people were watching her/him. Concerned over people judging her/him. Thinking s/he has hurt other people.

10/10/18 – Dr. R. Waterman: 1 episode of psychosis ... patient felt paranoia in the past 3 years. Patient intelligent but minimizing extent of paranoia. Reluctant to discuss concerns.

10/11/18 – Social Worker: continued delusional status...being told by patient that the hallucination continues to be present...remains delusional and psychotic. Parent is frightened about patient's return to home so soon with aggressive overtones from patient regarding continuing search for camera.

10/12/18 – Social Worker: patient denies current delusions and hallucinations...back to baseline

today. Patient wants to stop meds than see if symptoms return.

Discharge Summary: Admitted 10/8/18 – 10/12/18. Diagnosis: paranoid schizophrenia. Delusional that people were watching patient and taping patient through a TV camera at home and patient was tearing up home trying to find the cameras. Patient broke up the room and also some of the wall boards...grabbed parent by the throat allegedly... grossly delusional but does not admit to any voices..."cameras are constantly over her/him." Patient's affect is blunted.

Patient was "checking medication." Parent apprehensive about patient being discharged.

EXHIBIT 4

EXCERPTS OF MEDICAL RECORDS FOR KODY LEE SHANNON FROM WELLNESS MENTAL HEALTH CENTER

10/11/18 Triage Intake form: agreeable to outpatient. Still paranoid. Tried to escape from hospital. Has shoved parent – patient had hand around parent’s throat. Was taking Haldol; 5 mg.

10/12/18 Psychosocial assessment: this was first hospitalization. Patient was “feeling paranoid that there were cameras in the wall watching her/him.” Began tearing holes in the wall. Has been paranoid since moved residence. Patient has supportive surviving parent; other parent deceased when patient was 10. Patient diagnosed Psychotic Disorder.

10/22/18 Patient states “here only because parent requested that s/he come.” Since being out of St. Eleggis Hospital patient states not paranoid...poor insight and poor judgment ... denial ... doesn’t care for Haldol. Patient was fired from Fjerbergerherder’s job.

11/3/18 Patient didn’t want to take medication and wanted to see what it would be like without medication. Stopped taking medication shortly after release from hospital. Started medication last week because the voices had come back. Patient heard voice that “neighbor is not who he appears to be.”

11/10/18 Patient complains of hearing voices...paranoid feeling. Dr. Waterman changed medication to Risperdal 1 mg daily.

11/17/18 Patient doesn’t trust neighbors. “Something about them isn’t right.” Risperdal increased to 2 mg.

11/24/18 Patient not taking Risperdal; changed to Zyprexa

12/1/18 Patient “feeling stable” ... does not feel counseling is needed...agreed to meet quarterly. Patient has gained 20 lbs. on Zyprexa. Switched to 2 mg of Risperdal.

4/19 Missed appointment

8/19 Patient called saying not able to make appointment. Patient is in middle of building deck. Patient feels empowered. Patient says dropped out because “I’m doing fine. I take it easy.”

12/19 Missed appointment.

EXHIBIT 5

LAS VEGAS METROPOLITAN POLICE DEPARTMENT ARREST REPORT

City County

Adult Juvenile

Case Number: 1879320

Arresting Officer: A. Mundy, LVPD Badge #3899

Arrestee's Name (Last, First, Middle): Shannon, Kody Lee

Arrestee's Address: 521 Deckawoo Drive, Wheatville, OK

Charges: **Murder, Attempted Murder in Oklahoma**

Date of Arrest: 01/18/08

Time of Arrest: 02:45 a.m.

Location of Arrest: MGM Grand Hotel, Las Vegas, NV

Narrative of Circumstances of Arrest: Shannon had been the subject of a publicized national search. The subject's name and face had been circulated nationally as a person of interest in the I-235 serial shootings that had occurred over a four-month period in Oklahoma. LVPD had received a tip from an auto mechanic at Lorentzen's on Tropicana Blvd. in the city that the subject and the subject's vehicle had been identified and that the subject gave contact information of the MGM Grand Hotel. The mechanic's suspicions were raised when the subject said the vehicle needed to be repaired so that s/he could "complete her/his mission" and return to Oklahoma because "people are not who they appear to be."

At the time of the arrest, the subject was in her/his hotel room. Located in the room with the subject: a 9 mm Beretta with four pistol magazines, three of which were loaded with 10 rounds each, 50 9 mm Winchester bullets, a roll of duct tape, and \$4,694 in cash. Also found in the subject's hotel room, a Zii console with two video games: "Contract Killer" and "World Destruction." The subject had draped towels over the mirrors in the room and had a "Do Not Disturb" sign hung on the doorknob.

On January 18, 2020, at 04:30 a.m. the hotel clerk that checked in the subject was interviewed. The hotel clerk said that the subject appeared "very normal" and did nothing out of the ordinary. The hotel clerk noted that the subject arrived on January 14 and asked to have a room for one

week. The subject paid for the hotel room in advance in cash. The registration card was filled out incorrectly. The subject purchased a player card for award points at the hotel and so the subject's activities were reviewed subsequent to the arrest. It was noted that the subject did gamble at the hotel. The day before the subject's arrest, s/he had played three-card poker and won \$400. The subject also played black jack, craps, and the slot machines.

After being advised of her/his Miranda rights, the subject refused to talk to anyone except the investigating officer from Oklahoma. Detective Lou Fitzgerald of the Oklahoma Department of Public Safety's Division of Criminal Investigation was contacted at 06:30 a.m. on January 18, 2020. Subject was placed under suicide watch until Detective Fitzgerald arrived.

Supplemental to Arrest Report:

Detective Fitzgerald from the Oklahoma DCI arrived on January 18, 2020, at LVPD at 16:30 p.m. Detective Fitzgerald reviewed the Arrest Report and then conducted an interview with the subject at LVPD. The subject was released in the custody of Detective Fitzgerald, who returned with the subject by air to Wheatville, Oklahoma.

EXHIBIT 6

EXCERPTS OF INVESTIGATION NOTES OF I-235 SNIPER SHOOTINGS MADE BY DETECTIVE LOU FITZGERALD

07/20/19: report of wood plank falling from I-235 overpass 08/04/19: report of wood plank in road at I-235 overpass

08/04/19: a brick was reported as having been thrown from an overpass of I-235

08/12/19: brick was thrown from an I-235 overpass damaging the trunk of a 2005 Toyota Camry

09/10/19: a woman ran out of gas sometime between 3 and 5 a.m. When she returned to her vehicle, it had been shot twice in the driver's side window.

09/13/19: bullet hole was found in a cattle carrier that was driven on I-235

10/10/19: at 12:30 a.m. a woman driving near I-235 had her left front tire shot out by a bullet

10/11/19: at 12:10 a.m. a bullet struck a driver's side rear door on I-235

10/19/19: a bullet struck a Volvo in the driver's window and shattered it on I-235

10/24/19: elementary school classroom window near I-235 was shattered by a bullet at 1:30 a.m.

10/31/19: a utility van stopped on an exit ramp of I-235 was hit by gunfire

11/02/19: UPS truck on I-235 shot through the door directly behind the driver's seat at 5:45 a.m.

11/08/19: bullet struck Ford Explorer on the driver's side door frame "just inches from head."

11/15/19: at 10:15 a.m. Anna Anderson, a 72 year old woman, was killed when a bullet entered her chest while she was a passenger in a car travelling on I-235. Later the same day, a semi- tractor driver found a bullet hole in the rear door; he had been on I-235 sometime between 1 p.m. and 3 p.m.; a GMC Jimmy driver found a bullet hole in the wheel well of his vehicle near I-235.

11/16/19: a woman on I-235 heard a bang and later discovered a bullet strike on the passenger side door frame.

11/17/19: a bullet found on the living room floor with a hole in the front wall of a home near I-

235; bullets were found in the bathtub of another residence. It is suspected that the highway shooter moved off of the freeway to prevent apprehension.

11/21/19: at 2:15 a.m. car on I-235 struck by a bullet on the driver's side hood and windshield.

11/22/19: at 12:45 a.m., a vehicle on I35/80 was struck on the hood by a bullet "shattering the windshield." A small red vehicle was seen on the overpass roadway and a subject was seen standing on the overpass looking down.

11/26/19: at 2:10 p.m. vehicle on I35/80 struck by bullet in windshield close to steering wheel.

11/27/19: at 11:15 a.m. on I35/80 a woman "saw a red car parked on the overpass with someone standing on the overpass" and then heard a noise and found a bullet hole in the driver's hood. About 5 minutes later, 1/2 mile away, a man observed someone lean over the side support holding a gun ... shot straight down and through the hood of his vehicle, then entered a red compact car and drove away.

11/28/19: a vehicle on I35/80 was shot at the right fender with bullet lodging in the battery. Witnesses saw the subject shoot from the hip, not taking aim.

1/07/20: police receive a tip about Kody Lee Shannon and learn that River Shannon had taken 2 handguns from Kody Lee Shannon.

1/12/20: River Shannon is contacted and requested to hand over guns. Lab results indentified the handgun taken from Shannon's room as being the one involved in freeway shootings.

1/12/20: Missing person reported by River Shannon. River Shannon reports that Kody Lee Shannon is upset over moving residences; is paranoid of police.

1/15/20: Interview with River Shannon – River Shannon found spent shell casings in subject's car. When asked if River had inquired with Kody Lee, River responded "you'd have to talk to Kody Lee, you know, it's hard, Kody Lee don't even answer you mostly...well Kody Lee said the casings was from target practicing with them." River had removed a Beretta from Kody Lee's room, but "I did not know Kody Lee had another one until later." River did not know that Kody Lee had shot the handgun at someone. When asked about the second gun, River said that s/he found part of a gun under Kody Lee's mattress. River said, "I had told Kody Lee that there was some crazy person out on the freeway shooting up cars, so be careful, but Kody Lee didn't respond." River was concerned about Kody Lee shooting others. River mentioned that the shooter had killed someone. River reported that Kody Lee's response was "a look of surprise." River said that Kody Lee doesn't like law enforcement and that recent stressors included the detectives'

taking the gun.

1/16/20: Search Warrant served to River Shannon. No guns found in home. No prescription medication found for Kody Lee Shannon's psychosis. No notes or diaries located of sniper incidents. Additional video games located at subject's residence ranging from violent themes to strategic games to race car driving, Star Wars and Lord of the Rings. Financial records show that on 1/12/20 Kody Lee Shannon emptied her/his bank account of \$600 and made multiple cash advances from credit cards totaling \$4,000 and did not return home. Also on 1/12/20 Kody Lee Shannon purchased another Beretta, as well as additional Winchester 9 mm ammunition.

1/18/20: Kody Lee Shannon apprehended in Las Vegas. See Arrest Report and Taped Interview.

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EXHIBIT 7

TRANSCRIPT OF KODY LEE SHANNON'S POLICE INTERVIEW TAPED INTERVIEW

OFFENSE: Homicide

REPORT #: 202001006

VICTIM: Anna Anderson

PLACE OF OCCURRENCE: I235 near Exit 4

DATE OF OCCURRENCE: November 15, 2019

INTERVIEW OF: Kody Lee Shannon

DATE OF INTERVIEW: January 18, 2020

PLACE OF INTERVIEW: Las Vegas, Nevada INVESTIGATOR: Lou Fitzgerald

FITZGERALD My understanding is that they went ahead and read you your Constitutional rights, you said you understood all that, and that's my understanding, is that correct?

SHANNON Uh, yeah.

FITZGERALD Okay, that's alright, just wanted to make sure we understood it and there was no problem there; and they said you asked for someone from Oklahoma to come down, is that correct?

SHANNON Well, I didn't specifically ask for an Oklahoma officer, but ...*

FITZGERALD Who did you ask for specifically, do you remember?

SHANNON Uh, well*

FITZGERALD Don't remember who you asked for?

SHANNON No, I didn't really ask for anybody really, I just ...

FITZGERALD Someone told me something that you said something about ...

SHANNON Well, I'd rather talk, talk to the persons doing the investigation

FITZGERALD That's me. I'm the lead investigator on the whole situation. And uh, that's, that's why they indicated to us to come out. So I jumped on the next plane so I could come out and see you and sit down and talk with you for awhile

about this situation, cause we definitely want to hear what you have to say, your side of the story, and get to know you better, and that's why I came out.

SHANNON Right

FITZGERALD So I could sit down and talk to you. But I want to make sure understood that, you know, your Constitutional Rights; you can have an attorney, and you don't have to tell me anything if you don't want to. And they said that you were being very cooperative and that you understood all that, uh, do you know what today is?

SHANNON Uh, I think it's Friday, right?

FITZGERALD Yep, do you know the date?

SHANNON Uh, I think it's like the 17th or something?

FITZGERALD That's very good; it's the 18th. That's pretty good. What kind of car did you drive out here?

SHANNON It's a Gremlin, a red AMC Gremlin. It's a sweet ride, but it's at the repair place now.

FITZGERALD Okay. So everything else is doing pretty good now; um, I guess we need to go ahead and start talking. I'm going to leave it up to you to kind of fill me in on several things that I've been missing and trying to figure out how we're going to do it. And, you know, I got a lot of the puzzle here; I got a great big puzzle here in front of me, and it's got holes in it everywhere. I can't figure all the little pieces out, and you're the only one that has a key to all the puzzles. Did you know that? I'd like to start back when, when'd you buy your first gun?

SHANNON Um, uh, probably, been awhile.

FITZGERALD Been awhile, don't remember the first one?

SHANNON I don't know.

FITZGERALD Okay, alright, what was the first gun that you bought? What kind was it?

SHANNON I believe it was a Beretta.

FITZGERALD A Beretta huh? You like Berettas?

SHANNON No, well*

FITZGERALD No?

SHANNON Not any more than any of the other guns.

FITZGERALD A gun's a gun? I didn't know if you like one particular type of gun or anything like that, better than another.

SHANNON No

FITZGERALD No, okay. Um, you bought the guns and then

SHANNON (unintelligible)

FITZGERALD Huh? You understand how to load it, and stuff like that, take care of them?

SHANNON No, I mean as far as you know
haven't had a whole lot of sleep so ... * no, I don't understand, I ____*

FITZGERALD Yeah, they said you were sleeping a bit this morning, before I got here to get to see you a little bit. If you want to smoke, go ahead; don't pay attention to me or anything. Is this your sandwich?

SHANNON Yeah

FITZGERALD If you want to eat, we can just sit here and eat together. Anything you want to do, we'll just sit here and talk and kick it for awhile, okay? I guess, you know, I have to ask you a few questions. And I think, I think you are looking to make yourself feel better in a lot of ways here getting this off your chest. I know you've been carrying this around with you for awhile. And you know what's been going on, and it's had to bother you inside. Would that be a pretty fair assessment of what's been going on?

SHANNON Uh

FITZGERALD Would that be kind of accurate in stating that it's been bothering you?

SHANNON I, I wish I was *

FITZGERALD Okay, yeah. I talked to your mom/dad for awhile and uh, yeah, s/he said that you guys had talked about the shootings, and s/he seemed genuinely concerned, you know, about the whole situation. Did you ever confide in her/him and tell her/him quietly, you know, you were doing the shootings? Did you tell her/him that?

SHANNON No

FITZGERALD You didn't feel like you were comfortable telling her/him that? SHANNON
No

FITZGERALD No. Are you pretty close to your mom/dad?

SHANNON yeah.*

FITZGERALD Did you ever think about talking to your mom/dad about it?

SHANNON No

FITZGERALD Who do you trust most? Who do you trust that you feel comfortable with?

SHANNON Probably my mom/dad.

FITZGERALD You want to see what I got? Did you want to see that one magazine?

SHANNON Sure.

FITZGERALD I thought you might think it's cool. What kind of video games do you like?

SHANNON All kinds of games.

FITZGERALD Is this a good one? Is this stuff any good?

SHANNON Um, as far as the magazine goes.

FITZGERALD Right, as far as helping you with the games, cause I never really played that

many.

SHANNON Um, magazine -like magazine, I guess*

FITZGERALD Okay, but they don't give you good insight on the games?

SHANNON Sometimes good game.*

FITZGERALD Is that what it is? Okay. One of the things that they said that you do want to talk to the, you know, lead investigator, so that's what I wanted to sit here and chit chat with you about, anything that you wanted to talk about. Someone told me you felt at times like a lost soul, is that true?

SHANNON Um, *

FITZGERALD Don't you remember saying lost soul? Okay, maybe that's not the right verbiage; maybe I gave you the wrong type of words. Um, why did you decide to leave? Why did you take off?

SHANNON Well, I had gotten a phone call asking if it was okay for the police department to do, uh, testing on, on the guns and uh *

FITZGERALD You and your mom/dad had a conversation about the guns, correct?

SHANNON Right.

FITZGERALD And shortly after s/he gave the guns to the police, you decided to leave, is that what happened or what?

SHANNON Yeah.

FITZGERALD I don't want to put words in your mouth if that's, you know, what happened. I need you to talk to me about it. Why'd you leave? Why'd you decide to take off?

SHANNON Um, cause I guess it looked bad for me that

FITZGERALD With the guns?

SHANNON Yeah.

FITZGERALD You don't... Do you drink coffee?

SHANNON do I drink coffee?

FITZGERALD Do you want some coffee? Cause I think they're gonna bring us some coffee?

SHANNON No, not right now.

FITZGERALD No?

SHANNON Well, *

FITZGERALD Okay, okay. Um, when you gave the guns up, did you know they were going to match?

SHANNON No.

FITZGERALD You didn't think they'd match?

SHANNON Uh uh.

FITZGERALD Why not?

SHANNON Because I didn't shoot or anything.

FITZGERALD Because you didn't shoot or anything?

SHANNON Right.

FITZGERALD Okay. Um, now let me ask you another question. Do you think I flew all the way out here to see you and not know that you shot?

SHANNON Uh maybe, maybe - a little suspicious.*

FITZGERALD Well, I guess what I have to say to you, Kody Lee, is I didn't fly all the way out here because I didn't think the guns would match; we know the guns match.

SHANNON necessarily that, well*

FITZGERALD What was it then?

SHANNON I guess *

FITZGERALD No, it's not; you can tell me anything. I mean, if you were afraid, you can say, I was afraid.

SHANNON Yeah, I, I really freaked out *

FITZGERALD You want to take a longer nap?

SHANNON Little nap *

FITZGERALD See the problem I got, you and I got to sit here and talk a little bit to figure out exactly what we're going to do. Then, if you want to take a quick nap, take a long sleep, we can whatever you want. You're the one that said you wanted to talk to investigators from Wheatville. I came all the way out here so I could see you; I wanted to meet you.

SHANNON Right.

FITZGERALD Wanted to sit and talk with you, uh, and that's why I'm here. I'm here for you. I need to, after we get done, what I was going to do when we get done here, I was going to make a phone call, let everybody know you're doing well, you're fine; but we need to cover a few things. You know what I'm saying?

SHANNON Right.

FITZGERALD And the things, you need to be honest with me now so that I can figure out how to help you, okay? You can't sit here and say oh, I didn't do any shooting, which I know you did. So the thing of it is, you need to be honest within, you know, Kody Lee. You've got to be honest with Kody Lee now too. You got to make sure that Kody Lee is being honest with Kody Lee. You can't continue to say, oh I don't want to talk about that or that's something else. The guns match, and it's explainable why you decided to, you know, get in your car and leave; cause you didn't want to have to deal with that which you eventually you'd have to deal with it eventually. But

what we're doing now is sitting and just discussing it. I don't think you understand what anybody thinks that you are a bad person or did anything that's horrible; I think you'd find that you have a lot of support from your mom/dad. I'm not mad at you. I don't want you to think that. The guys here are not mad at you at anything; out here in Las Vegas, there's nobody that's, you know, upset with you. So I want you to, you know, your mom/dad's not mad; I spent quite a bit of time with your mom/dad. You have a lot of support. You've got a lot of people who love you, okay, but one of the things we've got to do is, well, got to get through this, okay? And getting through this means that you have to be honest, you have to tell me the truth about the situation. We know the guns matched; that's not a puzzle. But the little bit of a puzzle there is, is what was going through your mind. What was going on when you were doing the shootings? That's what we need to know about; that's what I want you to share with me, if you would do that, so that way, I can understand you better. And, you know, eventually, we're going back to Oklahoma. We'll go together. You and I can go together; we can go back there and go through this with your family together. Do you understand what I'm saying? I mean is that pretty fair?

SHANNON Yeah.

FITZGERALD Do you remember the first time you shot?

SHANNON Yeah.

FITZGERALD When was the first time you shot? SHANNON Uh, six months*

FITZGERALD Six months? How did you like, like to do it? When you were driving, or did you like get stationary and stop, or did you just do it from the car, or how did you actually do the first shot?

SHANNON (Heard no response)

FITZGERALD Do you remember where the location was?

SHANNON I mean it's not, I can't really explain it right now *

FITZGERALD Do you remember the first location? Do you remember if it was on like, I don't know, what street, you know the road, you know the town pretty well.

SHANNON (Unintelligible)

FITZGERALD Do you remember the first location it was from? SHANNON Um, probably _ closest to the house.*

FITZGERALD Closest to your house? I've got a map, just happened to bring a map with us. Would it be, would it be okay to bring my partner in? Or you just want it to be us that's sitting here talking? Would it be okay or not? I'll leave it up to you; that's totally your call. We can just sit here and talk if you want, I can ask him to come and sit over in the corner if you want, and he can take notes and stuff like that, or you just want it to be us or what? I'll leave it up to you. It'll be your call.

SHANNON right now.*

FITZGERALD Okay, you just rather it be us?

SHANNON Yeah.

FITZGERALD See, I got a map here, and where we're at here, let's see, it's over here and you live, show me where you live at. This is I-235.

SHANNON Right.

FITZGERALD Okay, and then is that West Wheatville?

SHANNON I'm not sure now.

FITZGERALD I think you live over in here.

SHANNON Yeah, maybe.

FITZGERALD Okay, so if you had to pick one of these locations in here, which ones would you pick? This is pretty cool isn't it; we put a lot of time and effort into making this look right. pretty good.*

SHANNON Uh, yeah.

FITZGERALD It's got some *little bit small.

SHANNON Yeah

FITZGERALD You wear glasses?

SHANNON No, well sometimes

FITZGERALD I'm starting to need glasses. I'm getting old, so pretty soon I'm going to have reading glasses to read with.

SHANNON Right

FITZGERALD You say it was around close to where you live, the first couple, you know, where, you said that's where you shot was around here you live?

SHANNON Right

FITZGERALD Let me ask you this then. Do you remember being over on Rollins? This was on a house, do you remember that date, anything that was going on that put you over there around Rollins?

SHANNON No, uh uh.

FITZGERALD Okay, you don't remember what you were doing over there? Let me ask you this. Why did you pick on that one white house? Do you remember, was there anything specific about the house that stood out?

SHANNON No

FITZGERALD Can't remember much about that house? I saw some of your school pictures.

SHANNON Oh, yeah?

FITZGERALD Uh huh. Looked like you were pretty popular?

SHANNON Yeah.

FITZGERALD You like the car you got?

SHANNON What? Yeah, I guess.

FITZGERALD Yeah, okay. Let's go back to Rollins here. Tell me about Rollins Road. Do you remember the house, the white house?

SHANNON Uh, no, uh uh

FITZGERALD Can't remember what brought you to the Rollins house? Do you remember how many times you, you know, shot at the Rollins Road house; do you remember how many times; was it 1 time, was it 10 times, was it, do you remember how many times?

SHANNON Uh, no, well, I'd prefer, like not, not really discuss anything really at this time.

FITZGERALD At this moment, you want to get some rest?

SHANNON Yeah

FITZGERALD Well alright if you didn't, you tell me you didn't; if you did, I'd like to know; were you able to watch some TV?

SHANNON Yeah

FITZGERALD Okay, did you, uh, how'd you feel about Ms. Anderson; do you remember Ms. Anderson?

SHANNON I'm not sure who that is.

FITZGERALD That was the woman who was driving in that car, that, uh, I guess looked like maybe it was an accident, and the bullet accidentally took her life; remember that situation that was out on I-235?

SHANNON Oh, uh

FITZGERALD Remember that?

SHANNON Yeah.

FITZGERALD How do you feel about that whole, how do you feel about that situation?

Do you feel bad?

SHANNON Um

FITZGERALD I believe you, I would feel bad.

SHANNON Right, um, yeah that's

FITZGERALD Wasn't your intention, was it, for her to get hurt?

SHANNON I would feel more confident in what I was saying if I had some rest.

FITZGERALD You want some sleep? Alright kiddo, we'll get you some sleep then. Let me see if the other officer's out here.

FITZGERALD Are you hungry? Can I get you something to eat? Some coffee maybe? Pizza?

SHANNON (Heard no response)

FITZGERALD I was impressed, very impressed with a lot of stuff you were able to accomplish, and you went how long without ever being caught? Think that was pretty good, don't you think? How many months was that; you told me you shot first time about 6 months ago?

SHANNON (Heard no response)

FITZGERALD About 6 months ago, is that what you said? About 6, and not get caught, that's a long time. Go ahead and eat kiddo, we won't bug you or talk to you; go head and eat.

SHANNON No, uh. Yeah. That's the reason why I'd like to get some sleep. Sees like when I don't have any sleep, things come out, they tend not to really come out wrong, but maybe like a little mixed up there.

FITZGERALD Okay, and you don't want to have mix-ups right?

SHANNON Well, I mean, not really mix-ups, but it just feels like, uh, just feels like the past week has been, or the past 5 days really, it feels like long time*

FITZGERALD Okay, eat your pizza, eat your pizza. And, uh, we'll go ahead and let you get some sleep, and then we'll talk again, is that fair?

SHANNON Uh, yeah, uh.

FITZGERALD Do you need something to drink?

SHANNON I've got something. Well, since they've already taken

FITZGERALD Who's "they"?

SHANNON The uh ... you're with the Wheatville cops, right?

FITZGERALD Well, actually I'm with the state – I'm the lead detective. When they heard that, they told us that you wanted to meet me and I said, well I'll get on the plane and come right out to meet you; I don't even have a change of clothes kiddo. I got on the plane just to come straight here to see you; I don't even have a change of underwear. They said you wanted to see me, to talk to me; so I said I've been wanting to meet you, so I came right out to see you.

SHANNON Yeah, um, I guess that's true

FITZGERALD What are you thinking about Kody Lee, what are you thinking?

SHANNON Uh, *

FITZGERALD Not much? You got a lot on your mind?

SHANNON I guess it all depends on how you look at it, I guess.

FITZGERALD Okay, explain it to me; tell me how you look at it. I mean, I'm here for you; I'm not going to any gambling joints or shows or anything. I'm not here to see Wayne Newton, Kody Lee, I'm here to see you. Did you get to do any gambling, did you do any?

SHANNON Yeah, a little

FITZGERALD What did you do?

SHANNON Put a little, little 3-card poker

FITZGERALD Did you, how'd you do with it, did you?

SHANNON I'm a little ahead

FITZGERALD Hey, if you can leave here with some money and have a good time, then you did good. Got a bunch of people that come out here and they lose everything.

SHANNON I've never been before.

FITZGERALD It's your first time? I've been here before, but I never gambled. I just came and saw the sights, looked around, that's all I did, so yeah. Tell me what you were thinking.

SHANNON Well - was sleepy, but I guess I can go a little longer without sleep, but since, since I guess everything is done in Las Vegas, I guess, I guess one of the , can you

FITZGERALD You ask me anything, I'll tell you. Are you hungry?

SHANNON No, just really, really tired

*Note: the ellipses denote a pause, interruption or break in the conversation and the long underlines denote the words were mumbled, inaudible, or unable to be transcribed because the transcriber could not decipher what was said on tape.

EXHIBIT 8

EXCERPTS OF TRANSCRIPT OF NOVEMBER 15, 2019, 911 EMERGENCY CALL

Operator: 911 Emergency. How can we help?

Voice: My Grandma's been shot. What Can I do? What Can I do? Please someone help me!

Operator: Are you in any present danger?

Voice: No. I mean, um, I'm not sure. I think the shooter is gone. The shooter is nuts – a real zombie, like something out of the movies.

Operator: Try to stay calm. What is your location?

Voice: I'm on I-235 close to the Exit 4 overpass. I'm pulled over in my Grandma's tan Taurus. What should I do?

Operator: What is her status?

Voice: I don't think she's breathing. She just slumped over. Help me! Please! I feel so helpless! It was such a beautiful day.

Operator: You're doing great. EMTs and Police are on their way. I'll stay with you until they arrive.

Voice: I hear sirens now.

EXHIBIT 9

EXCERPTS FROM Zii WEBSITE

CONTRACT KILLER

Explore the dark psychology of killing for a living as you delve into the mind of the most ruthless and efficient contract killer. Contract Killer delivers more action-packed and suspenseful missions with greater variety of ways to make the perfect hit and an increased arsenal of firearms and close-combat weapons at your disposal. A new graphics engine showcases your work in brutal details and brings the dark & disturbing world of Contract Killer to life. Available exclusively for Zii.

WORLD DESTRUCTION

Civilization is near collapse. Terrorism runs rampant. From this maelstrom of violence and suffering a conspiracy bent on world domination emerges from the shadows. The conspirators' greatest strength? No one believes they exist. No one but you! You play the world's best sniper in a mission to prevent a terrorist organization from using cloning technology for global domination.

Hiding from rooftops, bridges, and other environments, use your sniper scope to take down enemy targets to save innocent lives. With simultaneous cooperative and competitive play, two or more players can take aim to see who is the best sniper and who can prevent World Destruction! Available exclusively for Zii!

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EXHIBIT 10

Case Evaluation of Dr. Everett

Patient: Shannon, Kody Lee

Background: Kody was previously hospitalized at St. Elegg diagnosed with paranoid schizophrenia and was prescribed Risperadol 2mg. Kody has graduated high school and has some community college coursework. Kody is currently unemployed, and receives SSI. Kody is currently awaiting trial for throwing objects and shooting at vehicles, resulting in the death of Anna Anderson.

Tests performed: MMPI-3, interviewing. Repeated interviews following increase of medications.

Observations: Kody was previously diagnosed as suffering from severe paranoid schizophrenia. This diagnosis is supported by Kody's performance on the MMPI-2 and by Kody's reporting of delusions and hallucinations. Kody claims to hear voices and to be persecuted. Believes that violent behavior toward vehicles stems the voices and allow Kody to regain control.

Kody now admits to having avoided taking medications prior to the events leading to arrest. Given Kody's requirement of high levels of medication in order to control symptoms, it is likely that the prolonged lack of medication would lead to crisis and that would not have been able to appreciate the nature and moral valence of these actions. Kody's memory of these events, which in a neurotypical patient would stand out, is spotty, reflecting limited functioning. In this state, it is unlikely that Kody would have the capacity to gauge the circumstances and execute a plan of escape to Las Vegas. Also, Kody's choice to go to Vegas reflects (1) poor judgment, given the high security presence surrounding casinos; (2) a craving for high amounts of sensory input to drown out the voices.

Recommendations: Kody has shown progress with the current regimen of increased medications. Kody should be supervised while taking medications to ensure that all medications are taken as prescribed and should have periodic evaluations to ensure that symptoms remain controlled. Kody's entertainment choices should also be monitored to avoid triggers and to ensure that Kody is not obsessing over particular shows or games. Kody should also receive therapy to ensure that Kody learns healthy modes of expression and to recognize problematic thought patterns and learn to deal with them.