

[REDACTED]

The car door slams after the car has been stolen and driven off? If she was really sitting near the car as it was being stolen, you would hear the door slam BEFORE the engine revving sounds - - - NOT AFTER. Also, the sound of the car door closing is so loud as to indicate that the phone was VERY close to the door being closed. Note what sounds like the police officer's door closing at 15:25. Assuming that the police officer pulled up to a position that was very close to the plaintiff's car, you can barely hear the door closing. If the plaintiff's car was stolen, how far was it driven off? ... 20 feet?

Additionally, if the car was so close to her when it was "located a couple of blocks away, wrecked and abandoned." (page 2/60), why were there no sounds of brakes, scraping sounds (the car against the cable barrier), or a crash? After all, her phone was good enough to pick up the sounds engine acceleration sounds and of car doors closing (twice), after the car had been allegedly driven off.

[REDACTED]

[REDACTED]

Who is Anthony?

[REDACTED]

At 0:47, she says that she is "hiding". At 1:05, the plaintiff was "standing in a bunch of trees". She did not indicate that she was chasing down some road after her stolen car. She seems to indicate to the 911 operator that she is stationary while describing her alleged attack and theft of her vehicle. Food for thought - how far could the plaintiff have gone down any road after her car? the car was wrecked "a couple of blocks away" (page 2/60), how did she get there so fast.

Assuming that she is standing still when she is placing the 911 call at 0:00 (she does not sound like she is running, panting, breathing hard, nor are there any sounds of her walking or running), she states that she is stationary at times 0:47 ("hiding") and 1:05 ("standing in a bunch of trees"). How does a cold (At 4:25, she tells the 911 operator that "I'm cold"), certifiably intoxicated person (page 30/60, PBT reading of 0.147) who doesn't appear to be an accomplished runner, get a quarter mile or so down a very dark road (at 12:14 she tells the 911 operator that "It's really dark".) and magically come upon her car? A good athlete can RUN a quarter mile (a couple of blocks) in about 75-90 seconds ... on level terrain, during the day. She would have us believe that she walked (page 30/60) this couple of blocks on uneven terrain in the cold and dark after being beat up and very scared and concerned that Lt Burke might still be in the area (1:20 and 11:46) in one minute and 7 seconds (1:05 - the time that she was "standing in a bunch of trees" till 2:12 when she said "Wait a minute, it's right here, it's right here")

[REDACTED]

Is she walking or running down Skyline to find her car or was she driving Skyline? She seems to be having a hard time keeping the facts and timeline in order.

[REDACTED]

[REDACTED]

So after allegedly beating her up to get the car keys, stealing and wrecking her car, 1LT Burke now decided to chase after Capt Adams?

[REDACTED]

So she was in her car? I was more than certain her story had nothing about her getting back in her car (which she does again later in the call)

[REDACTED]

[REDACTED]

How exactly is WNM out of her car but she's trying to back it up? She can't mean that she in front of it trying to push it because she states at 5:41 that the car (it has to be the front or she wouldn't be trying to back it up) is "hanging off".

[REDACTED]

Capt Adams clearly stated that he saw nothing of the kind. He states (17/60) that he never saw 1Lt Burke hit WNM and he was sitting right next to her when she was allegedly struck 7-8 times in the head.

[REDACTED]

How exactly was she scratched on her legs if she was wearing pants? How was she scratched on her chest through a shirt? Was this the same shirt she was wearing in the photo documentation of the "injuries". If so, the shirt goes all the way up the the neck and appears to be made of a sweatshirt type material.

[REDACTED]

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February 4, 2011

Mr. Patrick T. Burke
1225 Browning Street
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RE: **State of South Dakota v. Patrick T. Burke**

Dear Patrick

I just wanted to summarize several and various points which lead me to seriously doubt the alleged claims and events of the evening in question if they do not completely refute any plausibility or credibility of her assertions in my opinion.

1. First of all there is no evidence of trauma photographed, observed, or even described which would be consistent with and result from the kind of extreme and repeated force claimed to have been inflicted upon her. Obviously, your size and strength along with the aggressiveness described would have resulted in more than even moderate injury yet there is no noticeable injury whatsoever.
2. Her actions in declining any medical attention whatsoever are not only inconsistent with one who claims to have just sustained such a brutal attack and the likely injuries resulting therefrom, but in fact would point to and manifest a disinclination fearful that a professional may prove through examination and testing that there was absolutely no injury and certify her claims to be false and unrealistic.
3. The attack according to her in large part took place in the presence of an eye witness (R.A) and yet during several interviews with both law enforcement and myself this eye witness confirms unequivocally no such assault occurs in his presence. He would have been able to see given his position and proximity and vantage point yet he saw nothing of the kind.
4. This independent witness (R.A.) refutes that the supposed vehicle sounds at the time of her 911 call actually occurred as you were driving away, at the time and place that she (as the caller) claims. R.A. states that as he was departing the area he immediately heard screeching tires and believed it was her driving away. Yet listening to the 911 tape wherein she claims the engine noise is you driving away there is no screeching whatsoever. Rather it sounds like a car just driving by on a winding and hilly road. This fact in isolation may mean little however in the

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context of my belief that she in fact drove the car away; became involved in an accident; and then knowing her condition of being intoxicated and fear of potential arrest felt compelled to manufacture this entire story. The sounds heard on 911 tape support our claim she made the call after she wrecked her car.

5. Although she claims to have screamed loudly and fought and resisted your alleged attempt to get the keys and assaultive behavior the eye and ear witness (R.A.) never heard any screaming whatsoever. For that matter, he did not hear any yelling which she claims to have done in resisting your attempt to wrest her keys from her.

6. Despite her claims that you drove her vehicle and necessarily would have been required to do so from the driver's seat and driver's compartment area there are no latent fingerprints present despite efforts to obtain same on the steering wheel, driver's door, or any other proximate area wherein one would expect to find fingerprints confirming your presence as alleged.

7. If as she claims you were involved in a high speed accident on this treacherous road and said accident was serious enough and forceful enough to disable the vehicle, be heard by her as you impacted the guardrail and further do extensive damage to car and guardrail, then where are the injuries sustained by you in said violent crash. There are none. Nor is there any blood, hair, tissue or other physical evidence of any kind which would corroborate either your presence in the vehicle, your operation of the vehicle, or your traumatization or injury from an accident. One would expect given the thorough investigation conducted, yet there is no such evidence. Further, the way she describes your hasty departure it is doubtful you would have taken the time to put on a seat belt.

8. Other area affecting credibility would include amounts she claims to have drunk and who originated the idea of going up to Skyline Drive. You obviously were not familiar with this area at all. From a broad overview perspective her claim which would necessarily involve you in a state of intoxication, driving a strange and stolen vehicle to the base when reality would dictate that you would not have a clue as to how to get there and further, that you would have sense enough to know that you could not pull up to the gate under these circumstances, renders her claims tenuous at best.

9. On the other hand, her exceedingly intoxicated state would give her every reason and purpose in the world to make up a story which would portray her as a victim and therefore exculpate and relieve her of any criminal liability or responsibility once she had become immobilized after crashing into the guardrail. It is a convenient story and one which puts her in the clear and protects her from being arrested for DUI and Reckless Driving and yet is implausible, is

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dramatic, and yet not only unsupported by the physical, medical, scientific and eye witness evidence. In fact, any corroborating evidence is not only sparse but is nonexistent and at a point in time, the cumulative effect of this void in any evidentiary corroboration has to refute and in fact contradict and ultimately prove that such story is patently false.

10. Finally, one might question that since she is currently studying the criminal justice system that her new found familiarity with that system might provide the seeds for authoring this fictional and unfounded account for the purpose of serving her ulterior need to give law enforcement an explanation of the plight in which she found herself after she ran into the guardrail while intoxicated. Her hysterical rambling on the 911 tape are obviously the product of someone who is highly intoxicated who is either intentionally unable to give coordinates on her location or is too drunk to know the same.

I hope this helps as a digest of some points that in my opinion discredit her and this story. Believe me there are plenty more and I have little doubt as to how a jury would receive her claims which are so clearly under-minded and contradicted by the evidence.

I would be happy to personally discuss my analysis of this case with whomever you may authorize me to do so and at their convenience.

Sincerely yours,


Randal E. Connelly

REC:lam