

# True Story

Dear Reader,

This work is Non-Fiction, it's a literary piece constructed in a script-style format depicting true events with verbatim comments and statements from attorneys, correction officers, judges and myself. It is created from memory and various notes in my legal journal of instances that occurred during attorney counseling sessions and summations of dialogs contained in the transcripts of the case STATE of Missouri vs. Gabriel Leonard from 2013-present.

After reading this, I implore and urgently compel you to assist me with my exoneration efforts by whatever means are at your disposal and to the furthest extent in which you are moved by what you are about to read. Please feel free to forward to all who are willing to listen and assist with this cause.

"An injustice to one person anywhere, is an injustice to everyone everywhere." -Dr. Martin Luther King Jr.-

Sincerely,

Gabriel L Leonard Sr.



**True Story**

"Momma always told me  
Be careful what you do...  
Because a lie becomes the truth."

"Billie Jean"

-Michael Jackson-

**Corrections Officer 1:** (white female)

"Well you think you can just come and go as you please 'round here don't cha?"

**Me:** "Ma'am I had to go to the nurse and commissary first; I have a court order and a movement pass for the law library."

**CO1:** (*Creating conflict*) "Are you arguing with me?!"

**Me:** (Aggravated)

"I'm just trying to use the last bit of rec time to work on my case please."

**CO1:** (*Excitedly*) "Cuff up! Cuff up Right Now!"

**Me:** (*Pissed off*) "For what?"

**CO1:** (*Struggling to create a competent response*)

"Being Argumentative, Insulting Behavior, Creating a Disturbance, Threatening Safety and Security and out of bounds at Commissary!"

**Me:** (*pissed and confused*)

"I've got a pass, a court order and this is my housing units rec and commissary time."

**CO1:** (stoking tensions)

"Are you arguing with me? Are you refusing to cuff up?!"

**Me:** (seriously agitated; speaking thru clenched teeth)

"No ma'am."

**CO1:** (*into radio*)

"Yard 1 this is CO1, I've got one to the Segregation Housing Unit from the law library."

...6 YEARS EARLIER...

**-ARRAIGNMENT-**

**Public Defender**

(White Female 8 years of Experience. Wife of a Prosecutor)

"Hey, I didn't know that was the accuser, we rode up in the elevator together; she's a cute little petite thing."

**Me and all the black male detainee's in the bullpen:**

"What?!!" (in shock and disbelief)

**PD:**

"They denied you bail, so I'll see you back at the county jail."

**-Pre-Trial- (Weeks Later)**

**PD** (*taking out a blank notepad*)

"Ok, so tell me what you'd like to do?"

**Me:** (*Internal Thought*) "Why is your paper blank?"

**Me:** (*twinge of suspicion*)

"I was expecting You, to tell me what we're gonna do."

**PD:**

"Well I don't know, look, I'm just here to navigate, you just tell me what you want done, ok?"

**Me:** *(brainstorming out loud)*

"In that case, pull the Police Dash Camera videos, order the mobile records of my phone and the accusers' phone from two days before the alleged incident to the day after my arrest. Lock in the CSI, First Response Officers and my alibi witnesses with depositions; and let's do a urinalysis on me and the accuser, on the news it said when there's a gun accusation, you all do that on both parties."

**PD:** "Who are your alibi witnesses?"

**Me:**

"I can tell you their names but first I've got to figure out who has my cell phone so I can track them down and get their permission to involve them, I'll need a few days."

**PD:** *(packing her things)*

"Ok, just have it all for me when I visit you next time"

**-2 Months and 2 Weeks Later-**

**Me:** *(feeling stressed but hopeful)*

"Hey, good to see you again. It was hard as hell to get this info for you. First off, this place is filthy, I live in a bathroom and share two phones with 25 strangers; I've been in two fights already! Then I had to wait for someone to put money on the pay phone; and if the call drops the company charges the whole amount for the call! Luckily my homeboy found my phone but then I had to play phone tag in between lockdowns for fights. I was finally reach them, it took two weeks but they're willing to testify. What took you so long to come back?"

**PD:** *(with negative attitude)*

"I have a 50-person case load and quite frankly I find it awfully suspicious that you're just now giving me this alibi info."

**Me:** *(scratching head)*

"Huh? I've been waiting 2 months for you, I've called your office 3 times! What about the evidence? The phone records, Dash Camera videos, depositions etc.?"

**PD** (*indignantly*)

"Ah, you're in no position to make any demands of me!"

**Me:** (*Questioningly Confused*)

"Demands? You told me that I request of you what I want to do and you would navigate?"

**PD:** (*Abruptly Changing Subject*)

"Look, the DA is offering 10 yrs. I think you should take it."

**Me:** (*Stunned*)

"Hell No! Not for something I didn't do, I know where I was at, I have witnesses!"

**PD:** "Sir, I agree with the DA that this case is weird and I think you should take the plea, let me know."

**Me:** (*truly shocked*)

"I'm telling you now we are going to trial. In fact, from what I read you're supposed to be motioning for a speedy trial and to dismiss this whole thing because there's no physical evidence."

**PD:** (*sternly*)

"No, I'm not going to do that and there will be no UA; you need to give me a counter offer."

**Me:** "No counter! That makes me look guilty. I told you we're fighting this, I'm innocent!"

**PD:** "Sir, you've got to give me something to go back to them with..."

**Me:** (*Reluctantly*) "Well, what's the lowest Misdemeanor?"

**PD:** (*satisfied*) "Trespassing"

**Me:** "Ok then, Misdemeanor Trespassing."

**-3 Months Later After 3 State Continuances-**

**White Female Public Defender:**

"Sir, this is my co-worker (Black Female Public Defender); she and I will be working your case together."

**Black Female Public Defender:** (*Exaggerated Smile*)

"Yeah, I hear there are some trust issues between you two. Listen, she and I have been working together for years."

**WFPD:**

"Yeah, she trusts me and I trust her. I'd trust her to represent my (white male prosecutor) husband if need be."

**Black PD:**

"So, you see, you can trust white female Public Defender (insinuating she's cool with black people) Just take the 10."

**Me:** (*Not buying it*)

"These are very physical accusations, but there's no physical evidence based on the 118 pages of discovery you gave me and I still haven't seen any of the favorable evidence you were supposed to produce for me WFPD?"

**Black Female Public Defender:**

"Yeah, but the accusers' story is kind of believable"

**Me:** (*with urgency*)

"Not with absolutely No Evidence! It's her lies against what we can prove. Plus, their story has changed twice, she has a motive we've yet to discuss and her deposition is full of so many false-hoods that we can prove are lies, we must contest every shot!"

**Both PDs:** (*Nefariously*)

"But she's got the Police siding with her and testifying on her behalf."

**Me:** (*desperate*)

"But they're lying! Check the audio from the Dash Camera video. We would be able to cross-reference it with the phone records if

someone would do her job! Plus, they claimed my jeep was parked (facing forward) in the driveway right after a fresh snow. The neighbor was recorded on the audio stating he was going to write down the license plate number in front of the vehicle; but my Jeep has no front plate its tagged in Kansas which only issues one plate for the back! Also, the driveway had no additional tire prints in the CSI photos. If I exited my Jeep and walked down the driveway through the backyard, how come there's no footprints in the photos? I wear a size 15! Hell, there's no signs of forced entry at all! What did I do? Hover my vehicle and float in and out of the house? On the 911 call, the neighbors' wife told the dispatcher she never saw another car in the driveway. What happened to the depositions and phone records? It's been seven months since my arrest and trials been continued three times for the DA already?"

**WFPD:** "OK then, how do you explain the threatening text messages?"

**Me:** *(confused)*

"What text messages?"

**WFPD:** "The DA showed me copies of some text messages you sent to the accuser."

**Me:** "Wait a minute, you saw copies? On what? A piece of paper?"

**WFPD:** "Yes."

**Me:** "Did you access that phone and have it inspected to verify that?"

**WFPD:** "No."

**Me:** *(appalled)*

"Why not?! I made my phone available to you months ago so you could guard against any false allegations. Why didn't you subpoena their phone and check for deletions or text apps? You could've easily disproved that."

**WFPD:** *(Angrily with Venom)*

"Look, I trust the DA, and quite frankly I think your alibi is Bullshit, and if you had unlimited funds -like George Zimmerman -you would get a better defense."

**BFPD:** *(nodding in Agreeance)*

**Me:** *(Finally realizing the fix is in and they have No intentions of valiantly fighting)*

"So, let me get this straight...You're alluding to my socio-economic status being the determining factors as to whether I get a proper defense? And you're referring to the murder of an innocent unarmed black man to make this point? Doesn't your department's Mission statement say that you'll provide a high-quality defense to indigent defendants? Did you even contact my Alibi witnesses?"

**WFPD:**

"My investigator got one of them on the phone (a 2 minute and 3 second call) and I've been advised by her they're not reliable."

**Me:** *(Dumb founded)*

"Huh?!! You mean to tell me you're taking the word of your (white female) investigator based on her assessment from a 2-minute phone call and you didn't even meet with them?"

**Me:** *(With Authority)*

"WFPD, you need to ready them for trial and prep them because one of them is a school teacher and knows nothing about testifying."

**WFPD:** *(snidely)*

"I'll have to check with my supervisor to see (if) I have to bring them forth."

**Me:** *(pissed but ready response)*

"I already wrote a letter to both of your supervisors and CC'd the headquarters of your department. How do you not know you must bring forth my Alibi witnesses?"

**WFPD:** *(Iratly yelling, foaming at mouth)*

"I don't see why you're pushing this, judges scoff at alibi defenses, it's the worst kind of defense; and I'm not prepping anyone (if) I'm told to produce them, I'll just put them on the stand and that will be that!"

**WFPD:** *(Remarking Snidely in Evil Tone)*



"And little do you know, the cops said they overheard you threatening the accuser over speakerphone conversation while they were on the scene. And there was a ladder in the backyard."

**Me:** *(Shocked and cemented in belief of deliberate sabotage)*

"So, let me get this straight...You are believing that bogus claim of the cops; yet when your assistant played the dash camera video for me, I didn't hear any such conversation over their vest microphones; Nor did the (2) first response cops discuss a "speakerphone" threat while on the scene at all. As for the ladder...I don't even own a ladder! How is that being attributed to me, when the accuser told the police it was her uncles? How the hell would I get a big ass ladder to the house with no truck? Come to think of it...the CSI photos of the alleged point of entry show no melted snow, footprints, dirt or nothing! Where are the mobile phone records with GPS and tower info that could clear this all up? You're trying to help build a case against me!"

**Both PD's** *(Rushing to pack their things)*

**WFPD:** *(storming out)*

"I'm not gonna do this with you anymore."

### **-Days before the Trial-**

**Judge 2:**

"Ok this case was put on my docket because Judge 1 retired. Mr. Leonard I received your motion to dismiss and replace the current appointed counsel, please explain."

**Me:** *(reading a written statement)*

"Yes, your honor, this lady (**WFPD**) has been in charge of my case for 10 months now, she has become hostile and volatile during conferences at the county jail; cursing at me and storming out at times. After a few snide remarks she's made, I have reason to believe there is favorable evidence being withheld from me in this matter. She hasn't produced the official mobile phone records I requested and only the DA's 2 key witnesses have been deposed. I requested repeatedly that the CSI and first response officers be deposed -along with- my alibi witnesses of whom she had to be forced by her superiors to produce. I don't trust her at all, please replace her with substitute private counsel

listed on the back of the motion or counsel outside the district."

**Judge 2:** *(cocky, leaning back in his chair)*

"Well it sounds to me like you don't wanna take responsibility for your situation."

**Me:** *(confused)*

"Your Honor, she's sabotaging my case. This lady has stalled the investigation for so long that evidence has expired and now I'm told the accusers' cell phone is mysteriously 'available' for inspection and data download. This denies me the ability to prove fabrication among other things."

**Judge 2:**

"I'll tell you what, you either find the funds to afford private counsel or represent yourself."

**Me:** *(Horrorified!)*

"But your honor, I'm indigent, you all have kept me on a \$75,000 cash only bond even-though no one's been shot, killed or hurt. I have a court order declaring me "In Forma Pauperis" status because you won't give me house arrest so I can maintain my job and fund my defense privately."

**Judge 2:** *(Dismissively)*

"I'm going to continue this until the first of the year Mr. Leonard, say February, you let me know what you decide, Adjourned."

**Me:** "But your honor?"

**Judge 2:** "Adjourned Mr. Leonard!"

*(bangs gavel)*

- (Unbeknown to Mr. Leonard at this time, the State Supreme Court Rules governing Judges stipulates that a judge shall report any such claim to the "appropriate disciplinary authority," and an investigation is to ensue to "preserve the integrity of defense." This report never happens.) -

**-The Next Year, Third Judge Change-**

"I'd rather go toe to toe with all of yall runnin ain't in my protocol."

"Ni\*\*\*s Bleed (like us)"

-Notorious B.I.G-

**Judge 3:**

"Ok, Mr. Leonard, I see that Judge 2 told you to either represent yourself or fund a private attorney on your own, I am keeping with that order and I'd like to hear your decision."

**Me:** *(confident)*

"Your honor my employer hand delivered an intent to rehire letter to you. Pending house arrest they're willing to immediately employ me so I can fund a private attorney."

**Judge 3:**

"Ah, Yea, That request for bond reduction is denied, what do you decide Mr. Leonard?"

**Me:** *(Determined to Die Fighting)*

"I guess I have no choice but to proceed pro se' your honor. I'll need 6 months to prepare."

**Judge 3:**

"Nope, I'm giving you 90 days, we'll do a Feretta hearing to determine competency and I'm ordering the appointed attorney to turn over discovery file to you. Adjourned." (bangs gavel)

**-Month Later-**

**Judge 3:**

"Ok, we've determined that you will stand trial alone, and you will be treated just like a lawyer moving forward, any other concerns?"

**Me:**

"Yes, your honor, the Public Defenders' office took a whole month to deliver the discovery file after your order. It's 5 times the size of the 118-page packet they claimed was all the discovery they had for over a year. Also, it was not handed to me as you ordered, it was found by my county jail case manager, left with my street clothes in the personal property room. No one else's file was handled like that in an on-going active case. Lastly, I've finally gotten access to the mobile phone records (they've kept from me) not only were the records retrieved 5 months after my arrest, there's no GPS data due to a 90 day expiration date; and the dates in question are missing from the records. Someone has extracted the pages with the dates and times relevant to the accusations of this case."

**Judge 3:** *(dismissingly)*

"Well Mr. Leonard, I consider these matters resolved now that you are pro se'."

**Me:** *(Disgusted)*

"Your honor, I didn't have the complete discovery file to know that these issues were at hand?"

**Judge 3:** *(Sternly)* "Mr. Leonard, I'd suggest you ready yourself for trial."

**Me:** *(somewhat defeated)* "Yes, your honor."

**-Trial-**

**-Friday before the trial starts on Monday-**

**Judge 3:**

"I see you motioned for a continuance a few weeks ago?"

**Me:** *(confident)*

"Yes, your Honor, my benefactors have given an advance payment towards the retention of a private attorney and this being my first request for continuance, I'd like 60 days to get the attorney fully retained and to procure expert witnesses, etc."

**The DA's:** *(Two White female prosecutors, Extremely Defiant)*

"We object your honor, this is an 11th hour stall tactic by the defense."

**Me:** *(panicked and confused)*

"Not true, I cited this attorney in both a letter to Judge 2 and motion to replace WFPD, it's in the file. I also cited that my benefactors are employed by the Federal government and due to the recent furlough and shut down, late last year, funds have not been available until about a month ago, plus the DA has had 3 continuances and they claim to be prepared so it's no prejudice to them."

**Judge 3:** *(peering over glasses at both DAs)*

"I agree with the DA's, this is a stall tactic."

**Me:** *(Vehement)*

"Your honor, I have had to battle with the county jail C.O.'s just to get minimal access to the law library -here are the grievances- I've only had 60 days to prepare because the Public Defender took up 30 days of the 90 you allotted just to bring me a corrupt and tampered with discovery file. Grand total I've only had 20 hours access to the law library spread out over 60 days with barely any phone access and now I'm on the verge of having adequate private counsel -per the Constitution- and you're calling it stalling?"

**Judge 3:** *(intense)*

"Motion Denied Mr. Leonard!"

**Me:** *(thinking fast)*

"Well then I revoke my pro-se' request, put a public defender back on the case."

**Judge 3:** *(agitated)*

"No! And if I did, it would be the same lady you didn't trust."

**Me:** *(extremely pissed)*

"Well, then hybrid or stand by counsel?"

**Judge 3:** *(seething)*

"Denied, I'd suggest you be ready on Monday, Mr. Leonard."

**Me:** *(In utter Disbelief)* "Yes, Your honor."

-Trial-

(While in the court room preparing his files at the defense table, the head DA (white female) steps into the courtroom and initiates a stare off for over 20 seconds, then leaves the courtroom.)

(Moments Later the Private Attorney Enters)

**Private Attorney Jewish Male Late 40's:**

"Hey, What the Hell? Why did they deny the continuance?"

**Me:** *(shocked and happy to see him)*

"They considered it a stall tactic, what can you do?"

**Pr. Atty:** *(uncertain but thinking fast)*

"Well, I'm told the judge wants to meet in chambers with me and the DA's. I'm gonna ask for the continuance and I'll push for a psych-evaluation to buy us more time."

-After Chambers Conference-

**Pr. Atty:** *(distraught and confused)*

"Man, do you know these assistant DA's or what? Why are they so adamant about you not having representation?"

**Me:** *(Indifferent and weary)*

"I have no idea man?"

**Judge 3:** *(business-like manner)*

"Ok, Mr. Leonard, Mr. Private Attorney has spoken with me and the DA's in my chambers and I've decided to stick with the denial of your continuance, however, I will recess until 2pm; if you fully retain him he will have to start today -if not- we'll begin promptly at 2pm with your self-representation."

**Me:** *(Beyond Disbelief)*

"Yes, your honor."

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Mr. Leonard was ultimately forced to stand trial alone. He disproved a gun charge and domestic violence charge forcing the state to "Amend" their indictment -mid trial- just to get the DV to stick. This was accomplished without any of his intended expert witnesses, or the correct complete forms of favorable evidence ever being produced at trial. Mr. Leonard was found guilty by an all-white jury and sentenced to 24 years at 85% based on false testimony alone. The gun charge was dropped after a successful argument at sentencing -he has since procured the missing favorable evidence that proves perjury of the accuser and the police officers.

In a different case 7 years prior to this, the same white female public defender and a different DA were both found guilty of professional misconduct and the withholding of favorable evidence in the case of another black man who was sentenced to 35 years! Given this court judgement and all that transpired, Mr. Leonard has a sound reason to believe there is a pattern of deliberate legal malpractice to uncover. It's been close to 10 years, how many more before justice and truth prevail? This is a call to action... Join the fight Today!

My legal Advocate

W.C.B - Legal Advocate

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