

STATEMENT

Case# 13003647

Date 11/3/13

Time 10Z

Place Bo. Royal Frederick MD

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Open Show

who has been identified as deputy sheriff

STATEMENT:

Guys telling a man to get out of the
movies. He resist and three men fired him up and against
the wall. Then he was laying on the ground yelling
curses words and screaming.

I have read the above statement consisting of 1 pages and attest that it is true and
accurate accounts of these events

Witnessed By: [REDACTED]

Page 1 of 1

DFC Open Show 0325

STATEMENT

Case# 13-00-3647

Date JAN 13 13 Time 10:50

Place movie theater # 9

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC openshaw
who has been identified as a deputy sheriff

STATEMENT: Before the movie started a man
towards the front rows started yelling
after security was trying to kick him out.
He was resisting and continued to scream
"stop". Eventually he stopped and about 10
minutes later an ambulance came to pick
him up. That's pretty much all I witnessed
was him yelling & resisting security.

I have read the above statement consisting of 1 pages and attest that it is true and
accurate accounts of these events.

Witnessed By: [REDACTED]

Page 1 of 1

DFC Openshaw 0375

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1/12/12 Time 10:30

Place Theatre 9- Westview Movie

I, [REDACTED] do freely and voluntarily, without the fear of threat or promise of reward, make the following statement to DFS, Openshaw

who has been identified as a Deputy Sheriff

STATEMENT: I was sitting waiting for the movie to start when the police approached a man. They asked him to leave multiple times. The man refused and the police forced him out of his chair. He fell to the ground and was trying to be handcuffed. The man was cursing non stop as the police tried to take him out of the theatre. He fell again to the ground on the ramp leading out. I didn't see anything after, ~~only~~ only the man being escorted out of the theatre on a stretcher.

[REDACTED]

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events.

Witnessed By: [REDACTED]

Page 1 of 1

DFS Openshaw 0375

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1-17-2018

Time 10:50pm

Place Westview Theater #9

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC open house
who has been identified as deputy Sheriff

STATEMENT: I was sitting in my seat in Theater 9
when I noticed 3 officers telling a man to go
with them. He refused so they started to use little
force. The man kept refusing so they used more
force by pulling him out of the theater. They struggled
as the man pulled away and began to scream no! they
pulled him around the corner down the ramp and
I noticed they fell. The man was yelling and the
officers were telling him to be calm. I heard struggling
It got very calm. Minutes later a stretcher
was brought in and they took him out on it.

I have read the above statement consisting of _____ pages and attest that it is true and
accurate accounts of these events.

Witnessed By: [REDACTED]

Page 1 of 1

DFC
[Signature] 0375

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-³⁶⁴⁷~~4637~~

Date 13 Jan 2013 Time 12:15 am

Place Chestview movie theater

I, [REDACTED] do freely and voluntarily,

without the fear of threat or promise of reward, make the following statement to

Sgt. Easterday

who has been identified as Dept. Sheriff

STATEMENT: As I [REDACTED] went into
theater #9 to watch "Zero Dark Thirty" A
mid aged man was asked to leave and was
refusing. The officers kept asking and the
man kept refusing. The officers then proceeded
to try to escort the man out of his seat
and tried to arrest the man. The man then
started to try to fight the arrest which
ended up with the paramedics being called
and being put on a stretcher and taken
out of the theater.

[REDACTED]

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events.

Witnessed By:

Sgt. M. [Signature] # 3060

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1/13/12

Time 0050

Place Regal Westview Theater

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw

who has been identified as a Deputy Sheriff

STATEMENT: My wife & I were here to see the movie
Zero Dark Thirty. Initially, we sat down. I left a few
minutes before the movie started to use the commode & get popcorn.
As I passed the incident, I noticed the person arguing with the
officer. I noticed he appeared to be a person with Down's Syndrome,
but didn't notice if he was alone. He was arguing - stating "I'm
not leaving" - repeatedly. From there, I went around the incident,
not seeing any further of the incident, as I wasn't able to
go back in.

I have read the above statement consisting of 1 pages and attest that it is true and
accurate accounts of these events.

Witnessed By: [REDACTED]

Page 1 of 1

DFC Openshaw 0375

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1/1/13

Time 12:50 AM

Place Westview Regal Cinema

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to DFC Openshaw

who has been identified as a Deputy Sheriff

STATEMENT: I was sitting in the theater and saw at the end of the row that I was sitting in a man with Down Syndrome who was sitting in the last seat closest to the aisle. Two officers entered the theater and approached the man. The man with Down Syndrome was refusing to get out of his seat and leave the theater. The 2 officers continued to ask him to leave and he was verbally refusing. The officers told him he would go to jail if he didn't leave. He was continuing to refuse to get out of his seat & leave. Finally the 2 officers were physically assisting him to get out of his seat to leave. The man was verbally yelling & using profanity in protest. Eventually the 2 officers were able to physically remove him from his seat. He was physically resisting them the entire time.

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events. [REDACTED]

Witnessed By: DFC Openshaw 0375

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

13-00 - 3617

Case# [REDACTED]

Date 1-12-13

Time 10:50p

Place Legal Casino

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

Deputy Sheriff

who has been identified as D.F.C. O'Brien

STATEMENT: At 10:50p my self as long as my brother [REDACTED] & my cousin [REDACTED] entered into theater #9. Sitting at the bottom chair front row was the individual that was arrested. Officers arrived and asked the individual to leave, whom then resisted. Another officer along with the initiating officer were met with resistance when trying to arrest the man. The individual was brought behind the entry way out of view. after 15 minutes EMT were brought into the theater. 5 minutes after the man was on a gurney with EMT performing CPR.

[REDACTED]

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events.

Witnessed By: D.F.C. O'Brien 0375

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1/12/13

Time 11:00 pm

Place Regal Westown Cinema 16

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

who has been identified as DFC Openshaw -> Deputy Sheriff

STATEMENT: While seated in the theatre, witnessed three men who identified themselves as police officers, remove a man from his seat. Said man was uncooperative with the officers, who vainly asked him to leave the theatre repeatedly. The man was removed with force because of his size and ~~weight~~ weight. He screamed numerous times while he resisted. Where he and the other gentlemen then proceeded out of view. Very loud noises were heard and then silence. Followed by the theatre staff announcing delay of movie. Paramedics arrived and removed the man on a stretcher. He appeared to be receiving chest compressions and oxygen. There seemed to be no immediate further procedures ~~and police~~ to get him in ambulance.

I have read the above statement consisting of _____ pages and attest that it is true and accurate accounts of these events.

Witnessed By:

DFC Openshaw 0375

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of 1

STATEMENT

Case# 13-003647

Date 1/12/13

Time

Place Regal Cinema

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw
who has been identified as Deputy Sheriff

STATEMENT: Went to Sea Zero Dark 30 @
10:40 at Regal Cinema in Frederick Md. [REDACTED]
[REDACTED] Shortly after I took my seat at
Front Co officer came into the theater
and asked a gentleman sitting several rows
in front of me to leave the Guy. But
no this went back n forth a few times and
the cop told the Guy he was going to go
to jail. Still the Guy refused & the officers
began to forcibly remove the Guy. The Guy struggled
& was away at the cops. I heard them
take him to the ground & they continued to
struggle & cuff the Guy. After a while the Guy
was carried out on stretcher & it looked
like paramedics were trying to resitate.

I have read the above statement consisting of _____ pages and attest that it is true and
accurate accounts of these events.

Witnessed By: DFC Openshaw 0375

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 0013-003647

Date 1-12-13 Time 10:45 pm Place Westview Promenade Movie

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw

who has been identified as a deputy Sheriff

STATEMENT: A man was asked to leave the theater because he did not have ~~his~~^a ticket. The cops tried to get him to leave peacefully, but he began shouting & cursing at them. At that time the police had to forcefully remove him. They took him towards the exit where I could no longer see anything, but I heard the man continue to shout words that I couldn't understand. The man left on a stretcher while the paramedics did chest compressions approximately 20-30 minutes after the incident began.

[REDACTED]

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events.

Witnessed By:

DFC Openshaw

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1/13/13 Time 10:47AM Place Westview

I, [REDACTED] do freely and voluntarily,
without the fear or threat or promise of reward, make the following statement to _____

DFC Openshaw

who has been identified as Deputy Sheriff

STATEMENT: I arrived at the theater around 10:40 to meet my dad for a movie. We entered theater 9 at around 10:45 and I saw ~~the~~ a man leaving the theater. We walked in, sat down in the front row and were watching previews. The man I saw earlier re-entered the ~~theater~~ theater and sat next to a chair that was "out of service" in my same row. A few moments later, a man in a black shirt came up to the man sitting in the front row and asked him to politely leave. The man was belligerent and swearing at the man in the black

Two Police officers walked up behind the man talking to the seated man. They were very stern but polite and warned him that he was going to go to jail. The man resisted and kept cursing. The officers tried to remove the man. He was fighting them as they were trying to get him to leave. They walked on the other side of the theater with the man. ~~I heard~~ I heard the man hit the ground and start making noises.

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events.

Then ~~the~~ EM:
Arrived.

Witnessed By: DFC Openshaw

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date Jan 13, 2013 Time 107AM Place Westview Promenade

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw
who has been identified as Deputy Sheriff

STATEMENT: When my son, [REDACTED], and I first entered the theater, there was an open seat at the end of the first row with ~~barling~~ barling across front of theater. A few minutes after we sat down in the middle of this row, a guy sat down at the end of the row. A man in dark shirt told the guy that he had already seen the movie and had to leave. The guy became angry and let the dark shirt man know he would not leave. The man tried calmly explaining that this guy had to leave or he would go to jail. This line of dialogue continued and the guy told the dark shirt guy "Fuck". Eventually, the officers (I think 3) grabbed the guy and forcibly tried to remove this guy. After struggling they brought the guy behind the entrance wall, but the guy kept yelling and screaming and again said "Fuck you to the officers. After that all got quiet and an ambulance came. I have read the above statement consisting of 1 pages and attest that it is true and

accurate accounts of these events.

Witnessed By: DFC Openshaw 0378 [REDACTED]

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 3-003647

Date 1/18/13

Time 1:06 PM

Place Royal Westview 16, Frederick, Md.

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw
who has been identified as Deputy Sheriff

STATEMENT: As my husband & I approached the entrance to Theatre #9 at approximately 1:30 PM 1/12/13 we heard a staff member at the theatre talking to a short brown man with reddish/blonde hair about buying a ticket on "Fandango" to see a movie but we walked past them because we were anxious to get to our seats. I was walking aided by a "walker" due to a broken ankle.

Shortly after we were seated we noticed the same man sitting in a front row seat in the main section with his feet on the railings. He seemed to be playing a game on an electronic device and seemed settled in. Briefly shortly after that a uniformed officer came in and approached the man and asked that he leave the theatre with him (the officer). The man got upset and said he wanted to stay. The officer said that he must leave. When the man refused to leave two sheriffs came in and told him that he must leave and that they would remove him physically.

I have read the above statement consisting of 2 pages and attest that it is true and accurate accounts of these events.

Witnessed By: DFC Openshaw

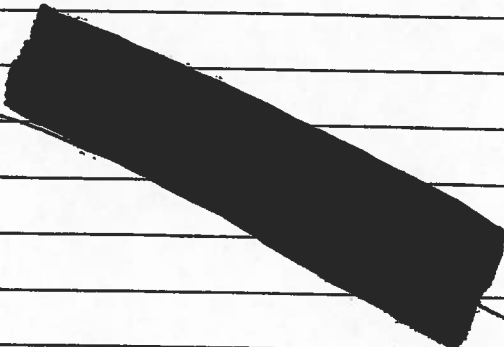
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FCSO FORM #41-I (Rev. 02/08)

STATEMENT CONTINUATION

Statement of: 

STATEMENT: if he did not leave, this went on for several minutes and then the two sheriffs and uniformed officer removed the man from his seat. His reaction was to resist but the three men removed him from his seat and got him a short distance up the side of the entrance ramp. I couldn't see them at that point. But I could hear a physical struggle and the man was screaming and using curse words. Then we realized that an ambulance was coming because someone opened the "EXIT DOOR". At some point at the beginning of this incident "THE FIRST LOOK" was playing. Interrupted by the preview but the previews were stopped. The ambulance arrived but by that time the man had gotten quiet. The man was taken out on a stretcher and he was very still - someone was pumping his chest.



Witnessed By:

DFC Openshaw 0375Page 2 of 2

STATEMENT

Case# 13-003647

Date 1/13/13 Time 11:05 am Place REGAL WESTWOOD 16, FREDERICK, MD

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw
who has been identified as Deputy Sheriff

STATEMENT: As my wife, [REDACTED] AND I, WERE APPROACHING
THE ENTRANCE TO THEATER 9 AT APPROXIMATELY 10:40 PM,
1/12/13, WE SAW AND OVERHEARD THE APPARENT THEATER
MANAGER COME OUT OF THAT THEATER WITH AN APPARENT
CUSTOMER. THE MANAGER WAS TELLING THE CUSTOMER
THAT HE COULD USE FANDANGO AT THE FRONT OF THE
THEATER TO PURCHASE A TICKET SO THAT HE COULD
WATCH THE MOVIE AGAIN. THE CUSTOMER AGREED
TO THAT AND WALKED TOWARD THE FRONT.
THE CUSTOMER CAME BACK INTO THEATER 9 JUST A
FEW MINUTES LATER AND SAT IN A SEAT DIRECTLY
BEHIND MY WIFE IN THE NEXT ROW BACK.
I WALKED BACK OUT TO USE THE RESTROOM AND
NOTICED THE CUSTOMER USING AN ELECTRONIC
DEVICE. IN THE HALLWAY OUTSIDE THEATER 9,

I have read the above statement consisting of 2 pages and attest that it is true and
accurate accounts of these events.

Witnessed By: DFC Openshaw 0576

Page 1 of 2

FCSO FORM #41-I (Rev. 02/08)

STATEMENT CONTINUATION

Statement of: [REDACTED]

STATEMENT: I NOTICED SOMEONE ARMED WITH A PISTOL TALKING WITH THE MANAGER. WHEN I RETURNED TO MY SEAT, THE CUSTOMER WAS STILL USING THE ELECTRONIC DEVICE. A FEW MINUTES LATER, I HEARD THE CUSTOMER SAY "NO, I'M NOT LEAVING." I TURNED AROUND TO SEE THE SAME ARMED PERSON STANDING NEXT TO THE SEATED CUSTOMER. HE SAID, "IF YOU DON'T LEAVE, I'LL HAVE TO REMOVE YOU." THE CUSTOMER SAID "FUCK YOU" BUT HE DIDN'T YELL. THIS WENT ON FOR A COUPLE OF MINUTES, THEN, TWO SHERIFF'S DEPUTIES JOINED IN. THEY CONTINUED TO TRY TO CONVINCE THE CUSTOMER TO LEAVE. THE CUSTOMER CONTINUED CURSING BUT NOT YELLING. THE THREE OFFICERS PICKED UP THE CUSTOMER AND BEGAN PULLING/DROPPING HIM. THE CUSTOMER BEGAN SCREAMING. ONE OFFICER SAID, "YOU COULD JUST WALK." THE CUSTOMER CONTINUED SCREAMING AND LAY ON THE GROUND. AFTER A MINUTE, TWO OFFICERS WERE STANDING, ONE OFFICER WAS KNEELING BESIDE OR ON, THE CUSTOMER. THE CUSTOMER WAS QUIET. THE AMBULANCE WAS CALLED.

Witnessed By: DET Ovenshaw 0376 [REDACTED]Page 2 of 2

STATEMENT

Case# 13-003647

Date 11/12/13

Time 2315

Place Westview Promenade

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw

who has been identified as a Deputy Sheriff

STATEMENT: What I saw was that the officer
came in and asked the man at the end of the
Isle if he had already seen the movie. The man
did not respond. After several attempts of
requesting the man to leave, the man became
verbally abusive. He told the officer to "Fuck you"
He was advised that he was about to be
arrested, the man said no he wasn't. After
several more attempts to talk the man out of the
theater, the officer grabbed the man's hand.
At the he resisted two other officers aided the 1st
officer in removing him from the theater.

I have read the above statement consisting of 1 pages and attest that it is true and
accurate accounts of these events.

Witnessed By: DFC Openshaw 0375

Page 1 of 1

FCSO FORM #41-I (Rev. 02/08)

STATEMENT

Case# 13-003647

Date 1/12/13

Time 23:15

Place Westview Promenade

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

DFC Openshaw 0328

who has been identified as a Deputy Sheriff

STATEMENT: While waiting for the movie to start
a gentleman to my right was politely asked
to leave the theatre by a deputy sheriff. The
gentleman refuse and became very rude and use
vulgar language. He continued to refuse to leave
and forced officers to escort him from the
movie theatre

[REDACTED]

I have read the above statement consisting of 1 pages and attest that it is true and
accurate accounts of these events.

Witnessed By: DFC Openshaw

Page 1 of 1

0415 00568 /

Warner, Gregory

From: [REDACTED]
Sent: Friday, February 22, 2013 3:03 PM
To: Warner, Gregory
Subject: Westview Movie Theatre Incident

Good afternoon,

Thanks for returning my call.

I wanted to add a bit of information to the written statement which I made before. Having worked with first responders previously, I have a bit of knowledge about how victims should be treated when they are injured.

The night of the incident at Westview, my buddy [REDACTED] and I were called out of our seats in order to give a written statement to the officers. I don't believe that I included one additional piece of information when I was interviewed at the Frederick County Sheriff's Department.

I noticed the victim lying on his side and one of the officers' using his foot to keep the victim on his side. This is generally a technique used by first responders to keep a victim from suffering from labored breathing.

If you need any additional information, feel free to contact me anytime.

Best Regards,

[REDACTED]

STATEMENT

Case# 2013-003647

Date 11/13/13

Time 0245

Place Frederick Memorial Hospital

I, [REDACTED] do freely and voluntarily,
without the fear or threat or promise of reward, make the following statement to

Det. Chris Smith

who has been identified as A Deputy Sheriff

STATEMENT: I was a normal Friday.
Coming in at 8:30 AM. ^{AM} Then was awake
when I came over. His mom was just
leaving for work. We watch tv for awhile
then read a little. About 11:00 we left
for Cunningham Falls. like every other
car ride he fell asleep. We made it
there about 12:00pm. We were having
fun listening to music, and taking
pictures after that we went to
Burger King for lunch about 2pm.
We went home after that. We were
cutting out pictures of girls and taping
them on poster board. His mom got
home about 4:00pm with his dinner.

I have read the above statement consisting of 4 pages and attest that it is true and
accurate accounts of these events.

Witnessed By: D. Dean 243

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STATEMENT CONTINUATION

Statement of: [REDACTED]

STATEMENT: He ate salmon and Au Gratin potatoes for dinner. At about 6:00 we left for the movies. Was in line to go see Zero Dark Thirty. We waited he was patient no complaints. We went in he sat down ate some bite size butter fingers and loved the movie. He was laughing and having a great time. Ethan even clapped at the end. After the movie we walked out and Ethan was fine until I ~~asked~~ ^{asked him} if he was ready to walk to the car and go home. He then punches the lenscrafter window and starts cursing at me. I call Patti because I was a little frightened. [REDACTED] then called me with some advice. He handle this situation. He told me to go get my car and bring to the front and park it. I did as he told me to do. Then he said go explain to Ethan the car is out front is ready. When I went into theatre and he was sitting in his seat,

Witnessed By: DDawles 0243

STATEMENT CONTINUATION

Statement of: [REDACTED] [REDACTED]

STATEMENT: and a manager was talking to
Ethan. The manager then pulled me aside
and was telling me he can't watch
he didn't pay. I explained yes we are having
a little issue i'll handle it, we just have
to be patient. Then a Sheriff came and
said another snow is starting. I have
to go get him out. I explained Ethan
is down syndrome - some [REDACTED]
and he will curse. Although I told
him to not talk to him his mom
would prefer if we wait it out.
Then the Sheriff went in and starting
talking to Ethan and Ethan was
curse at him. I then heard him say
"I will arrest you". To Ethan. I then
said please don't touch him, he will
freak out. Next thing I know there
are I think 3 or 4 cops holding Ethan
trying to put him hand cuffs. I hear
Ethan screaming saying "ouch" "don't
touch me" "get off" and crying. Next
thing I hear is nothing.

Witnessed By: D. Decker

STATEMENT CONTINUATION

Statement of: [REDACTED]

STATEMENT: After about 5 mins they got Ethan down and put 3 band-aids on him. It was silent. Ethan stopped breathing. They started doing CPR and turned him on his side, and he sounded like he was snoring. Then more police man showed up. Ethan was then put on his back. The checked his pulse again and he wasn't breathing. an ambulance was called. Ethan was then put in an ambulance where he was getting CPR. I followed the ambulance to the hospital.

they took me to the hospital and said we go to Ethan

Witnessed By: DDenley @13

Page 4 of 4 pages

FCSO FORM #41-1A

STATEMENT

Case# 2013-003647

Date 11/13/13

Time 0105

Place Westview Theater

I, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to

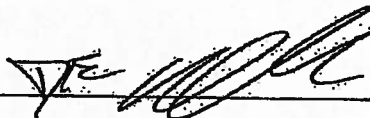
Detect. Holler

who has been identified as A Deputy Sheriff

STATEMENT: I was cleaning theater 9 around 10:20 pm and as we were finishing a gentleman came in and sat down to watch the movie. I spoke to him and he had just finished the movie and wanted to watch it a second time. I explained to him if he wanted to watch it again he would need to pay for another ticket and then he told me he would not. I didn't have any more money. He and I both walked out of the theater and he and his helper then proceeded to leave. A few minutes later I saw the same man walk back into theater 9 where I saw his helper and spoke to her. We talked about him leaving and she was actively trying to get him to leave but he wouldn't and wanted to watch the movie again. At this point it was getting close to when the movie would be starting again and I went and got our security. Security went into the theater and spoke with the man and he still refused to leave. Security was scared by him and even after he was told he could go to jail he still refused to leave. One of the officers went to

I have read the above statement consisting of 2 pages and attest that it is true and accurate accounts of these events.

Witnessed By:



#0365

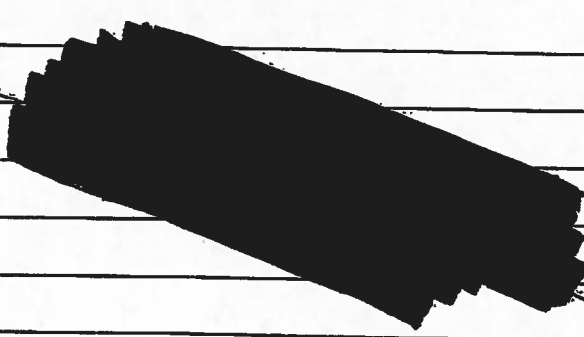
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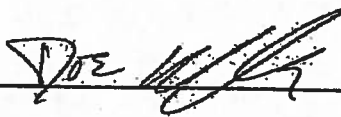
FCSO FORM #41-I (Rev. 02/08)

STATEMENT CONTINUATION

Statement of 

STATEMENT: Each day was hard to get him to leave he pushed the officer and then when all three of them stopped to pull him out of the seat. He started to fight back and ended up on the floor of the exit ramp of the theater while the officers tried to calm him. I was standing down by the exit door with the helper and she was saying that he doesn't like being touched and that if they let go it would be over. This struggle went on for a minute or two when he was calmed and rolled over and one of the officers was checking his pulse and could not find one. At this point someone said he isn't breathing and the officers started taking the collar off of him and told me to get a CPR mask. I left for a minute to the concessions stand to get a breathing mask and when I came back they had the gentleman on his side breathing and didn't need it. I was told by them an ambulance was called and I left the theater to stop the crowd of movie goers from coming into the theater while he was still here. Anderson showed up along with state police and once they were here I stepped back away from the situation and let them take care of everything.



Witnessed By:  #0365

Page 2 of 2 pages

FCSO FORM #11-1A

LAW OFFICE
OF
JONATHAN P. STEBENNE
EMPLOYEES OF LIBERTY MUTUAL
GROUP, INC.
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BALTIMORE, MARYLAND 21201

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MARILYN J. MOSBY
MOYAH K. PANDA
RACHEL FOREMAN

February 12, 2013

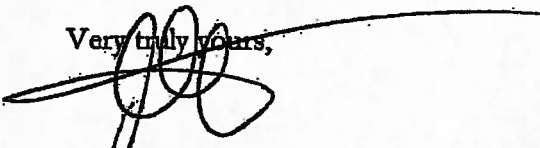
Det. Christopher Smith #313
Frederick County Sheriff's Office
110 Airport Drive East
Frederick, Maryland 21701

RE: Robert Ethan Saylor Subpoena
Case No: 2013-003647

Dear Det. Smith:

Pursuant to the subpoena in the above matter, enclosed please find documents in that regard.

Very truly yours,



Paul J. Gallo
PJG:alj

Enclosures

The name is [redacted] I live at
[redacted]
[redacted] The date of
birth is [redacted] my Social Security
number is [redacted]. I am an
Associate Mgr at the Washington Stadium.
I kept Mr. Sawyer for Royal
Cinema for eight years. On
11/2/73 I saw him at 10:25 PM
while I was cleaning the theater.
Sawyer sat in first seat front
row of the stadium section.
He said he just watched the
movie & wanted to watch it
again. Mr. Sawyer is Caucasian, make
five feet six inches tall, weighs
about hundred pounds. He appeared
like he had brown's Syndrome. I
said "I don't want to watch the movie
again." You will have to purchase
another ticket. Sawyer was sitting
in theater nine. I have seen
the claimant at theater two
or three times accompanied by
a caretaker. Sawyer said he
did not have money and walked
out to lobby. I don't remember
seeing the caretaker in the lobby.

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I left Sayer in the lobby and went to another to clean. This was around 10:35 PM. I finished cleaning and walked to lobby, saw the caretaker standing out side theater mine. The caretaker is a Caucasian female, around twenty five feet light with small build. She is on the phone with Sayer's mother. She tried to get Sayer out of theater, because he would not leave. She said we might need the police. Rhodes walked down and got Deputy Sharps from another part of theater. Rhodes spoke to the caretaker. Rhodes told me to get the other two officers in the area. Deputy Sharps, Harris, Jewel came into theater mine. Rhodes was speaking to the claimant. Rhodes told the claimant in calm firm voice to back to leave. The claimant said he did not want to leave. Rhodes spoke to the claimant for a minute. Rhodes said he would have to go to jail. The claimant began to

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officers get loud. Rockford said
 alright lets go & locked the
 the right elbow. The Claimant
 pushed Rockford in the chest.
 all three officers stopped. in
 Rockford held the Claimant
 right arm. Jewell & Harris grabbed
 the Claimant's left arm. The Claimant
 with his arms stretched out
 they pulled the Claimant to
 the parking. At that all three
 officers to get him to stand.
 The Claimant was yelling for his
 name saying Rockford & Jewell
 to be arrested. They held
 the Claimant against the parking
 moved the Claimant out side
 & down two steps. They turned
 corner that was a right
 while making the turn. Something
 it happened. The Claimant think
 someone tripped and they all
 fell to ground. Rockford on the
 right one of the others landed
 behind the other landed on top of
 Claimant. The Claimant on ground
 with both arms tucked underneath
 him. The officer tried to

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pull the claimant's arms out
from under him to handcuff
him. The claimant was on his
stomach. The officers had
to wrestle to get the handcuffs
off the claimant. They unhooked
three pairs of handcuffs together.
Once clipped, the claimant
seemed calm. Harris checked
the pulse in the claimant's
neck & wrist. It appeared he
could not find a pulse. They
officers uncuffed the claimant
and rolled him over. The
claimant is on his back. The
claimant's eyes were not open.
Rockford told ^{the officers} to get
a CPR mask. Rockford checked
chest compressions. I leave the
auditorium & get the mask
from some 3rd Grade. During
the theater the claimant is
lying on his right side breathing
and unconscious. Rockford said
an ambulance is on the way. I
walked out of the auditorium
to the lobby. The ambulance
arrived seven to ten minutes later.

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and took the claimant to hospital.
An hour later Deputy Harris told
me the claimant had died.

While everything was going on
theater, the doctor was on the
phone with the claimant's mother
screaming at the officer to
stop and not to touch him.

I have read the entire statement
and find it to be true

[REDACTED] 1/28/13

STATEMENT

Date 2/20/2013 Time 1711 Place Law Enforcement CenterI, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to __________ Cpl. Gregg Warner
who has been identified as Deputy Sheriff

STATEMENT: My son and I attended the movie
"O dark thirty" in Frederick that evening.
I saw Robert sitting in the theatre alone
before the movie started. Robert seemed
unhappy at that time.

After the movie ended we exited
the theatre towards the main entrance.
I visited the bathroom before leaving.
When then exited the theatre from the
main entrance and took a left toward
for E. Bombs. He walked along the store
fronts and then saw Robert at the
end of the building. He was very
angry and screamed "Fuck" several times.
He was talking to a young lady (20ish)

I have read the above statement consisting of 2 pages and attest that it is true and
accurate accounts of these events.Witnessed by: Cpl. [Signature]Page 1 of 2

STATEMENT CONTINUATION

Statement of: 

STATEMENT: who held a cell phone in her right hand. Robert was moving back and forth and yelling (not at the women) but he was very upset.

The situation caused me to move atleast 15' away from the two people. This yelling and movement lasted the time we passed and until after we entered the parking lot.

Witnessed By: 

STATEMENT

Date 2/20/2013 Time 1713 Hrs Place Law Enforcement CenterI, [REDACTED] do freely and voluntarily,
without the fear of threat or promise of reward, make the following statement to _____Cpl Warnerwho has been identified as Deputy Sheriff.

STATEMENT: Me and my Dad were walking out of the movie theater after seeing Zero Dark Thirty. When we walked out, we saw Robert. He seemed to be very angry. He was saying harsh things to a woman across from him. We swerved right and gave Robert his space. He continued to say things to the woman. We went into my Dad's car and left the theater. Before we left to get into my Dad's car, Robert was leaning against the wall at the eye glass store. He was banging his hand on the glass in anger.

[REDACTED]

I have read the above statement consisting of 1 pages and attest that it is true and accurate accounts of these events.Witnessed by: Cpl WarnerPage 1 of 1