

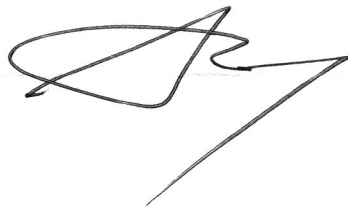
JUDGE DEVIN ODELL  
201 LAPOSTE AVE. COURTROOM 5A  
FT. COLLINS, CO. 80521

DEC. 21, 2016  
RE: SCHNEIDER CASE  
DATE FILED: December 26, 2016  
CASE NUMBER: 2016CR530

Your Honor,

I AM SENDING YOU A COPY OF A LETTER THAT I WROTE & SENT TO THE PROSECUTING ATTORNEYS ON THE JASON SCHNEIDER CASE. THE LETTER REFLECTS MY STRONG OPINION REGARDING THIS TRIAL. I DID, HOWEVER RESTRAIN MYSELF MORE THAN I MIGHT HAVE!

HAVE A BLESSED CHRISTMAS  
AND A GRAND NEW YEAR,



Mr. David Vandenberg  
Mr. Joshua Ritter  
201 LaPorte Avenue  
Suite 200  
Fort Collins, CO 80521-2763

CC: Mr. Clifford Riedel

December 21, 2016

Gentlemen,

I was a jury member in the Jason Schneider case which was declared a mistrial on December 13, 2016. As you know there was a lot of information to digest as well as 28 witness testimonies to consider. I went into this with an open mind and was very careful to consider all aspects of the case.

On Friday (12-9) afternoon after you gentlemen and the defense rested your respective cases we were sent to the jury room. After a jury foreman was elected we held the first vote to see where the jury's thoughts were. Although the majority of the jury voted "not guilty" I was amazed that it was not unanimous from the very beginning. Thus, deliberation began. I believe most jurors re-examined testimony and evidence multiple times. The jury was hung at 9 not guilty, 3 guilty although that does not tell the whole story. 2 of the 3, possibly all 3 of the jurors that were for a guilty verdict were biased. It is questionable whether 2 of the 3 should ever have been on the jury. The three of them will be jurors A, B and C.

Juror A: This juror believed that she heard incriminating words from the defendant on the 911 recording. The semi audible recording was listened to with high quality headphones over and over and over again. No other juror heard this. This is the sole reason for this juror to have voted "guilty." As far as the medical testimony this juror would have voted "not guilty." This juror's job has her working with abused children every day.

Juror B: This juror seemed to be fighting bias that may have existed due to the fact that his sisters were abused in a past home life where the mother did nothing about it (not disclosed on the questionnaire). At one point this juror tried to persuade the other two guilty verdict jurors to change to "not guilty" with him. (At one point it was 10-2 for not guilty).

Juror C: This juror was unhappy right off the bat for having not been elected jury foreperson. That can be put aside except for the way she dug in even more after things were pointed out to her that she said previously that did not fit with the topic being discussed. This juror was not honest with herself or the rest of the jury. This juror's flawed thought process and inability to follow the law and the instructions given by the court include looking toward a future trial on

this case because she believed that would bring better and clearer evidence ! It was as if she wanted to be the cause of a mistrial. And she was. This juror and juror B applied a presumption of guilt instead of the presumption of innocence.

It is my belief and that of many other jurors that this was a poor prosecutorial decision and the case should be dismissed. The case was a miscarriage of justice that started with law enforcement and Cindy Tanner (who was very self-important). It was unbelievable Cindy Tanner would make the phone call she made to the detective with as many ramifications as it had before the MRI was even done. The inexperienced doctors at Children's Hospital fell in line with each other. They believe the triad is gospel as far as Shaken Baby Syndrome /NAI is concerned. That is what they were taught. When they are able to take more time for research in their careers they may change their current outlook on this subject. The specialists that the defense brought in are far from the only ones that share an alternate view. It was disgusting to hear you refer to them as "fringe."

The doctors that the defense attorneys put on the stand have far more experience, many more years and way more research on this subject than do the prosecutor's doctors. In my opinion, this case presented a lot more than reasonable doubt and a strong majority of the jury felt that there was at the very least REASONABLE DOUBT. Taxpayer dollars can be better spent on a case that you can win.

Your boss said he would work to restore the public trust that suffered from wrongfully convicting Timothy Masters 10 years ago. Well, here we are – time to do what is right, true and honorable. Allow the Schneider/Fisher family to get back to their lives unimpeded by faulty diagnosis. Hoofbeats? Turn around and look again fellas – zebras happen. Do the right thing and dismiss this case.

Respectfully,

A handwritten signature in black ink, appearing to read 'Greg J. Marquez', with a long, sweeping underline that extends to the right.

Greg J. Marquez  
Jury Foreman