

A P P E A L

I, Thomas W. Spindle, 227-70-4281, being duly sworn, wish to make the following statements in support of a complaint against the Army Criminal Investigation Command (CID).

On 26 June 1982 I was convicted of the murder and attempted sodomy of Derek Kusumoto. I am innocent of the offenses. The only evidence which linked me to the crime was a story fabricated by another service member, Joseph H. Courtney, who claims he witnessed the murder, and statements which a CID investigator claimed I made to him. Courtney changed his story numerous times and was not even present at my trial. I absolutely deny making the statements which CID investigators claimed I made.

Special Agent Samuel L. Braddock gave me several polygraph examinations. During the examinations and interviews, Agent Braddock told me that if I tried to leave he would have me arrested by the MPs. He testified at my trial that after one of the examinations I claimed to see in a "dream" a large black male and a white male raping a third small individual in a blue car, then putting the small individual in the bunker where Derek Kusumoto's body was found. I was not involved in the murder, I did not witness the murder, and I did not make any statements like those which Agent Braddock said I made. Agent Braddock was lying and his lies helped convict me of a crime I did not commit. I am willing to take a polygraph examination to prove that I did not make the statements which Agent Braddock said I made and to prove that I am innocent.

I request that a full investigation be made of the CID's treatment of me during the investigation of the murder of Derek Kusumoto.

Thomas W. Spindle
THOMAS W. SPINDLE