
EXECUTIVE CLEMENCY RELIEF

Before the Illinois Prisoner Review Board

Advising the Honorable Pat Quinn, Governor:

The undersigned petitioner prays for a Commutation of Sentence and in support thereof states as follows:

1. Required Information:

Full Name: William David Linley
Address: ID No. M08788
Graham Correctional Center
R.R. #1, Highway 185
P.O. Box 499
Hillsboro, Illinois 62049
Telephone: (217) 532-6961
Date of Birth: July 15, 1965
Place of Birth: New York City, N.Y. (Woodside, Queens Borough)
SSN Number: [REDACTED]
Prisoner Number: M08788
Name Convicted: William Linley (No Aliases)
Military Service: Yes (Qty-2 DD-214 attached)
USMC 8/1982 - 10/1991 (Honorable Discharge)
USMCR 10/1991 - 1995 (Honorable / No
DD-214 issued, IRR)
USMCR 2002 - 11/2006 (Honorable)
•Mobilized 1/2004-1/2005 (Honorable Discharge
DD-214 attached)
Previous Clemency Petition: No
Request public hearing: Yes

Detailed account of offenses:

This incident began late in the evening of September 21, 2006 in the private single family home of William David Linley. His wife, Kristin, and their two children, Hunter (3 years) and Hannah (3 week) were also in the home. The children were sleeping.

William David Linley was drinking gin and absorbed in a war movie on the television. At the age of 40 years, I, William David Linley, had never before abused alcohol or any other substance. This alcohol abuse had only begun after returning from my 4th combat tour in November of 2004 and became progressively worse.

I flew into a sudden and uncontrollable rage over a meaningless argument with my wife about laundry. This was not the first time I had this reaction since coming home from Iraq war service and it seemed to be getting worse. On this particular night I had a terrible fear that I no longer could control my behavior. As a Sergeant of Marines with 17 years of service I knew the symptoms of PTSD, Post Traumatic Stress Disorder, very well. Normally a highly disciplined man, I now feared that I might hurt someone without even knowing it until it was too late. This fear worsened as I felt my control was slipping more often and as had happened to many war veterans, my own family could be at risk.

Placing both sleeping children in the car I demanded my wife should go to her parents home for their own safety. I don't recall the time, the exact reasons or when, or how many of the events transpired after this. Much of what follows is from the police reports, witness testimony and recollections I had after the incident had passed. Some, months later.

I barricaded the entrances to our home. I dressed in my full desert camouflage uniform which I had worn in Iraq. I attempted suicide 3 times. First, by fireplace gas, then by car exhaust and another attempt by fireplace gas.

At some point I heard pounding on the door. I turned off the gas and believing it to be early Friday morning, September 22, I saw a police officer at the door. Another officer was standing on the sidewalk next to a police car. The police report indicated it was in fact after 2 p.m. Friday, September 22, 2006.

The officer demanded I step outside and I refused. He leaned and began reaching to his side. He was drawing down on me. The other

officer began moving quickly. I slammed the door shut and the last thing I recall clearly was the first officer running back and the second officer running toward the side of the house. I was being surrounded and my instincts took over. I was in "combat mode" and my adrenaline took over. As in any firefight my recollections are vague, but with a kind of tunnel vision some things are crystal clear. You function on instinct and actions are a duty to perform, not to be felt as either right or wrong.

I do not recall retrieving the .22 Caliber, bolt action, rifle or the ammunition. I did fire my rifle outside the window at the tree where I saw the officer hiding behind. I recall the enjoyment of smelling the gunpowder that came from the rifle. I remember the tug-of-war taking place in my mind. Between the joy of being in a fight, yet knowing something wasn't right. I wanted to die, and I did not want to hurt anyone. Defending myself with all my years of experience and training to kill, but not wanting to hurt "friendlies".

At some point I attempted to hang myself using parachute cord, but after what seemed an eternity of choking I cut the rope in one swipe using my combat knife that was on my hip. The police fired multiple canisters of tear gas into the house through the windows. A police sniper, 80 yards across the street in a second floor window, shot me through the left shoulder. I learned later it was a .308 Caliber rifle. I recall the flash from the rifle in the cracked open window, and I was angry that the officer "missed me" from the kill shot. I then engaged each of the locations where snipers would be in neighboring houses. Firing high above their heads to get them to fire back, but they did not. The police report indicated that 3 of the snipers came under fire, none fired back.

I was wounded and bleeding badly. I did not attempt to bandage the wound, but expected to bleed out and die.

I was not aware of the time that passed, but the police report indicated a 10 hour standoff. At some point I knew there would be an attempt to breach the building and if I went into "combat mode" again someone could, probably would be killed. I was still bleeding and not thinking clearly, confused at what had transpired. From experience I had always known a .22 Caliber rabbit rifle was 90% more likely to turn a person into a vegetable than actually kill them. I made

numerous attempts at suicide and failed. I surrendered myself to the police without further incident. The medical report stated that I had two cardiac arrests. Once in the ambulance, and again in the emergency room. I was arrested and under guard in Edwards Hospital. A Psychiatrist spoke with me at length and requested I be transferred to the secure Psychiatric ward of the Hospital. I knew this had to be the ugly end of PTSD. The police refused to allow me to go to the Psychiatric ward. A number of days passed and the police insisted on taking me into custody. The Doctor refused, but was told there was a Psychiatric and Medical Ward in Will County Detention Facility. The doctor insisted the police officer sign a waiver that transporting me was against the Hospital's recommendation.

I was booked and interrogated at the Bolingbrook Police Station. It was the middle of the night, no one was there and I was certain that a severe "accident" would befall me. There seemed to be a division among the officer's present. There were at least 6 officers and two were angry and verbally commented so, but the rest were very professional, respectful and I believe protecting me from any harm by the angry officers. The State Trooper arrived, most of the Bolingbrook officers left, and the duty officers transported me to the Will County Detention Facility.

I was placed on suicide watch for the next two weeks. Naked with only a paper gown in a cell that was a constant 60 degrees or cooler.

3. Non-Convictions:

Case Number:	06-CF-2446
Offense Charged:	<u>two counts</u> of attempted first degree murder (720 ILCS 5/8-4(a)(1)(West 2006))
Date of Arrest:	September 22, 2006
County of Arrest:	Will
Disposition:	Not Guilty verdict at Bench Trial

4. Personal Life History:

My name is William David Linley, but I have always been called by my middle name "David". Kind of a family tradition. My Great Grandfather was called "Dr. William", and my Father's first name is William. He is called "Bill". So I was called by my middle name and we named our Son Hunter William Linley, but we call him "Hunter".

I come before the Honorable Governor of Illinois, Pat Quinn, in the hope of receiving an Executive Clemency for my crime. Currently I am age 47 and until the events of 2006 I had always been a law-abiding citizen, proud American patriot and served my country in peacetime and war for 17 years as a United States Marine. Highly decorated from 4 tours in combat I received 2 honorable discharges as a Sergeant (E-5). Voluntarily re-enlisting and returning to Iraq for combat duty following the attacks on our nation of 9/11/2001.

Unfortunately this last tour in war, of 2004, was the beginning of my own personal battle with what we now know as PTS and TBI, Post Traumatic Stress and Tramatic Brain Injury. These mental injuries have been identified in one of five returning combat veterans. Today that is more than 400,000 veterans.

The creation of "Veteran's Courts" in the Federal and State Court system, that you yourself signed into law in 2010, reflect that this condition is treatable and does effect normally stable, law-abiding citizens. Citizens who Can, and do, return to being productive members of our families and communities.

Unfortunately, with the label of being a "violent" crime, and for me that my accusers are police officers, veterans are not afforded the same consideration in the Illinois Courts.

I was born and raised in New York City, Queens Borough, and the 9/11 attacks are very personal to me even to this day. An only child, I was raised by a single mother who emigrated to the U.S.A. at the age of 18 with a college degree in Math and not knowing any English.

Born in July of 1965 I was primarily raised until 1971 by my Mother's Sister who lived in Massachusetts. Also immigrants, my Aunt and Uncle were hard working Farmer's and Carpenter's with 3 children. These older Cousin's were more like my Brother's and Sister, even to this day. Both my male Cousin's served in Vietnam in the Army. Both

in combat and were a great inspiration to me of what it meant to be an American.

Life growing up in the streets of NYC were tough, but I learned early on the value and rewards of hard work. While I enjoyed school and received good grades, the gang violence I experienced in Junior and High School caused me great difficulty. My mother was an alcoholic so I did not have strong emotional stability and support in the home. Like most kids in NYC I grew up fast with street smarts and had a knack of being able to take care of myself. I excelled as a Cub and Boy Scout and knew that a military career was my goal. I had hoped to complete college and become an Officer like my Cousin, but my grades suffered as the gang violence in school and in my neighborhood worsened. During my teenage years I was exposed and involved in gangs (we called them "crews") and 3 gang fights (called "rumbles") and petty crime as well as being a victim of muggings, beatings and robberies myself. During these formative years I began to hate "alcohol" because of the destruction in my own homelife. I never touched any alcohol until I was in my 20's and in the Marine Corps. I detested the violence of gangs, crime and the influence drugs had on my community and friends.

Starting with a paper route at age 12, a clean up boy in an ice cream shop at age 13, a store clerk and delivery boy at a **local grocery** by age 14 and finally full-time work as a stock boy and cashier at age 16. I had transitioned completely from going to and completing school to working full time. Attempting to earn enough money to move out on my own this goal shifted when I turned 17 years old. I decided to become a U.S. Marine and after my mother was finally convinced this was a better life choice for me she signed the papers. I shipped out to Boot Camp, Parris Island, South Carolina, a few months after my 17th birthday. At 5 foot 7 inches and 125 pounds not many people believed I could make it, but for me there was nothing else I would rather be than a United States Marine. I graduated from Basic Training 5 foot, 8 inches and 145 pounds of lean muscle and with the discipline and confidence that there was nothing I couldn't achieve. Pinning the Eagle, Globe and Anchor on my collar was the most, and first proudest moments of my life. I was formed to be better than a man, I was a Marine and this professional ethic has remained with me

to this day, and certainly will until I die.

My electronic, math and cognitive scores were so high that I qualified to be sent to Radio School in 29 Palms, California. Less formerly known by Marines as "Stumps", for 29 Stumps because it was all desert, rocks, snakes and heat. After graduation I was assigned to the Fleet Marine Forces of the 2nd Marine Division, Camp Lejeune North Carolina. The FMF is the fighting arm of the Marine Corps and I joined the 2nd A.A.V. Bn. (Amphibious Assault Vehicle Battalion) to serve as a Radio Operator, Troubleshooter, Repair Technician, Trainer and Supervisor. A lot of responsibility for a 17 year old, but I was loving it. I took to it like a duck in water. One A.A.V., or "Amtrac" (for Amphibious Tractor) was worth millions of dollars and the radio equipment for each Amtrac was valued at well over \$100,000 dollars. More important though was the 4 crewmen and 12-15 Marine passenger's whose lives depended on a working radio system.

Still 17 years old I was sent to advanced Radio school and Morse code school, then assigned to my first unit, A Co, 2nd plt (Alpha Company, 2nd Platoon) which was beginning it's final 6-12 months of work-up training to deploy into a combat theater in Beirut, Lebanon. Deployed as part of an International Peacekeeping force since 1980, The Marine Corps and Navy suffered only a few dozen casualties from sniper's, mines and accidents. In October of 1983, now 18 years old, I was one of two Radio Techs as the only Radio Operator in the Platoon. I was excited and ready to cut my teeth on my first deployment. In youthful naivete about war I even hoped to be blooded, as most of us were eager to prove our metal. My wish would soon be granted. The level of responsibility did not escape me though. I was a critical team member contributing to the safety and mission readiness of more than 56 crewmen, and over 140 Infantry Marines, going into combat. The radio equipment alone valued at upwards of 2 Million dollars. Serving under the best leaders I have ever seen, and working in the finest teams I have ever experienced, before and after, the next 10 years on active duty formed my core values to this day. Many of the friendships formed remain even after 30 years. Recent communications that reflect these relationships can be read on-line at:

<http://betweenthebars.org/blogs/129/>

In October, 1983 the first large scale, radical Islamic (jihad) terrorist attack against U.S. military forces occurred. On an early Sunday morning a truck bomb crashed into the Marine Battalion Headquarters and barracks at the International airport in Beirut, Lebanon. More than 240 Marines and Sailors were killed. As "Peace-keepers" our forces were not on a war footing, and not expecting to be a target of any militia or military units in Lebanon. It was a rude wake up call that reflects this same enemy that continues to target Americans worldwide. The same enemy that orchestrated the attacks on the U.S.S. Cole, 9/11, and the conflicts we fight now in Iraq, Yemen, Somalia and Afghanistan.

While our MAU-SOC (Marine Amphibious Unit-Special Operations Capable) of over 2,500 Marines was scheduled to relieve this very unit that was attacked, we were detoured to a Caribbean island chain named Grenada.

The Communist controlled island's and Cuban military forces didn't know what hit them. As Marines we were furious, and more so because we had to detour from our brother's in need. A full blown amphibious combat assault, the first since W.W. II, took place for nine days of fighting and 3 seperate island landings.

It was a quick and easy fight, and we immediately continued our original route to Beirut, Lebanon for our planned 6 month, in country, "Peacekeeper" duty.

While we were called Peacekeepers, it was anything but peaceful. From the first few days we were involved in sustained combat almost daily for the next 8½ months. We suffered dozens of KIA and WIA (Killed and Wounded In Action) and I stopped counting after 20 Marines from the unit I was attached to were killed during the first 3 months. Seeing a devastated modern city, the stench of dead bodies, the brutal violence and worst of all the dead children had taken away any thought that war was glorious. I was proud of my duty and service, but I did not return the same man as I was. I no longer feared death, had matured beyond being a normal 18 year old and being a combat Marine was now a part of my soul, not merely a temporary part of life.

Back in the U.S. I attended North Carolina Community College to complete my G.E.D., was meritoriously promoted to Non-Commissioned Officer. As a Corporal (E-4) I was now a supervisor of 6 Radio techs.

In 1985 I reenlisted, applied and was accepted to the prestigious course for "Embassy Marines". Now 20 years old, the Marine Security Guard (MSG) training program was intense and very selective. In a class of over 200 Marines, I was one of 35 that graduated 3 months later. My current "Secret" security clearance was upgraded to "Top Secret" so that I could work with State Department, CIA and other classified documents. Stationed at the U.S. Embassies in Islamabad, Pakistan and Sao Paulo, Brazil for the next 3 years. Once again I received a meritorious promotion to Sergeant, and served as the Assistant Detachment Commander for my final 2½ years on Embassy duty. We had 10 Marines stationed at each location and my experience broadened in international affairs, diplomatic conduct and working closely with Foreign Nationals. Of course I was the "foreigner" and had to smile at this strange education in government lingo.

In 1988 I was accepted to a fast track Officer training program called "BOOST" sponsored by the U.S. Navy. It was a fast paced, intense 12 month High School level completion program. Not having previous education in high mathematics, like Calculus, I was unable to complete the course. Returning to the FMF I was assigned to 2/8 (2nd Battalion, 8th Marine Regiment) Radio Platoon. As the Senior Sergeant in the Platoon I had direct responsibility for over 40 Marines and with Top Secret security clearance I was responsible for the Battalion's encryption material and equipment received monthly from Washington D.C. In 1991, aged 26, our unit was deployed as part of the Gulf War operation's in Iraq. We entered Northern Iraq through Turkey and reached the City of Mosul when the cease fire was ordered. I was "selected" for promotion to Staff Sergeant and was currently the Radio Platoon's Chief. But I had my fill of war and decided to try my hand at civilian life. During the previous 10 years of military service, 6 years I had spent deployed overseas.

I had recently married my American girlfriend who I met in Pakistan and the Gulf War deployment proved a great hardship to our relationship. Two years later we ended up divorcing anyway, but I had to try my best to save our marriage. I did however reenlist in the Marine Corps Reserves in the event I decided to return, or if we went to war again.

Now a civilian, between 1992 and 1995 I established myself in the Telecommunication's profession. Moving up quickly by hard work

and achieved an Electrical Engineer position with the phone company. My RF, Fiber Optic, Satellite and encryption experience as well as the dozens of military, correspondence and civilian electronic courses I completed allowed me to compete with college degreed Engineers. I would later learn though, that a civilian degree was necessary in order to obtain senior level positions in American business.

In 1994 the greatest change in my personal life occurred. I was fit, confident, independent and earning more money than ever before. I had friends, an active dating life and a promising future, but something about daily life in general seemed meaningless. Was I simply missing the thrill, dangers and adventure of the Marine Corps and war? I began some serious soul searching and private prayer. Never a church attender, even though my family was Lutheran in name, I personally hated religion. All of the evil that I witnessed being done by Muslims, Christians and Jews to each other left a real bitterness in my heart. Yet through all the years of violence and many close calls I had a certain confidence in the fact that there must be a God. I experienced many miraculous events and knew that life was more than mere chance or a simple combination of random chemicals.

My prayer was simple, "who are You God? Who am I?", and He answered in ways that only God could. Over 2½ months I encountered daily the person of "Jesus Christ". From total strangers, family, friends and miraculous events that only I was aware. No one knew my secret prayers, but clearly God heard them. I actually became a bit fearful, like I was being watched from some secret camera following me everywhere I went. Finally I went with a buddy on Friday night after work to a new restaurant and dance club across town. As usual for a club night my goal was to have fun and meet pretty women. I clearly remember thinking, "ha..God's not gonna find me in a bar. He's too Holy".

After dinner was over and I was just starting my second beer I had seen a pretty girl across the bar. I asked her for a dance, and while I was thinking about how to get more intimate she stopped me in mid step with words that cut me straight to my heart. I do not even know what we were talking about during our dance, but she looked into my eyes and simply asked, "Has anyone ever asked you if you have a

personal relationship with Jesus Christ?" On the middle of the dance floor I froze. I couldn't breath or speak and she looked up at me as if she thought I was having a heart attack. At that instant I knew. God Himself just sent me a message, "I'll find you anywhere you go, even when you try to run away from Me." Weeks later I learned that this woman and her friend went to that dance club for the first time as we had done that night.

Without any reason I told my friend I had to leave the club. My mind was spinning and my heart was pounding. Going home I felt dirty and got in the shower immediately, but my mind wouldn't stop replaying all the events over the last few months and all the close calls from years before. I broke down in tears for the first time since I was a child and I asked my God to forgive me. I asked Jesus The Christ to be Lord and Savior of my life from that day forward. Exhausted, I slept peacefully for the first time in years. Over the next few weeks I realized all my nightmares and night terrors from Lebanon and Iraq had stopped. What used to be a weekly occurance of waking up in a sweat, fearful and sometimes screaming had completely went away. Also my bad habit of cursing every other word had instantly stopped. The very thing I attempted to do and failed to achieve for more than 10 years was miraculously cured. I was a new man, and today, 18 years later, my Christian faith is the one thing that has always remained constant in peacetime, war and even in prison.

Now a regular church attender I met my wife, Kristin, in 1996. We courted and married in October 1998 and life couldn't have been better or more joyful to me. I continued to advance in my career and was earning upwards of 100K dollars yearly. We travelled often and volunteered for charity or ministry work weekly. On the morning of 9/11/2001 we were living in Nashville, Tennessee and I knew we were going to war. I knew the terror I witness^{ed} in Lebanon had finally reached my home in America and I was furious.

In 2002 I was finally able to reenlist in the Marine Corps and as a Sergeant was stationed with an Artillery Battery, Reserve, based out of Chattanooga, Tennessee. Our Son, Hunter, was born in July of 2003 and a few months later I volunteered to deploy to Iraq with an Infantry unit, 3/24, based out of Knoxville, Tennessee. Our unit was mobilized and deployed in January, 2004. I served North-West of

Baghdad in Al-Anbar province for 7 months in country. Our unit conducted combat patrols and convoy security. We encountered enemy action on numerous occasions, but nothing as bad as Lebanon in 83/84. During the Fallujah operations our Company was in Haditha, Hit, Ramadi, a number of smaller surrounding villages and based out of Al-Asad and T.Q. (Al-Tah-Qautum). In 2004 we experienced the heaviest fighting and highest casualties of the 10 years of U.S. involvement in Iraq. While the actual fighting did not seem difficult to me I did experience a number of deeply impressionable moments. I.E.D.'s and ambushes didn't bother me so much, but civilians beⁱⁿ_A killed, Engineers and their families being massacred, a child with both arms blown off, a fellow Sergeant burning from a white phosphorous mortar, a contractor being executed, the results of 2 Marine sniper teams being killed and a civilian bus exploding in front of me after rolling on top of a triple stack land mine. These things left a deep impression on me.

Upon my return home and demobilizing in January 2005 I was very conflicted. I wanted nothing more than to return to Iraq or Afghanistan war service, but my wife, Kristin, was very much against my re-deploying. I noticed almost immediately that Kristin seemed ill and was walking with an odd limp. She said it was a pinched nerve and stress, but I insisted she get some medical tests. About this same time I received notice that I was on the selection list for promotion to Staff Sergeant in the 2006 selection board. With 12 years of active duty service and 5 more Reserve service . accumulated I could now continue and complete a Marine Corps career. While I was making this decision I began to work on a 6 month Telecommunications Consultant project with my former boss from the phone company days. At the same time an MRI revealed a brain tumor that was causing Kristin's illness and limp which would require immediate surgery.

The next twelve months proved to be very stressful. Kristin had come through brain surgery which she had a 50/50 chance of dying or being crippled. We had purchased a home and learned Kristin was pregnant. My decision to deploy again was on hold, until my family could be stabilized. Unfortunately I was unable to find a permanent position until August of 2006. We were deeply in debt, my drinking and war related memories were becoming worse and we were in a five year holding pattern to see if Kristin would develop cancer post

surgery. Our daughter, Hannah, was born on August 31, 2006 and for the most part everything seemed to be fine. A new job, 2 healthy and beautiful children, a strong personal faith, an active church and community life, friends and a house that we could hold onto, a loving wife that just survived the greatest ordeal in her life. Yet something was not right. Less than a month later this crime occurred without warning or premeditation.

During 30 months of incarceration in I.D.O.C. I have achieved:

- Employed as Chapel Clerk currently.
- Participant, and group commander 5 months, in GrahamVets Post #1.
- Ten (10) college credits earned in Lake Land Community College. (Adding this to my 25 credits earned in Phoenix University)
- TA (Teacher's Assistant) for 4 months in "Business Management" college course (until cancelled by State for budget reasons).
- Employed in Medical Unit, Pinckneyville C.C. until transfer to G.C.C.
- Continue pursuit of PTSD treatment through V.A. and G.C.C. HCU.

I.D.O.C. References:

- Assistant Warden Davis
- Chaplain Denise Wiseman
- Chief Chaplain Steve Keim
- Lake Land College Professor, Mrs. Brosman
- Warden's Administrative Assistant, Mrs. Lori Hoffman
- Volunteer, Pastor Robert Cleeton (Master Life Course Instructor)
- Psychiatrist, Dr. Pan
- Psychologist, Sherri Kamnick
- Counselor, Mr. Kevin Simburger
- GrahamVets Counselor, Mr. Mike Marsh
- Volunteer, Retired C/O Sergeant Jim Summers (Courageous Study)

5. Reasons for seeking Clemency:

It will be impossible for this crime or any crime to recur in that I never was, nor am I now, a career criminal or criminally minded person. The evidence of more than 30 years of my life reflect a law-abiding citizen who maintained a professional career and is an American Patriot.

There will be strong accountability in place through the V.A. Hospital's treatment program, close friends, church affiliations, family and Marines as well as veteran's groups. My personal motivation to succeed, proven even in a prison environment, and desire to be a good father for my children.

Previously I was trying to protect my career and reputation from the stigma of having a mental illness by struggling with PTSD symptoms by my own means. It is no longer possible to conceal my condition and there is no gain in trying to do so. What better example is there for our veterans, citizens and families to seek help and healing from a grateful nation than by witnessing a redeemed life. A person who can actively demonstrate to other veterans that they do not have to struggle alone and they do not have to lose hope in our legal system that they fought to uphold.

One of our core belief's as Americans is our value in a restored life. That a criminal act, or error in judgement, or mental suffering does not define a person's value to our society.

A more detailed listing of 11 points continues on the next page. Presenting my reasons for requesting a Governor's Clemency.

5. Reasons for Seeking Clemency: (continued)

(1) Up until this incident in 2006, at the age of 40 I have no criminal history, illegal behavior (i.e. drug sales or use) or alcohol addiction.

(2) Over 17 years of distinguished and honorable, voluntary service to our nation in the U.S. Marine Corps. Both in peacetime and war to include 4 tours in combat. Voluntary reenlistment following the attacks on 9/11 and service in U.S. diplomatic Embassies for Department of State.

(3) The current sentence of 16 years @ 85% (13 years imprisonment, 3 years MSR= 104 years total) is reflective of "Career Criminal" status. Is my history, life, family, proven community and church service, successful career and behavior while incarcerated indicative of a career criminal?

(4) Diagnosed by two professional psychologists, as well as the I.D.O.C. Psychiatrist's of having the condition knownⁿ and identified as PTS in the DSM-IV manual. A recognized mental condition caused by an unseen war wound. The Sentencing Judge also recognized the evidence and contribution this mental injury played.

(5) Family need & hardship: Currently my Mother-in-Law is near bedridden due to long term heart failure, numerous surgeries and heavy medication. Both parents in their late 60's are living on a fixed Social Security income. For the term of my incarceration, over 5 years now, they have been housing my wife (age 38) and our two young children ages 9 & 6. My wife survived invasive brain surgery in 2005, which has not returned, but requires constant monitoring, medical visit's and treatment as well as causing great anxiety and worry for all concerned. My wife is subsisting on State aid (medicaid and welfare) even though she has a college degree, due to my absence, care for the children and assisting in her parent's care. I was the primary income earner making over 100K dollars per year. We owned our own home, paid taxes and supported our community and church through time and donations.

(6) Disintegrating family stability: The stress and absence has pressured my wife to file for divorce in January 2011, so now our marriage is fragmented with very little possibility of recovering. Our two young children have not known their father during

the most formative years. Statistically they are now 20 times more likely to become involved in criminal or harmful behaviors due to a broken home. The nurturing and involvement of a father is very important to the next generation.

(7) Considering the duty of our democracy to balance the needs of our community, the spirit of the law, justice and a person's productive usefulness; I.D.O.C. does not have any rehabilitation programs, or treatment, available for veteran's as well as the Court's minimum sentencing requirement offer no possible relief other than by Governor's Clemency.

(8) Proper treatment from the Veteran's Hospital (V.A.) and counseling services through the Vet Center's is not possible to obtain while incarcerated in I.D.O.C. An appropriate treatment plan would have been offered through a Veteran's Court, but this was not available to me in 2006. PTSD is a condition that is known to lay dormant without treatment. As long as I remain in an I.D.O.C. prison I will not receive effective treatment from medical staff that specialize in military trauma. The longer I remain in an environment of stress and violence the more likely the risk of having a PTS related episode.

(9) I would forward that 5½ years of prison, bankruptcy, divorce, loss of children's childhood experiences, loss of over 500K dollars in potential earnings, criminal record, lifetime label of convict, tremendous and nearly impossible challenge to recover career position at age 46, loss of firearms ownership, loss of any government security clearance directly effecting civilian employment or completion of military career and severely restricted Visa and International travel needed for vacation or work is more than adequate as a punishment for a law-abiding citizen.

(10) Community and family accountability and support network: I have a very robust and active network of supporters. Numerous Marines are in regular contact with me by mail. I have family and former co-workers that remain connected and concerned of my family condition. A number of church affiliation's to include ministries, Pastor's and friends are still in communication. The V.A. (Veteran's Administration), Veteran's Hospital, Vet Center, Marine Corps, VFW (Veteran's of Foreign Wars), Marine Corps League,

AmVets, Wounded Warrior's, IAVA (Iraq and Afghanistan Veterans of America) and other veteran help groups are available to assist me in transitioning back to a productive and healthy member of my community and my role as a Father.

(11) While incarcerated I have proven my character as a strong Christian valued man by working in the Chapel for more than two years. Maintaining an example of professionalism, discipline, integrity and honesty I have not had any disciplinary problems or tickets within I.D.O.C. which demonstrates that deep inside my core values are not criminally minded. With proper treatment for my military combat injuries I am not a threat to our society.

I would express to the Governor that I understand the necessity for consequences related to criminal and illegal actions. It is for the above listed reasons and denied opportunities that I request Clemency be granted in that no person was physically harmed by my actions and that my entire life is a reflection of a normal law-abiding citizen and patriot. That the severity of my sentence and current punishment is excessive, but due to the Illinois Statutes, unusual circumstances and minimum sentencing requirements I am unable to obtain relief after exhausting the State Court, and U.S. Supreme Court options.

6. Type of Clemency Desired:

- Commutation of Sentence

7. Supporting Documentation:

- (2) DD-214, Honorable Discharge documents, Rank: E-5, Sergeant
- Letters of Recommendation
- Certificates (IDOC)
- College Transcript (IDOC)
- Photo