



PATRICIA R. LYKOS
DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

August 28, 2012

Mr. Bill Kenny
19406 Gooselake Lane
Houston, Texas 77084

Dear Mr. Kenny.

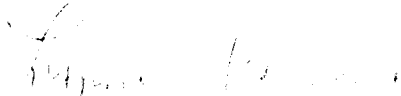
I know that you have anxiously awaited the charging decision regarding your former wife, Lisa Kenny and your former father-in-law, Joe Felice. In the filing of a criminal case, many factors must be and are considered. The first threshold is the sufficiency of the evidence. The burden of proof of the State of Texas is to prove each element beyond a reasonable doubt. If evidence is insufficient to meet our burden of proof, then no charge will be forth coming.

The events that you say constitute an assault against you by Lisa Kenny on February 14, 2012 occurred during a time in which you were in the home of your estranged wife, and, by your own admission via email to me, you stated: "Around 4p.m. we were in the living room, Lisa was very hesitant to divide the pictures. She's too busy, I said okay, how about tomorrow at the same time. She's too busy, that is when I started to remove the pictures off the wall." A reasonable deduction from your summary statement is that the taking of the photographs from the premises fit your time table and not hers. It is clear that emotions were high because she tried to stop you from taking the photographs (per your email to me, you stated that: "I was looking at the pictures on the wall and I began to remove them with my left hand and collected them in my right. At first Lisa was just pulling on my right arm."). Whatever happened next inside of the house is subject to two different versions, one is your own and the other is Lisa Kenny's. Clearly there was an altercation and clearly several witnesses heard the verbal argument. You received some physical injuries and the blouse of Lisa Kenny was ripped or stretched. However, the evidence of the sequence of events is disputed and therefore insufficient to prove beyond a reasonable doubt the commission of a crime by either of you.

Similarly, the facts surrounding a false report to a peace officer allegedly committed by your former father-in-law include a 9-1-1 dispatch tape in which Joe Felice states: "My son-in-law has gone nuts. He has threatened me..." Additionally, you have provided me with identities of other family members who heard this statement repeated by Joe Felice at a later time. There is no question that Joe Felice stated to others that you threatened him. However, there are two different versions of whether or not he heard you make this statement to him: yours and his. You state you did not make this statement to him, and he says that you did. There is no recording of the conversation between the two of you. Therefore, the evidence is insufficient to prove beyond a reasonable doubt the commission of a crime by either of you.

With the evidence being insufficient to prove either of these allegations beyond a reasonable doubt, no charges will be forthcoming against any person related to these events.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynne Parsons".

Lynne Parsons
Intake Division Chief
Harris County District Attorney's Office
Houston, Texas