

Journal A (2-14-12/6-6-12) HC12-21366A

Tues. Feb. 14, 2012

The evening of Tuesday Feb. 14 my phone rang at 6:52, the display showed 'Margaret' my mother-in-law. I answered and said hello, it was Joe Felice her husband. Joe said who is this? I said 'Joe, what do you want?' he said he didn't want to talk to me he wanted to talk to Lisa, my x-wife2B.

(Joe thought he was calling the home at 2111 Blindlake because I moved the home phone number 281-578-6737 to my cell. I moved from 2111 Blindlake to 19406 Gooselake on Feb. 3th this is where I answered the phone.)

Joe Felice said he wanted to talk to Lisa, I held the phone away from my ear and pretended to call Lisa. Then I told him she didn't want to talk to him. Joe said he didn't want to talk to me and I said I'm sure you don't you lying back stabbing two faced snake. Then he asked to speak to Margaret (his wife) I said she can't come to the phone. Then he said he was going to have me arrested and I said why. He said because I threatened him, I said the only thing I threatened you with is the TRUTH. Then he said he was going to call the police and I said you don't have the balls to call the cops and hung up.

I thought it was funny and that was the end of it but ...

Wed Feb 15th

I went to my sister-in-law's to borrow her camera and told her about the phone conversation with Joe, how funny it was, and what a lying snake he and his wife Margaret have been the last 6 years. And what a bad influence they have been on my X-wife2B Lisa.

Thur. Feb. 16th

Ginger Kenny my sister-in-law called and said she needed her camera back because it was her son's birthday and she was going to San Antonio to visit him. When I dropped it off she mentioned she received an email from my X-wife2B stating that Joe did call the police. I almost died laughing; you can't make this stuff up. That made my day, now I know how Margaret has been fooling him all these years after he gave her the 500K Dana Lane house.

Again I thought that was real funny and that was the end of it...

Later that day around 4pm my boys came to 19406 Gooselake Lane to stay the extended weekend because of the visitation schedule. We were talking and I asked them if the police came to the house, they said yes. I said what happened and they said Grandpa Joe called the police and told them I threatened to kill him. I was laughing BUT THEN MY YOUNGEST SON JAMES(15) ASKED IF I DID IT. This is when I became concerned. I said 'you believe that?' MY OLDEST SON WILL(19) SAID 'GRANDPA JOE SAID IT AND THERE WAS NO REASON TO DOUBT HIM'. At this point I was extremely upset that this two faced back-stabbing piece of garbage would falsely report via 911 I threatened his life. He tried to get me arrested and jailed by lying to the police and deceiving my children to protect this criminal act. Up until this point I have never told them the truth about my relationship with their grandparents. They know Lisa and I were divorcing and things have not been normal but they accepted what Joe said without question, he is an authority figure.

Friday Feb. 17th

On my way to court for Final Decree of Divorce I was thinking Joe Felice has damaged my reputation but this time he committed a criminal offense by calling 911 & filing a false police report and I believe he should be held accountable for his actions.

I went to the Franz Road Sheriff's Office to see if there was a police report. It's HC12-0021366 it is under my wife's name Lisa Kenny instead of Joe Felice who called them. This is a big concern because Lisa might be covering up for him as she had done in the past. The police officer told me not to worry because they will not just come and arrest me without an investigation. Also, that the report is not complete and it could take 2 weeks and to check back on Feb 29th. This is another concern, since I've never been notified that there has been a felonious accusation against me for threatening to kill Joe Felice I think the police are going to just sweep this under the rug.

Sat Feb. 18th

I went to the Franz Road police dept because I want to talk to them and make sure this is not sweep under the rug. I want the names of the officers, and find out who is investigating the case so I can get more information and inform them they are being deceived. Substation was closed.

Called a local attorney David Heller – his advice is not to contact the police because they can use what I say against me. I explained to him I have done nothing wrong, and have no reservations about telling the truth. Also, he said don't talk to Joe Felice because he could be recording the conversation. I said that would be great I'd like to get a copy of any recording to prove Joe Felice is a liar. He said wait till the police report comes out, I expressed concern about losing time, and he did not know what would be lost.

Sun Feb. 19th

Asked James(15) and Alex(18) for details on the 2-14 evening while we were on your way to dinner at my sister's house.

James(15) was home and said...Margaret Felice came over around 6pm, around 7pm the doorbell rang, to everyone's surprise there were 2 police officers were on the porch. Lisa opened the door and the police asked if the husband was still here. Then Joe Felice came running up saying 'I called them', 'that fucker threatened to kill me'. The police asked Lisa if she would like to come outside and talk.

Ax(son 18) – The police did not make themselves known when Matt pulled up in his white truck to drop off Ax. Matt helped Alex carry in his Trombone and computer into the house. Matt left and Ax sat at the kitchen table. The doorbell rang, 2 officers on porch. A 3rd officer pulled over Matt who just dropped off Alex. The officers asked Alex if Matt was with him Ax said yes so they let Matt go.

Mon. Feb. 20

Went to the Franz Road substation. Officer told me Deputy Luce from the Clay Road substation filed the report. He gave me a form to request the report.

I went to the Clay road station, the officer there said the case was closed, and there will be no

investigation. The report stated the Lisa was the complainant and that she pushed me and I pushed her. NO MENTION OF A TERRORIST THREAT TO JOE FELICE. FOR SOME REASON THE OFFICER CHANGED THE REPORT TO A DOMESTIC INCIDENT. THIS IS WRONG! LISA DID NOT CALL THE POLICE, I WAS NOT AT BLINDLAKE AND LEFT 3 HOURS PREVIOUS. LISA LIED TO COVER JOE FELICE'S LIE.

Called back to the Clay Road Substation and had a long conversation with a female officer. Everyone thinks I'm afraid of being arrested which is not the case. I want a full investigation and want everything out in the open. I said Deputy Luce did not record the facts on the report that was filed. I can only assume that Margaret, Joe, and Lisa skewed the truth and the deputy wasn't interested in questioning them or me. Deputy Luce never contacted me even though I'm the subject in the false report he filed. I requested the dispatcher to have please have Deputy Luce call me. Deputy Luce has determined that I'm guilty and change the report to let JOE FELICE OFF THE HOOK for reporting a false terroristic threat against his life, reporting a false domestic disturbance, and attempting to get me thrown in jail.

Will's details:

Will(19) Came home from work at HEB around 7:10 and there were 3 police cars at the house. Will parked his car in driveway. Margaret and Joe Felice were on the porch with 3 police officers. Margaret said something like there was an altercation over pictures. Joe Felice then again repeated that I threatened to kill him.

Tues. Feb. 21th

Deputy Luce called (979-574-4535)

Deputy Luce said the terrorist threat was not believable (he may have known Joe from gulf course).

So instead of being impartial and doing his duty and charging Joe Felice with the crime he committed Luce conspired with the criminals (my wife and in-laws) to protect them by filing a false police report My in-laws and wife have been lying to me for probably a decade and are very experienced and I can understand how Deputy Luce and the other 2 officers could be deceived. The police who are supposed to enforce not break the law. I want a full investigation and will not stop till I receive it. This is wrong!

Deputy Luce decided to align himself with 3 lying snakes, my wife, mother and father in-law, instead of being an impartial public servant who is supposed to protect and serve not to deceive and conspire. This is not right! .

I WANT THE TRUTH TOLD. IT'S NOT RIGHT FOR GOVERNMENT OFFICIALS WHO HAVE BEEN ENTRUSTED WITH EXCEPTIONAL POWER TO BECOME THE JUDGE AND JURY! I BELIEVE THEY HAVE TO BE IMPARTIAL TELL IT AS IT IS AND LET THE CHIPS FALL THERE THEY MAY.

People make decisions based upon the data available on that particular topic. Deputy Luce should have at the very minimum contacted me. This is wrong and must be a violation of procedure. Deputy Luce knowingly and willingly filed a false report that did not reflect the 911 call, did not mention the 911 caller the complainant.

Deputy Luce is conspired with Joe & Margaret Felice and my wife in a cover-up. Now Deputy Luce has to

create more lies to cover up for his previous lies. This is a house of cards that will not support the weight of truth.

Wed. Feb. 22 Called the DA 713-912-8750, they were going to transfer to domestic violence DA but then said I need to talk to Deputy Luce Supervisor first. Went to Clay Road and met with Supervisor Hayes. I told him the report that was filed by Deputy Luce was false. I told him Joe Felice my father in-law called 911 and lied about having his life threatened by me.

Supervisor Hayes asked if the terrorist threat was repeated at the house and I said yes it was repeated in front of my wife, mother in-law, James, Will, and at least 2 of the deputies. Joe Felice's words were '*That fucker threatened to kill me*'. Supr Hayes said there was no mention about a terrorist threat or a 911 call in the report, the report states domestic violence. I said that is why I'm here, the report is bogus. 3 cars responded is that standard procedure for a domestic violence? The first question from the officers was is your husband still here? this was at 7pm I left there 3 hours earlier at 4pm. Deputy Luce conspired with my in-laws to have my wife cover up for Joe Felice by filing a completely different, false report.

Supervisor Hayes said will leave the report stand as is and not investigate anything else. Supr Hayes then shut down, I asked Supr Hayes for the names of the deputies who responded, thinking one of them will tell the truth. Also, asked for a copy of the log showing the reason for the dispatch in the first place, and a copy of the 911 call. Supr Hayes said that I'm the suspect in the police report and he will not release any information to me at all. I said this is the police why don't we get everything out into the open. Supr Hayes responded with 'have a good day'.

So I've done nothing wrong and now I'm the suspect in a domestic violence report that was filed in order to cover-up my father in-law's crimes. I'm assuming Deputy Luce may had good intentions or an incentive more substantial or something entirely different but regardless he violated his duty, he conspired with criminals to cover up crimes. This is incredible it's wrong and unacceptable.

AFTER BRINGING THIS INJUSTICE TO THE ATTENTION OF DEPUTY LUCE, SERGEANT THOMAS, AND SUPERVISOR HAYES THEY ARE CONTENT TO CONTINUE THIS DECEPTION AND SWEEP THE MATTER UNDER THE RUG. I DON'T KNOW WHY THE CLAY ROAD SUBSTATION SHERIFF'S OFFICE WOULD WILLINGLY AND KNOWLING PARTICIPATE IN A COVER-UP.

Thurs: Feb. 23

Called the DA's office, told them a case is being sweep under the rug and it needs to be investigated. They said I should call Internal Affairs 713-755-6517. Playing phone tag with investigator Mark Cantu?

Mon: Feb. 27

Send this letter via email to Lofton.Harrison@sheriff.hctx.net

Mon: Feb. 28

Talked to Investigator Cantu, requested me to come down and provide a sworn deposition / formal complaint. Told him I'll be there tomorrow.

Tues: Feb. 29

I went on-site to OIG Internal Affairs Division 49 San Jacinto 3rd floor, Houston, Texas 77002. Went to file a formal complaint but time constraints to be at the court house to meet Judge Pratt in our Divorce hearing made me leave early and the statement was all over the place and difficult to understand.

Wed: March 7

Emailed Lofton Harrison a condensed version of my complaint.

Friday: March 9

Went to internal affairs OIG, added 1 additional line that Lisa did not file the complaint and signed my formal statement.

Monday: March 12

After leaving 3 messages with HCSO Hatfield returned my call about my request for the full report. She left message stating she did receive my request and it will be 4-6 weeks.

Tuesday: March 13

Faxed a request for a copy of the 911 call to Ms. Miller. 713-755-8139

Harris County Sheriff's Office

ATTN: Custodian of Records/Communications Department

1200 Baker Street

Houston, Texas 77002

Fax: 713-755-7266

Greetings,

I'm requesting a complete copy of a 911 call placed on Feb. 14, 2012 around 6:55pm. I believe the call originated by Joe Felice from his home phone. Joe Felice supposedly reported a threat on his life he received on his home phone 281-599-1572.

Thank you,

Wm. F. Kenny

19406 Gooselake Lane

Houston, Tx 77084

713-280-5152

Wednesday: March 14

3 Deputies were across the street responding to a call. Asked if Deputy Luce was there, he was, I introduced myself. He said so, I told him what he did was wrong. He told me to 'go home', I told him I was home. I was bothering him in the performance of his duty. It appears the authority and power bestowed on this young punk is a gross mistake. He is abusing his position and doesn't realize he is a public servant. Who is responsible for training this clown?

Monday: March 19

Met with Judge Pratt, sent JudgePrattHelpDepo letter via E-File. Brought it up while Allison and I were talking to the Judge. She isn't interested.

Tuesday: March 20

Sent Email to Lofton Harrison at Internal Affairs. Told him about my court appearance the day before with Judge Pratt and that she may be contacting him about the case status, child safety and visitation, with someone who is the subject of a police report and making death threats.

Thursday: March 22

Called Lofton Harrison because his reply email said the case was under review. He said 'review' means its being investigated by office Sgt. J. Herndon – the IAD investigator who originally took my statement.

Friday: March 23

Sent fax requesting the 911 report. Sent Email to Annette Baldwin asking who our contract deputy was.

Wednesday: March 28

Sent fax requesting the 911 report.

Thursday: March 29

Called Investigator Herndon, case status, additional information, offer assistance. Ask what the status is of incident 12-21366. Ask how I can get information about police activity at 19406 Gooselake Lane. She said I would get a letter with the disposition but will not give me any information at all because it's an ongoing investigation. I asked if I could help in any way she said she'd call if she needs anything from me. She said this is not her only case. It sounds like lame excuses and this is going nowhere because this case could be fully investigated probably in a day or less.

Call OAG (512) 478-6736, get information about requesting 9-1-1 call and copy of police report. Cost for a 911 call. How do the TV stations get 911 calls within days?

Call local DA ask same questions as OAG

Call Tracie Mullins again – did she get my request for the 9-1-1 call Request Dispatch report also.

Tracie called me back and said something like the case was referred to JP court and she couldn't release the 911 call because of that. She said the case was still active 12-21366. She said I would need a subpoena.

Tuesday: April 17

Received police report for 12-21366 that was requested 2/20. I can't believe they filed this report.

Called Atty Gen waiting on return call for 9-1-1 request review.

Called Investigator Herndon, 713-755-6517 deputy Luce case closed, get email address, what is our status. 12-21366. She is working on the case and trying to finish it up.

Wednesday: April 18

Atty Gen, missed return call from yesterday. Waiting on return call for 9-1-1 request review.

Thursday: April 19

Called Atty Gen, they do have the paperwork for a judgment from the Vince. They will decide before June 12. Seems like a long time, they said they could rule earlier and notify us earlier. I was unsuccessful in my attempt to determine the hold up. Asked if it was because a case is 'under investigation' he said yes. So I'm going to request another 9-1-1 copy while the case is closed.

Fax in another request to Traci Mullins 713-755-7428 since the case was closed requested another 9-1-1 call.

Contact ADA Michelle(sp?) Wilhelm 713-755-7114

Gatekeeper answered the transfer (may have been her), we were crossing swords, I told her the report was wrong and I want it changed to reflect what really happened, she wanted me go to the police, I said this report came from the police and its wrong. I'm making you aware that the report is wrong you have a responsibility to at least do a superficial investigation. That is when she hung up on me. I must be doing something right.

Called back got her direct number 7114, dialed it and it was her answering the phone. She said nothing, I said 'hanging up on me is not the answer'. She said 'what do you want', I told her this report needs to be corrected, and resolved, it's wrong. She told me I would have to get an attorney, the only attorney I can afford is me and/or the district attorney. She tried pushing me to the police again, I said that's where this report came from I need action from your side. She said ok and is sending the case to 'rejection' and ADA Chase will review it. I said reviewing it is a waste of time, I would come to the same conclusion, I offered to send information but she declined. She said ADA Chase may not contact me today, I said I'll give a couple days.

ADA Chase returned my call, I explained the situation and that they rubber stamped the case, I'd come to the same conclusion based upon the report. She said the 'intake dept' does not have the authority to initiate its own investigations. Bringing them information now and they should act upon it.

Friday: April 27

Called ADA Chase, told her

(the report is wrong, I'm the victim my wife hit me with her hands, bit me on the back and the arms – broke skin, removed skin, blood, ripped shirt this all occurred in the house when I was retrieving pictures.

The police report needs to reflect the truth and it doesn't because Deputy Luce did not do his duty. He was deceived and like everyone else, he assumed the man is the violent half. If he had done his job and interviewed me he would have seen my injuries, the bruises, cuts, bite marks (he would have been a witness, intentional).

And it only gets better, this 'picture exchange' occurred at 4 in the afternoon. The police weren't dispatched till 7pm and Lisa or I did not place that 9-1-1 call.

You might be able to get on to 48 hrs with this one. Crimes have been committed what do I need to do to:

1. get the police report corrected
2. Hold my wife accountable for her actions - from beating me, to filing a false report
3. Have the DA investigate this case including the 9-1-1 'Terrorist Threat' call

I just want to make sure I understand that DA's office has no responsibility to a case they were assigned and then approved it and now are being informed that their approval was based upon false case data. The DA office doesn't care about this?

She said try Family Violence. Sgt. Mike Weinel 713-967-5743

*Domestic Violence/Sexual Assault
Criminal Investigations Bureau
601 Lockwood
Houston, TX 77011*

Called Sgt. Weinel – out of office today, left message, told him there were plenty of injuries and that I had them. Waiting return call.

Monday: April 30

Called Sheriff Legal dept why don't I have the supplement page that shows I attempted to get the report changed? They said I have the full report and are unaware I called to have the report changed? **I don't understand.** (Duplicate books, two systems?)

Called Sgt Weinel – answered 'domestic violence assault div' – left message asking for email and a return call.

Tuesday: May 1

Called Sgt Weinel 10:30am. I was barking at him about no investigation, he didn't care for my 'tone'. He said he has been thru this case with internal affairs and the legal department. He said he is the boss and doesn't do email, only Fax? I asked if that was company policy. That's when he threatened to hang-up

on me. Anyway he said we are going to resolve this right now and was ready to disconnect until he realized I can support my position. He is going to turn it over to inspector Thomas, I said I've spoken to him without success. If I can prove injuries he will reopen the case. Told him I couldn't ask for more than that, all I want is justice.

Thursday: May 3, 2012

Met with Sgt Weinel (Special Victims Unit) & Sgt Thomas at 601 Lockwood. Sgt. Weinel said I was there as a courtesy, then he told me about their work load and limited staff. Anyone looking at the police report would not see anything worth investigating.

Sgt Thomas pulled out his recorder after I asked if this meeting was going to be recorded. It looked like there was a camera faceplate on the wall, I didn't notice anything about my chair but it could have been wired. Sgt Thomas appeared unaware of the case and why the police were summons, Sgt Weinel knew. Sgt Weinel told me he has some authority over Internal Affairs. He says he can 'see' their stuff but they can't 'see' his. He said he believed me (I expect everyone to believe the truth). He says he is a good guy to have on your side, time will tell. The meeting seemed positive even though he and I had a 'heated' phone conversation couple days earlier. He said the case will be sent to the DA and he thinks if I were a woman they would take accept it. I'm assuming because I have no evidence he is not entertaining the 9-1-1 Terrorist Threat, which Internal Affairs reported 'not sustained?' After reading only the 1st page of my statement, I answered some questions Gave them 7 pictures from Valentine's Day attack.

DATE?

Recv call from Sgt Thomas on voice mail 281-564-5988.

Called back at 1:30 they said he was taking lunch be back 30min. Busy day today – mail man had cert letter from Internal Affairs with their final report stating allegations are 'Not Sustained'? Called Sgt Thomas back at 2:30, Sgt Thomas asked if he could call me right back.

Sgt Thomas called back after we decided who was returning who's call, he wanted me to meet with him at 601 (street) on the east side of downtown. I said Sgt Weinel contacted you because you work west Houston, he said he does, I said why can't we meet in west hou, we can, ok. Thurs 11am Bellaire/HW6.

Wednesday: May 9

Called Internal Affairs left msg for Lofton Harrison. He called back and said he has nothing to do with the evaluation his job is to gather and present. 'Not Sustained' means there is not enough evidence to go one way or the other. They weren't convinced with the existing evidence that Deputy Luce violated policy.

If Deputy Luce followed HCSO policy that means HCSO policy is wrong. It is not possible that HCSO policy allows their Deputies to conspire with criminals to cover up their crimes and condemn innocent victims. The internal affairs 'not sustained' report is a sham, completely bogus, it's a cover up by HCSO. Not Sustained is based upon filtered, falsified, compromised, data and decided internally without going thru proper HCSO IAD protocol.

Tuesday: May 15

Email follow up to Sgt Weinel, attached 3 pics taken 9 days later. Told him about Adam Hunter Fox bad address that I think Deputy Luce put on his report.

Friday: May 18

Called Sgt Thomas. He talked to my brother, who told him Lisa was still attacking me when I was in the truck on the street in front of the house. I went into the house without any injuries and came out with plenty.

Sgt Thomas said he was waiting on a call back from Janet. It's been 2 weeks and Sgt. Thomas with 34 years of police experience cannot find eye witness Janet Padilla even though he knows her name, her phone number, and where she works. And if he listened at our meeting, which he recorded, he also knows she is the next door neighbor. Now he's requiring me to supply him her address. Sgt. Thomas total effort has been making 3 phone calls in this 2 week period. One of those calls was to my brother, after that call I think knows it going to be near impossible for him to continue to cover up the crimes his coworkers & other citizens committed.

Sgt. Thomas said he was not on any time table, he has other cases, he just got this case 2 weeks ago, I said no you have had this case for 3 months (he falsified original investigation and now he is investigating himself).

On Monday I'll call Sgt. Weinel, just ask him if he was sincere when he said he believed me and that he would talk to the da in about a week. And based upon the evidence available the da should take the case information. Sgt. Thomas is just waiting is that what a seasoned veteran with 34 years of experience is trained to do? I told him she lives next door he thought this was new information but if he listened to his recorder he would know it's not. I said if she had a million dollars for you I'll bet you could find her in an hour, especially already knowing her name, phone number, and where she worked. I told him I would get him the address and then he hung up on me.

I'm afraid Sgt. Thomas has a strong bias in this case and his judgement is clouded and he cannot be independent because it would show his mistakes in this case. It's not right for one of the persons involved to investigate themselves.

Monday: May 21

Emailed Sgt. Weinel

Expressed disappointed in progress and direction.

Said I'll call tomorrow to discuss status.

Tuesday: May 22, 2012

Called Sgt. Weinel 713-967-5743 about the case status. As usual the call was getting heated as we were crossing swords. (I think he is uncomfortable with this situation). He said the case was open and proceeding thru their usual process. He said Sgt Thomas was doing a good job. I told him in the last 2 week period Sgt Thomas effort consisted of making 3 phone calls one was to my brother. He said he's done more that, he asked how I knew that I told him I talked to Sgt. Thomas last Friday. When will the

investigation be completed? He would not give me a time frame, I said 2 years? He said no the statute of limitations would expire. I said were you sincere when you said you would help me. He said hold on, started talking to someone locally about the case, then a direct connection? to Thomas and telling him the brother is a direct witness, and stop waiting on a return call from a 3rd party witness. Why haven't you contacted the suspect and start the 10 day clock. If he started it on the 3rd it would have been over (not sure what that means). They were talking back and forth about contacting Lisa and her not wanting to come in. Sgt Weinel said something like let's contact her and find out for sure and ended the conversation.

Then he said to me did you hear that? Now what do you think? I told him thank you. Then he sounded like he was new to the position and he was the student teaching the teacher, meaning Thomas who is a seasoned vet of dept? Then I expressed my concern about Sgt Thomas investigating this case again, he said it's his area and we're all over worked.

Of course this could be just bullshit, showing false loyalty to my case. Sent Lisa an email telling her James won't be involved if she tells the truth. Got a call from Ax asking me if I was pressing charges. I told Ax I didn't know he was involved in this, and maybe we should have a meeting and discuss it.

Wednesday: May 30, 2012

Called Sgt. Thomas – he says the case will probably be presented to the DA tomorrow and they will determine if charges will be filed. Received a reply email from Wayne Dolcefino.

Tuesday: June 5, 2012

Called Sgt. Thomas 4pm – not in office till tomorrow around 8 or 9. (office opens at 9, Thomas gets in about 10.)

Wednesday: June 6, 2012

Called Sgt. Thomas ~3pm – gone home for day, took message and said he will put it on his desk – 'never took messages before'.

Sgt. Thomas called me back about hr later – said DA declined charges. A few reasons: no independent person? I didn't call the cops, and some other thing. I asked if I could get a copy of the report and he said no. I asked who the da was and his computer began malfunctioning and we'll get that tomorrow.
