



Private Eyes of Texas

A MESSAGE FROM J.J.,



2009 is surely moving at a fast pace. This is already our second newsletter of the year.

World events, economic problems and politics are swirling around us at a faster pace than ever. The economy is up and down, should we water board or not, did the CIA lie to Congress, controversy over the President's speech at Notre Dame, why did the soldier from Texas kill his five comrades in Iraq, just to mention a few issues. Although the world situation seems to affect us in one way or another personally, we know that it is still imperative that we focus on the core issues of our cases and develop the most factual work product for our diversified client base.

I would like to thank Leonard Meyer, Bob Loper, Gilbert Garcia, Katherine Scardino, Gerald Bourque, and Don Looper for recently referring new clients to our Firm. Thank you all for your support.

J.J. Gradoni

APPOINTED CASES

I am proud to say that since our inception in 1989, we have earned a reputation in the Criminal Defense arena as a premier private investigative firm who provides clients with a quality work product.

At the recent Harris County Criminal Lawyers Association banquet, I spoke with Attorneys who are aware of our reputation but are under the misconception that we are "too expensive to do appointed work". Please understand we charge the County Appointed rate when doing appointed cases because we believe it is important that every Defendant have the same opportunity to defend themselves as someone who is in a position to pay for their defense.

It is also important that every Attorney have the ability to provide effective counsel with a supportive investigation. In addition to currently having 21 active appointed Capital cases at the State and Federal level, we have a very active case load for our clients who utilize us on their appointed Felony and Misdemeanor cases. I have found that effectively investigating these cases have produced some outstanding results for our defendants. On the following page of the newsletter, some of those successes are documented. Please don't hesitate to call on our Firm for assistance in any type of appointed case, misdemeanor or felony.

J. B. KENNA, NEW ADDITION TO STAFF

J.B. spent 20 years in the United States Air Force as a Security Police Officer, performing multiple tasks ranging from air base security and emergency planning, to orchestrating multi-nation multi-jurisdictional investigations of narcotics operations in Europe with the Air Force Office of Special Investigation.. J.B. has extensive criminal investigation experience and has also worked in Personal and Assets Protection.

After retiring from the Air Force, J.B. worked at the Brevard County Sheriff's Office in Florida, training Field Officers and supervising the Juvenile Habitual Offender Program. J.B. has a Master's Degree in Business and Organizational Security Management, a Bachelor's Degree in Organizational Management, and an Associate's Degree in Criminal Justice.

During the short time that J.B. has been working for Gradoni & Associates, I have found him to be a professional and diligent Investigator who can "think outside the box" while conducting very thorough and on-point interviews for our clients. J.B.'s wealth of experience certainly broadens the base of our already diversified staff.

CONGRATULATIONS TO SKIP CORNELIUS

Congratulations to client, Skip Cornelius, who was recently awarded the Harris County Criminal Lawyers Association "Attorney of the Year" Award. Skip is a very well respected Defense Attorney who brings the same tenacity to the Defense Bar as he did when he was a successful Harris County and Federal Prosecutor.

Our Firm has had the pleasure of working a number of Capital Murder cases with Skip who leaves no stone unturned in the defense of his client.

CONGRATULATIONS TO DON LAMBRIGHT

Congratulations to client, Don Lambright, who received the Harris County Criminal Lawyers Association "Lifetime Achievement" Award.

Don has a reputation for being a very effective and successful former Harris County and Federal Prosecutor. Working over the years with Don has been a pleasure due to his wealth of knowledge and his quick wit and sense of humor.



"We are **dedicated** to producing **factual AND accurate, unbiased documentation for clients in a timely manner.** The **integrity AND confidentiality** of our work is **top priority!!**"

We feel that our investigative services help prove that the *"Truth Makes A Difference"*

Some of our successes over the past months are documented...

SEX ABUSE OF CHILD - HUNG JURY (APPOINTED)

KELLY CASE represented a grandfather in Montgomery County charged with the sexual abuse of his biological granddaughter. Our investigation determined that the State's key witness, the Defendant's son, had numerous credibility issues, along with a vendetta against his Father. During the course of our investigation we visited the scene of the offense and were able to prove, with a number of photographs, that the star witness' observations were not possible from where he said he was standing at the time his observations were made. These issues, so eloquently presented by Kelly Case, resulted in a Hung Jury.

MURDER CASE - DISMISSAL (APPOINTED)

JOE SALINAS represented an Hispanic male from El Salvador who was charged with striking a burglar with a baseball bat, causing the burglar's death. Our investigation revealed that the Defendant, who was incarcerated as an adult, was actually 16 years of age. We were also able to support the fact that the Defendant was a legal resident of the apartment and had every legal right to protect himself. As the result of the information developed, the murder case was dismissed.

SEXUAL ASSAULT-HUNG JURY

KATHERINE SCARDINO represented a Teacher in a highly publicized case who allegedly performed a sexual act on a High School student in a classroom. Our investigation determined a number of issues with the Complainant, eroding his credibility. A scene visit was helpful in establishing the fact that the witness was not able to see what he claimed. Katherine was at her finest, representing a very difficult client who had incurred the wrath of the Judge during the trial. The jury was unable to vote for guilty due to the reasonable doubt that Katherine had developed during the course of the trial.

THEFT CASE-DISMISSAL (APPOINTED)

KEN MCCOY represented a Defendant charged with stealing thousands of pounds of bar copper from his employer and selling it, using his own identification, to a local scrap dealer. We determined that the scrap dealer had listed the items purchased as wire, rather than bar copper. The Defendant refused to take a plea and went to trial. The Judge dismissed the case after the State had rested, citing lack of evidence.

RACING ON HIGHWAY-TWO DEATHS (NO BILL)

GILBERT GARCIA represented a teenager in Montgomery County who was charged with the death of two of his friends as they traveled in separate cars on FM 149 in Montgomery County. The State alleged that the cars were racing on a two lane roadway with a sharp curve and the Defendant's vehicle forced the other vehicle off the roadway, causing it to hit a tree, killing both occupants. We interviewed nearby neighbors and determined that their view of the accident was not as they reported. We referred Tom Grubb, an Accident Re-constructionist, who was able to greatly reduce the speed of the Defendant's vehicle due to his calculations, contrary to what the State had alleged. The Grand Jury saw the case as what it actually was, a horrible accident.

DEATH PENALTY-STAY OF EXECUTION

JAMES RYTTING AND PHILLIP HILDER represent James Swearingen in a highly publicized Montgomery County Capital Murder. Based on forensic tests not done at the time of trial, a valid question was raised about how long the victim had been dead before the body was found. The Defendant had been in the Montgomery County Jail and may possibly have not been in the position to commit the murder. Our investigative services were minimal on this round but we will play a major role in the upcoming investigation.

ASSAULT CASE-DISMISSAL (APPOINTED)

JOE SALINAS represented a Defendant on Federal parole who was accused of assaulting his former girlfriend. The girlfriend did not report the incident for over a month. The girlfriend's Mother told our Investigator that her daughter never said the Defendant assaulted her; she was just trying to get a Protective Order to stop the Defendant from calling her. Finally, Investigators determined through the Defendant's work records that he was actually at work at the time the assault allegedly took place.

BURGLARY OF A HABITATION-DISMISSAL (APPOINTED)

GARY POLLAND represented an individual charged with the burglary of a home in close proximity to his own residence. The State's key witness told the responding Officer that from her porch, she observed our client, who she knew by name and sight, enter the residence. Our investigation determined that the Complainant's son had a previous altercation with the Defendant. When our Investigator visited the witness, we were able to determine that the witness could not see the front door of the burglarized home from her porch. The case was dismissed.

FELON-POSSESSION OF A WEAPON (LESSER OFFENSE/APPOINTED)

GARY POLLAND represented an individual with two prior narcotics convictions who was charged with Felon in Possession of a Weapon. The Patrol Officer stated that he originally made contact with the Defendant because he was parked in a No Parking zone. As the result of his "field investigation" a weapon was found. Investigators visited the scene of the No Parking offense and found that the area was not posted for "No Parking". Once this evidence was presented the case was reduced from a habitual offender offense to a misdemeanor.

THINGS ARE NOT ALWAYS WHAT THEY APPEAR TO BE...

A lot of the case successes mentioned in this newsletter came about because we went out to visit scenes and interview witnesses. A very long time ago, when I was a Rookie Police Officer, a very experienced veteran told me something I've never forgotten. "Things are never what they appear to be. Never take anything for granted."

INSURANCE DEFENSE

STATE FARM INSURANCE asked us to surveil a claimant who had moved to Wharton County from Louisiana and was possibly working at a Walmart store. We determined that the address for the claimant was not a good address. Our Agent went to the local Walmart store and located a vehicle with Louisiana plates. We then identified the claimant working at the Customer Service booth. Our surveillance documented that the claimant had no visible impairments. We were also able to identify her current address.