

STATE OF ILLINOIS)
) SS.
COUNTY OF LASALLE)

AFFIDAVIT OF EDWARD J. KULECK, JR.

I, EDWARD J. KULECK, JR., being first duly sworn and under oath, to the best of my recollection, do hereby depose and state as follows:

1. I am an attorney licensed to practice law in the State of Illinois. I am a general and criminal law practitioner in the Law Offices of Edward J. Kuleck, Jr., Ltd., in Ottawa.

2. I served as an Assistant State's Attorney of LaSalle County, Illinois from 1974 to 1979 at which time I became a defense attorney.

3. On or about 1979 or 1980, I defended **Linwood Sluder** who was charged with the aggravated kidnapping of a Marseilles teenager, Joseph Ernst. The complaining witness in the case had alleged that Mr. Sluder had held him at gunpoint, forced him to drive around and threatened to kill him.

4. **During the trial, no law enforcement officer testified that Mr. Sluder admitted to having used force.** In my estimation, Mr. Ernst did not come off well in his testimony and so I believed the defense had the momentum in the case.

5. When William Dummett, a Captain with the LaSalle County Sheriff's Department, was called to the stand, he testified that Mr. Sluder admitted he held a gun to Mr. Ernst's head and forced him to drive.

6. **I objected and moved for a mistrial because the statement Captain Dummett had made was never in any report nor reduced to writing.** In my estimation, it put the case in jeopardy.

7. Presiding Judge Frank Yackley cleared the jury from the courtroom. He later instructed the jury to disregard the statement made by Captain Dummett.

8. Captain Dummett and I had become acquainted during my days with the State's Attorney's Office. His nickname was **"Dustpan" Dummett.** In situations when Sheriff's investigators were attempting to get a statement out of a defendant, Captain Dummett was often brought in to glean a verbal confession. I do not know of any cases in which Captain Dummett used physical coercion.

9. When I was with the State's Attorney's Office, physical evidence and the record of the Starved Rock murder case were kept in the attic of the downtown Court House. The physical evidence included a piece of wood which I assumed to be the murder weapon. There was also a filing cabinet which appeared to have bloody clothing in it.

10. I read the transcripts and familiarized myself with the Starved Rock murder case as I was interested in it.

Further, Affiant sayeth not.


EDWARD J. KULECK, JR.

SUBSCRIBED and SWORN to before me

this 5TH day of January, 2005.


Notary Public

"OFFICIAL SEAL"
LISA L GERDING
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 7/31/2005