

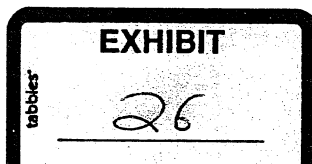
IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI
19TH JUDICIAL CIRCUIT

RYAN FERGUSON)	
)	
Petitioner,)	
)	
v.)	No.
)	
STATE OF MISSOURI,)	
)	
Respondent.)	

AFFIDAVIT OF SHAWNA ORNT

I, Shawna Ornt, first duly sworn under oath and based upon my personal and direct knowledge, hereby depose and state as follows:

1. That affiant is a witness to certain events in the above captioned case.
2. That affiant is not under the influence of any alcohol or drugs, and is giving this statement freely and voluntarily, and has not been promised or received anything in exchange for this truthful statement.
3. That affiant has personal knowledge of the facts stated herein and will testify to them if called upon to do so.
4. On the evening of October 31, 2001 into the early morning hours of November 1, 2001, and prior to that time, I worked for CS Cleaning & Maintenance, a cleaning company.
5. That on the night of October 31, 2001 and early morning of November 1, 2001, I was assigned to work at the Columbia Daily Tribune in Columbia MO.



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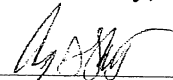
6. On November 1, 2001 at approximately 2:21 – 2:22 AM I went outside the rear door to smoke a cigarette.
7. While doing so I noticed two people standing behind a car, which I later realized belonged to Kent Heitholt, which was parked in the company parking lot.
8. One of those two men called out that “Somebody’s hurt, man.”
9. I and a co-worker, Jerry Trump called the police.
10. That early morning when I was interviewed by the police I truthfully told the police what I saw including that one of the two men I saw behind the car yelled out “Somebody’s hurt, man.”
11. The police report relating to my interview (copy attached) is truthful and accurate.
12. On several subsequent occasions, after Ryan Ferguson and Chuck Erickson were arrested, I was interviewed by the prosecutor Kevin Crane.
13. I told Prosecutor Crane at least three times that Erickson and Ferguson were not the men I saw that night.
14. Prosecutor Crane told me on several occasion that he was positive that the men arrested were the men I saw that night and I was wrong to say that they were not.
15. I felt intimidated and coerced by Prosecutor Crane’s tactics which included raising his voice and showing me pictures of Kent Heitholt’s corpse at the crime scene, which was severely bloody and beaten.
16. I was never asked to identify Ryan Ferguson at trial or asked if he was one of the men behind the car.

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17. If I had been asked that question by Prosecutor Crane at trial I would have testified truthfully that Ryan Ferguson was not the person I saw behind the car that night.
18. Prior to the Ferguson trial I was coached by Prosecutor Crane as to what I was going to be asked and what he expected me to answer including telling me to testify the man behind Kent's car yelled, "Someone get help."
19. What I told the police the night of the murder was different from what I testified to at trial in that after meeting and discussing my testimony with Prosecutor Crane several times I said at trial that the man behind the car also said "someone get help," which was not what I told the police the night of the murder.
20. If called to testify at trial my testimony would be the same as set forth in this affidavit.


Shawna Ornt

SUBSCRIBED and SWORN to
Before me this 10 day
of February, 2011



NOTARY PUBLIC



ANGELA D. SHAFFER
My Commission Expires
December 1, 2012
Boone County
Commission #08404947

Law Offices of Kathleen T. Zellner, P.C.
Drake Oakbrook Plaza
2215 York, Suite 504
Oak Brook, Illinois 60523
(630) 955-1212

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COLUMBIA POLICE DEPARTMENT

FOLLOWUP REPORT
2001-014705/1

NAME: ORNT, SHAWNA ELIZABETH
RELATIONSHIP: ADULT-WITNESS
AGE: 19

RACE: WHITE SEX: FEMALE DOB: 06/29/1982
AGE RANGE: 19

AT REPORT TIME
ADDRESS: 311 BROWN AV.A
STATE: MISSOURI
CURRENT

CITY: HALLSVILLE
PHONE NUMBER: 573-696-0227

ADDRESS: 311 BROWN AV.A
STATE: MISSOURI
EMPLOYER:

APT/UNIT: A CITY: HALLSVILLE
ZIP: 65255 HOME PHONE: 573-696-0227
WORK PHONE:

OCCUPATION: STUDENT
S.S.#: 488-86-9967 Y

SYNOPSIS: WITNESSED SUBJECTS BY VICTIM

SCENE PROCESSING

PROCESSED: BY:

PHOTOS: PRINTS:

ADMINISTRATION

OFFICER1: MCGEORGE, SHANONA
OFFICER2:

#: 001359 UNIT: DATE: 11/01/2001
#: UNIT:

ROUTE : STATE PROSECUTOR

LEARANCE :

EXCEPTION:

SUPERVISOR : WORDEN, JOHN

#: 001062 DATE:

RATIVE TYPED BY: DUCKETT, MICHELLE

ON: 11/01/2001

ATTACHMENTS:

RELATED REPORT NUMBERS:

NARRATIVE

#260574

On 11-01-01 at approximately 0228 HRS, I was responding to the area of 311 North Fourth Street in reference to an individual found in a pool of blood in the parking lot.

Upon my arrival in the area on 11-01-01 at approximately 0234 HRS, I observed a white male who was lying down on his back with a large amount of blood underneath him and had some swelling to his head and looked as if he had been struck in the head. The victims body was lying with his feet pointing in a southeasterly direction and his head pointing northwest. Medical units arrived a short time thereafter and began attempting to perform life-saving activity on the individual. I assisted medical units at this time, however, they had contacted the University Hospital and spoken with a doctor who stated to go ahead and declare the individual deceased.

As I was helping to protect the crime scene, I came in contact with two individuals who stated that they had possibly observed individuals who might

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FOLLOWUP REPORT

2001-014705/1

have had something to do with the incident.

The first of these individuals was identified as Jerry D. Trump. Trump advised me that on 11-01-01 at approximately 0220 HRS, he was working at the Columbia Daily Tribune in the back, which is located at 101 North Fourth Street. Trump stated he was working in dock area, which is located on the north end of the building. He stated that the individual whom I spoke with who was identified as Shawna Ornt went out to smoke her cigarette. Trump stated that as he was beginning to raise the loading dock door, Ornt came back inside talking about some individuals by a car outside.

Trump stated upon raising the dock door, he observed an individual behind the driver's side rear tire. Trump stated that initially he thought that this might be the victim, who was later identified as Kent Heitholt, and yelled out to Mr. Heitholt. Trump stated that the individual who was behind the rear driver's side of the vehicle was a white male, stocky build, possibly dark hair with a ball cap resting on top of his head, and appeared to be approximately 6' tall. Trump stated that this individual stood up, at which time he definitely noted that it was not Mr. Heitholt. Trump also stated that another individual stood up around the driver's side door and then one of them stated, "Somebody's hurt, man." At which time, they began walking briskly east through the alleyway towards Fourth Street. The only description given to me on the subject at the front driver's door by Trump was that he was a white male, blonde hair, which was short, approximately 6' tall, thin build, nineteen to twenty years of age. Trump also added that the dark-haired subject whom he had seen initially by the rear driver's side tire was approximately twenty to twenty-one years of age. Trump could not give me any clothing description on these subjects. Trump stated that it is commonplace for Heitholt to leave around 0200 hours as this is when he believes the computers shut down.

I then began to speak with Shawna Ornt about the incident. Ornt advised me that on 11-01-01 at approximately 0220 HRS, she left out the north side of the Columbia Daily Tribune which is located at 101 North Fourth Street. Ornt stated that upon walking out the north side door into the parking lot located behind the building, she observed a white male duck down behind the driver's side door. Ornt stated that she became frightened by this, at which point she went back inside and advised Trump of what she had seen. Ornt stated that when Trump opened the door she heard Trump yelling at whom he believed was Mr. Heitholt. Ornt stated that the individuals stood up on the driver's side of the vehicle, and that one of them stated, "Somebody's hurt, man;" and began walking briskly east towards Fourth Street through the alley located on the north side of the building. Ornt stated that the only one she got a good look at was an individual who had blonde hair. Ornt stated that this subject had short, blonde hair, which she described as being spiky, with a muscular build, however, was not bulky, last seen wearing a light gray shirt, approximately 6' tall, twenty to twenty-one years of age. The only description Ornt could give me on the second subject was that he possibly had dark hair, and that he was a white male. Ornt could not recall having seen any facial hair on either individual and was extremely upset at the time I spoke with her. Ornt added that she believes Mr. Heitholt left shortly after 0200 hrs: as is his normal

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