

## **MACNEILL PRESENTATION**

### **1. Brief Overview – Jeff Robinson**

### **2. MacNeill Early Background -**

A. Martin enrolled in an extension school provided by St. Martin's College, out of Lacey, WA BS degree in Psychology and Sociology from 04/15/74 – 11/14/75.

1. Martin submitted 65 semester hours of education allegedly received in the military to the University for entrance. No records military or otherwise he attended such a program.
2. Mary Conlee, registrar confirmed no such upper division classes taught at St Martin's.
3. Transcripts to get into other University's falsified. Falsified transcripts showed grades reflected straight A's and the degree obtained was changed from Psychology/Sociology to Psychology/Biology.

**B. Martin Claimed to hear voices Urging him to kill a congressman, July 7, 1977. Martin was admitted to Walter Reed Hospital**

1. Martin was interviewed by Secret Service Agent
2. He left the hospital after 7 days against the psychologist advice

**C. Martin Threatens Suicide / Marriage**

1. January of 1978, (21 yrs old) According to Linda Cluff, during one of Martin & Michele's dates, Martin held a gun to his head and threatened to kill himself if Michele didn't marry him or if she left him.
2. Alexis related, they had originally met at a religious service, and on February 21, 1978, (22 yrs old) eloped and were married against the wishes of Michele's parents.

**D. Martin's Veteran's Administration Mental Evaluations**

1. April 1978, Martin's had a military mental evaluation and was diagnosed as a chronic severe paranoid schizophrenic, with "severe impairment of social and industrial adaptability." Martin told the physician he had been unemployable and unable to attend school since his last examination in April of 1976.

2. May 4, 1978, Martin showed up at a VA Hospital in Long Beach, CA. He claimed to be a Viet Nam vet, claimed to have a Master's Degree in Political Science, claimed to have suicidal thought patterns, has had auditory and olifactory halluncinations in the past, admitted securing numerous Social Security numbers and comitting fraud. MacNeill did not return for group therapy.

**E. Western University of Heath Sciences**

1. August 18, 1980, Martin used altered transcripts to gain acceptance into the College of Osteopatch Medicine, in Pomona, CA.
2. Martin failed to notify the registra that he was a convicted felon and still on felony probation.
3. On June 12, 1983, Martin graduated from the Western University and passed his boards allowing him to practice medicine on June 17, 1984 in California.
4. September 19, 1984, Martin's application to paractice medicine in Pennsylvania was denied based on "Failure to meet post graduate training requirement." (It is believed Martin failed to complete his residency in New York, but the hosptial went out of business and we were unable to get any records to prove it. However, Pennsylvania figured it out!)
5. October 27, 1987, the Utah State Department of Professional Licensing licnesed Martin to practice medicine in Utah.

**F. Martin MacNeill's Infidelity**

1. Met Martin finds Gypsy Willis over the internet "Adult Finder. Com in January, 2004.
2. Michelle and Brandi Savage were living in the home with Willis. They reported Willis told them she was dating a doctor/attorney who went by Neil. (**Note** – *Willis admitted when being interviewed in prison, she had code names for Martin. They were Dr. Joe, and Neil*) They met Martin when he gave them \$200 to get lost for the rest of the afternoon so he could be alone with Wills.
3. Willis approached the Michelle Savage to see if she could use her identity to purchase the Bountiful they were living in. She refused.

4. Savage reported that Willis was obsessed with books about controlling men with sex and influential mind control. Most of their conversations related to Gypsy's perverted sexual relationship with "Neill."
5. Savage reported a time when Willis told her that she had been stalking Martin and his wife. She actually broke into their home and stole a picture of his wife. Both Savages reported seeing the picture in Willis' bedroom closet.
6. Savage reported that Willis began taking Methamphetamine around April of 2004, to lose weight. As a result, Willis' personality became dark and violent. Ex of a tv program they watched about a doctor who poisoned his wife with a drug. Savage her experience with Willis the next day:

“She started explaining in a very angry way that Neil had told her they would have to back off for a while in their affair in that his, Martin's , wife was asking questions. According to Michele and Brandi, She was livid that this woman was interfering with her relationship with Neil. I was sitting in an over sized chair. She yelled at me ‘What is the name of that drug you saw on TV last night?’ ‘ I told her I couldn't remember.’ She lunged at me slamming her hands onto the arms of the chair I was in and screamed ‘Don't lie to me! I know you know! You remember everything! Tell me now!’ I told her I didn't know the name but I would try to remember. I wanted her to calm down I was terrified. She started pacing the living room talking about ways to get rid of this man's wife. She had told us that the woman never went anywhere without her small children. Gypsy started talking about cutting the woman's brake lines. She would lose control coming down the hill from her house and wreck and die. I said ‘Come on Gypsy, she always has her kids with her. What about the kids? They are innocent.’ She turned on me slammed her hands into the arm of the chair I was sitting in her face right in mine and said ‘They'll be in car seats, they'll be fine!’” (See Michelle Savage's statement containing this quote.)

Michelle Savage related this incident scared her so much she locked the door to her room and slept with her daughter and a friend. They took turns staying up all night concerned Willis may try to hurt them. Ms. Savage knew Willis' idle talk had become serious and obsessive, which frightened her and Brandi. They started making plans to move out. When Gypsy went to a conference in Las Vegas with Martin in the middle of July 2004, they moved out of the house without telling Gypsy beforehand.

7. In January of 2005, Michelle Savage next saw Willis at the Ogden Masonic Temple. Willis pointed out Neil and his wife at a table, and told Brandi she and Neil were playing sex games. He would tell his wife he was going to the bathroom and they would have sex in a closet. This was the last time either roommate saw Willis or “Neil.”
8. In June of 2005, Martin contacted Jared Petersen, whom Willis had a brief affair with and loaned him \$9,000 when his business was doing poorly and had not paid back. Martin called Petersen, identified himself as an attorney and threatened him with bodily harm instead of legal ramifications if he did not repay the loan quickly.

**G. Anna Osborne**

1. March of 2005, Martin found employment at Laser Center in Salt Lake, operated by Anna Osborne. Through this employment they became engaged in a sexual affair lasting about one year.
2. During his relationship with Anna, Martin admitted to Anna he had killed, or attempted to kill, members of his own family, patients under his care, and other individuals.
  - a. His mother at an early age, medication in a beer.
  - b. His brother Roy Rufus MacNeill found in a tub with both of his wrists cut. Martin told Anna that he pushed his head under the water drowning him. It appeared he committed suicide in a bathtub.
  - c. Martin told her about the JAMA article and told her that he too had killed showing mercy to the handicapped. Martin explained he was able to do it by injecting potassium into those he killed making it look like a heart attack because a heart attack produces high levels of potassium. (**Note – Michele’s blood indicated elevated levels of potassium**)
  - d. Martin told her that he wanted to kill his daughter Vanessa because she was a drug addict and an embarrassment to his family. After Michele’s death, Martin approached Vanessa and offered to kill her so she could have peace from her drug addiction.
  - e. Anna believed that Martin would kill his wife and join her in Oklahoma. (In August of 2005, Michele MacNeill told her children that Martin was leaving the family. Martin met with the

bishop, but then in Oct 2005, went back to his family) Anna expected Michele to turn up dead at some point.

3. On January 22, 2006, Anna informed her psychiatrist she was having an affair with a serial killer.
4. During one of her sexual encounters with Martin, Anna stated he became violent, to the point where he was choking her, and asked her if she wanted him to kill her. She stated she became frightened and literally threw him off the bed, landing on him. Anna stated she was stronger than Martin at the time.
5. Martin's family confirmed his working out and believed he was going through a mid-life crisis.
6. Issues with Anna
  - a. Multiple Personality Disorder –
  - b. Participated in the occult with Martin
  - c. She played the psychic role and would express she was given information about people.
  - d. She wrote the son of Sam – murder in prison
  - e. She married a preacher in Texarkana, the same place Martin was in prison, and occasionally wrote Martin telling him to repent. She was still in love with him at the time.
  - f. Judge McVey expressed he did not feel Anna was a credible witness. However, most of what she told us we were able to verify through other sources. We believe she was honest and accurate.

### **3. Events leading up to Michele's Death**

#### **A. Move from Orem to Pleasant Grove**

1. In February of 2006, Martin moved his family from a large home in Orem, to a modest one in Pleasant Grove. Michele confided in Rachel and Alexis she feared Martin was moving the family to a smaller home in preparation for a divorce. He put the house in Michele's name.

**B. Martin told Michele he wanted a divorce**

1. On November of 2006, Martin and Michele met with their LDS Bishop. He told her that he did not love her or the children and wanted a divorce. Michele related this to Jackie Colledge, a good friend.

**C. Martin told his family he had cancer**

1. In December of 2006, Martin began telling his family he was not feeling well and had cancer. He allegedly began seeing numerous doctors.

**D. Two million dollar life insurance policy**

1. On January 28, 2007, Martin took out a life insurance policy on himself. He included Michele and Alexis as beneficiaries. (Side note – January 8, 2008, Martin changed beneficiary to Jillian MacNeill – sole beneficiary.

**E. Martin Goes To the Mayo Clinic**

1. About February 2, 2007, Martin told Michele he had MS accompanied by other medical conditions and did not have long to live.
2. About February 4, 2007, he informed his church congregation he had cancer and MS and did not have long to live.
3. On February 12, 2007, He attended the Mayo Clinic in Phoenix, AZ for three days. While there he underwent a battery of physical and psychiatric testing. Much of this testing was for hereditary neuropathy with liability to pressure palsies or HNPP and psychiatric testing. He told his family he was being treated for cancer and other medical issues.
4. Martin told his neighbors the Daniels he would die in six months. He began using a cane.
5. On February 21, 2007, Martin's wedding anniversary, he went back to the Mayo Clinic for the same battery of tests. He stopped by Alexis apt in Henderson, NV who was attending medical school at the time, and wanted to change cars with her for the convertible because it would be more fun. Alexis went to his vehicle and in his trunk found a number of articles of luggage which appeared to belong to a woman. In opening one, she found makeup and women's clothing. Once Martin left her apartment, Alexis called Michele and told her about the items found in the trunk of Martin's vehicle. Michele called Martin immediately questioning him as he drove away from Alexis's apartment. Martin was so upset he returned to scream at Alexis for alleging any type of infidelity on his part toward Michele.

Gypsy Willis, she admitted being with Martin during the above exchange, and stayed in a hotel that night in an effort to deceive Alexis and Michele. She further admitted being picked up the following day resuming their trip to Arizona where they shared a hotel room and engaged in sexual relations.

**F. Martin Began Enlarging Elle's Room**

1. In February, March, April, Rachel and Giselle reported they observed Martin singlehandedly carrying sheet rock into and around the basement of the MacNeill Home. (No need for a cane, he used the cane only in public)

**G. Michele confided in Alexis that she believed Martin was having an affair**

1. During February of 2007, Michele confided in Alexis she believed Martin was having an affair. Michele based her opinion on the inordinate amount of time Martin was spending away from home, at work, and on trips. Michele related these observations, along with other circumstances, in her marriage to Alexis expressing deep concern about her husband's infidelity

**H. Plastic Surgery Decision**

1. During an interview, Willis reported Martin told her in February of 2007, about his wife having plastic surgery.
2. On March 11, 2007, Martin told Michele about his surgery idea.
3. Initially Michele wanted to wait until she lost some weight and get her hypertension under control. Michele asked for a prescription for hypertension, he refused saying she was too fat. Martin was furious and he refused to be the family doctor as he had been for years.

**I. Martin's Cell phone Record**

1. On March 16, 2007, Alexis came home for the weekend. Michele told her Martin has been possessive about his cell phone records.
  - a. Alexis approached Martin about putting a new ring tone on his phone. Alexis went on-line to T-Mobile and requested the password be sent to his phone. Alexis deleted the message and gave the phone back to her father.

- b. Later that evening Michele and Alexis got on-line and viewed Martin's cell phone records back to January of 2007. One particular phone number stood out (801) 671-5788.
  - c. On March 20, 2007, Alexis called the phone number three different times and finally a female answered the phone at 5:41 P.M. Alexis did not speak with the female.
  - d. On March 21, 2007, Michele requested Alexis run an internet phone number check and background on the person who had the number. Alexis discovered the phone number belonged to Gypsy Willis.
2. Alexis also found that Martin placing Gypsy into their rental in Lehi.

**J. Michele Confronted Martin About Gypys Willis**

1. On March 21, 2007, Michele arranged to meet with Martin at Carl's Jr., in American Fork. Michele confronted Martin about Willis and what they had found.
2. Martin told Michele that the Mexicans he had hired moved out and he allowed Willis to move into the apartment they vacated. He was only helping a young lady in trouble and he had only met her once. Records indicate Martin paid for two to three months of utilities before Michele died.

**K. Michele's First Pre-Op Consultation**

1. On March 22, 2007, Michele & Martin drove to Layton for the appt with Dr. Thompson.
  - a. Dr. Thompson had just started nine months earlier
  - b. Dr. Thompson had placed an ad in the paper about facial plastic surgery.
  - c. After the consultation Martin agreed to the surgery and wanted it scheduled. This was atypical because most come in for a consultation and want to think about it and the various options available.
  - d. Martin told Thompson he was a licensed psychiatrist and an attorney in the State of Utah.

**L. MacNeill's Celebrate Ada's Birthday And Willis' Car Is Observed**

1. On March 25, 2007, MacNeill's celebrated Ada's birthday at their home in Pleasant Grove.
  - a. In reviewing the tape, clearly shows a silver Volkswagen bug parked in the front of the home.
  - b. Rachel wondered who was parked in her normal parking location.
  - c. Michele Savage identified the car as Gypsy Willis'
  - d. On October 11, 2010, we interviewed Willis in prison, Ft Worth, Tx. She stated the car looked like hers and if she was there she could not remember the purpose.

**N. Michele Wants To Meet Gypsy Wills**

1. On March 27, 2007, Michele informed Alexis she had confronted Martin about meeting Gypsy to determine for herself if he was having an affair.
2. On March 27, 2007, Rachel and Alexis observe Martin reading a Physicians Desk Reference (PDR) something he rarely did. Alexis reported the PDR was covered with dust and was surprised he was reading it so intently.

**O. Dr. Von Welch Examination**

1. In an effort to avoid postponing surgery, Martin contacted Welch and informed him of the impending surgery and asked him to examine her per Dr. Thompson
2. Dr. Welch reported Michele was hesitant to have the plastic surgery. She was depressed and did not appear happy in her marriage.
3. Dr. Welch felt Michelle should have her hypertension under control before surgery and prescribed medicine for her. He also prescribed Zoloft for depression.
4. Martin refused and insisted the surgery move ahead as scheduled.
5. Martin's insistence coincides with the family finding out about his affair with Wills.

6. Dr. Welch was shocked to learn Michele had passed away 12 days after their visit. Aside from the hypertension and depression, she was a healthy woman. He was also surprised Michele went ahead with the surgery.

**P. 2<sup>nd</sup> Pre-OP Consultation**

1. On March 30, 2007, while driving to Dr. Thompson's office Martin and Michele argue about postponing the surgery until summer so she would have time to lose weight and regulate her blood pressure.
2. Martin called and gave Thompson and requested certain medications for his wife.
2. Also on this day, Michele confided in Alexis that she was confident Martin was having an affair. She asked Alexis to drive by the Developmental Center to see if she could see his car. His car was not there and Michele called him demanding to know his whereabouts.

**Q. Last Pre-Op Consultation**

1. On April 1, 2007, Martin gave Dr. Thompson a list of medication he wanted prescribed to his wife. He normally prescribes Ambien so the patient can sleep, Lortab (Hydrocodone) in pill form, and Phenegran for upset stomach.
2. In addition Martin requested Percocet, Lortab in liquid form instead of pill form, and Valium (Diazepam) 5mg.

**R. Martin Gave The Older Children \$5,000**

1. On April 1, 2007 Martin gave Alexis, Rachel, and Damien \$5,000 each for no apparent reason. This appears to be a ruse to buy his children's loyalty. He was still carrying on the hoax he was dying.

**S. Michele Has Plastic Surgery**

1. On April 3, 2007, Michele has cosmetic surgery. The surgery lasted seven hours. Alexis suggested having Michele stay at the hospital and Martin became upset. He wanted to take her home. Dr. Thompson agreed it would be good to have her stay overnight. Alexis stayed with her.
2. Martin and Gypsy texted each other 24 four messages. They began at 6:21 in the morning and ended at 9:16 PM

3. On April 4, 2007, Michele was released from the hospital to go home. Alexis reported her father came to her that night and told her he would look after her mother and to get some sleep. Michele was only using one Percocet a day. (Note 16 text messages between Gypsy and Martin)

**T. Michele's 1<sup>st</sup> Overdose**

1. On April 5<sup>th</sup>, Alexis returned to her mother's bedside at 6:00 A.M. She found her mother listless and unresponsive. (Note – Michele eyes were bandaged and could not see what MARTIN was giving her)
2. Alexis confronted Martin and he said, "I must have over-medicated her." Martin told her that he gave Michele some of each medication. He stated he felt she needed them. (Note – Alexis reported Michele was very sensitive to medicine and took very little of it) Alexis said her mother never took Ambien during this surgery and didn't have problems sleeping.
3. Alexis became angry and wanted to be the one who distributes the medication after that. Martin and Alexis relationship would never be the same after this.
4. Martin and Willis texted each other 25 times. Note - Martin texted Gypsy at 12:44 AM, 12:49 AM, 12:51 AM, 12:52 AM. Martin also received phone calls from a blocked # at 12:03 AM, 12:31AM, 12:41 AM, 1:52 AM, 8:11 AM and 8:53 AM. I believe they expected her to die from the additive effect of each of the drugs.
5. During April 5<sup>th</sup> Alexis assisted her mother with a bath. Michele confided in Alexis she feared Martin was trying to overmedicate her and asked Alexis to let her feel the pills to help her identify them.

"When she woke up she told me that my dad kept giving her medication. She said that she did not know what he was giving her, but he kept on telling her to swallow. She told me that she threw up during the night, after my dad had given her the pills. He had given her a bunch of pills and liquid Lortab. She said, 'your dad last night he just kept or the day before he just kept handing me things' and at that time she had her bandages. She couldn't see what he was giving her. She said, 'he just kept giving me stuff. I said, 'I don't need it.' He said, 'yes you need this.'"

She then told Alexis "If anything happens to me make sure it wasn't your dad." Michele then began to cry.

**U. Second Post Operation Examination / Phone Records**

1. On April 6, 2007 Michele and Martin went to Layton for her second post-op meeting Dr. Thompson. He noted she was healing well.
2. Later in the afternoon, Michele confronted MARTIN on his phone records. Alexis overheard the confrontation. Michele told Alexis she was not going to allow MARTIN to get away with hiding his records or his relationship with Gypsy.

**V. MARTIN Reviewed His Will With Michele, Rachel, and Alexis**

1. On April 9<sup>th</sup> Martin reviewed his will with the above. As Martin was going through his will he stated a number of times that Alexis would be in charge. A Freudian slip! Michele was upset and reminded him if he died she would be in charge. Knowing he didn't have cancer or any other disease, they were confused why he was going over his will.
2. Later on April 9<sup>th</sup> Michele asked Rachel to drive by the Developmental Center to see if Martin's car was there because he claimed to be working late. The car was no there.
3. Michele attempted to checked Martin's phone account on-line and found he had changed the password. She confronted him about it and wanted to see if he was true to his word about not contacting Gypsy. Martni told her the account was a work account and she could not see or have access to it. Michele called him a liar. She told him that was not going to get away with it. He told her that he would provide the information and also take her on a cruise if he could clear it through Dr. Thompson.

**W. Third Post-Op Examination / Alexis Left The House**

1. On April 10, 2007, Martin, Michele, and Alexis went to Layton for an appointment with Dr. Thompson. Thompson noted that Michele was seeing, walking, and talking well and even joking. That she was healing well.
2. Martin asked Dr Thompson if Michele would be healthy enough to go on a cruise the next Sunday, Apr 15<sup>th</sup>. It was never scheduled...
3. After leaving, Martin called Dr. Thompson for one more prescription of 30 Oxycodone. Dr. Thompson said he would not normally fill the prescription but did this time because a doctor requested it. Michele was nearly off all meds at this point!

4. On this evening, knowing that Michele is able to go to restaurants, walk around the home on her own, and drive a car, Alexis flew back to Henderson to resume her medical studies, which she did reluctantly.
5. On April 10<sup>th</sup>, Martin and Gypsy exchange 22 text messages. Martin transmitted three unknown pics to Gypsy.

## **6. Events Of The Day Michele Died**

### **A. Martin Went to Work**

1. On April 11<sup>th</sup> Martin went to work at 6:00 AM. This is what he told Dr. Frikke.

### **B. Martin Called Gypsy**

1. At 6:48 AM Martin called Gypsy from his work phone. The duration of the call lasted 0 seconds.

### **C. Martin Take Children To School**

1. At about 7:40 MARTIN came home and drove Sabrina, Elle, and Gisselle to PG jr. High.
2. Ada was dropped off at American Heritage School at 8:30.
3. From 8:30 – 9:10 Martin's whereabouts are unknown. He told Dr. Frikke he did not go to work until 9:00 AM
4. Martin told the children Michele did not feel well.
5. Michele was dressed in a jogging outfit with her hair pulled back
6. The children reported their father being unusually angry and impatient as he drove them to school.

### **D. Michele's Last Phone Call**

1. At 8:41 AM Alexis called the MacNeill home. No answer. **At 8:44 AM** Michele called Alexis
  - a. Michele said Martin was treating her very kindly. She expressed how pleasant he was being that morning.
  - b. Michele told Alexis she was going to do laundry and take the children to ballet lessons later in the day.

c. Michele said she felt good.

**E. Martin Back At Work**

1. 9:00 AM MARTIN back to work according to what he said to Dr. Frikke. He also said he only left her alone for two hours.

**F. Martin Called Alexis**

1. 9:10 AM, MARTIN made a phone call to Alexis from his office phone, claiming she was doing too much and requested she call her to tell her to stay in bed. (Alexis was in class at this point) This confirms his statement to Dr. Frikke, because Martin would never have known what she was doing unless he was previously home with her.
  - a. Unusual call because Martin did not call Alexis very often and they were not on good terms at the time resulting from the meds.
  - b. Martin wanted a record of him calling from his office at that time.

**G. Martin Called Michele**

1. 9:14 AM, Martin called from his work phone to Michele's cell phone zero duration.
2. 9:17 AM, Martin he called again from work phone to Michele's cell for a duration of 36 seconds. Voice asking her not to go anywhere, he is coming home and make her a lovely lunch. Don't call anybody and don't go anywhere. (Vanasea found the message when she ended up with the phone) 11:00 A.M. MARTIN left a similar message on Michele's phone.

**H. Martin Called Gypsy**

1. 9:26 AM, MARTIN called Gypsy for a duration of 24 seconds from his work phone.

**I. Martin Supposed to Be Manning Booth / Safety Fair**

1. Martin was supposed to be manning a booth all morning at Development Center Safety Fair. 9:30 – 11:00
2. Unknown where Martin was from 9:10 through 11:00 AM
3. At 11:00 A.M. Martin's work phone placed a 1-800 call for six minutes.
4. Martin attended the Safety Fair. He was belligerent and nervous.

- a. Roma Henry, employee, filed a complaint against MARTIN because he was very insistent she take a photograph of him so “People would know he was present.” Martin was so belligerent with her that she filed a complaint against him.
- b. Martin told people at the fair he had to hurry in order to pick up his daughter at school.
- c. He told Melissa Frost, Risk Manager, he needed to go home and take care of a sick wife.

**J. Martin Called Michele’s Cell Phone at 11:32 AM**

1. Martin left a voice message stating he would be coming home to make her a “lovely lunch.” (According to Vanaess who got the phone after Michele’s death) This is the second message with the same content. Not like MARTIN.

**K. Martin Picked Up Ada And Arrived Home**

1. Martin picked up Ada about 11:35 AM. Just across from Timpanogos Temple and Developmental Center.
2. They arrived home sometime between 11:35 – 11:46 AM
3. Who went into the house first is in controversy. Martin told some he went into the house first and left Ada in the car.
4. Ada’s account is that she went into the home with her father. Martin went into the kitchen and Ada looked through the house until she found Michele in the master bedroom tub.
5. Ada ran to Martin grabbed his hand and said her mother needed help tried to pull him along as he was going slowly.
6. What Ada Saw
  - a. Mother was in the tub one-quarter full of reddish-brown water
  - b. Ada asserted she walked up to the tub and saw Michele fully clothed in a dark jogging suit, with her head above the water level.
  - c. Michele’s was laying on her back with her head near the faucet and her feet at the other end of the tub.
  - d. Ada also saw Michele’s hair floating towards the drain.

- e. Ada reported she thought her mother was dead
7. Martin's Account of Finding Michele to Alexis, Rachel and Dr. Frikke
- a. Martin demonstrated on the tub to Alexis and Rachel how he found Michele face down in the tub, head submerged in the water, and only her feet were sticking out. Martin said she only had her garment top on and had a gash on her head and was bleeding.
  - b. Dr. Frikke – Michele is draped over the tub with head in the water, and as if she fell and hit her head.
    - 1. Faucet was not running
    - 2. Water in the tub was slightly cool
    - 3. There was no water on the floor for her to slip on
    - 4. Pajama pants she was allegedly wearing were next to the bed in their bedroom. She was actually wearing a jogging outfit not pj's!

**L. Neighbors , Police and EMS Response**

- 1. Martin ordered Ada out of the bathroom upon his entrance and directed her to find a neighbor who could help.
- 2. She found Kristi Daniels home. Her visiting teachers were at the house, and Kristi and one of the visiting teachers responded, Angie Aguilar. Ada told them that something was wrong with her mother and her father needed help.
- 3. Martin called 911 Twice. 11:46 and 11:48. The first call went to the Sheriff's Office dispatch and was transferred to PG Dispatcher Heidi Johnson
- 4. 2<sup>nd</sup> 911 Call
  - a. Martin said wife just received a facelift and he was gone from the home and returned finding her in the tub.
  - b. Martin told the dispatch he had started CPR – False
    - 1. Michele was still in the tub at this time – not on the floor

2. He told Dr. Frikke he checked for a pulse, did not find one and pulled the plug on the water and started rescue breathing.
  3. Martin asserted he began chest compressions in the tub – too small
  4. Heidi the dispatcher never met someone as angry and belligerent as Martin. This caused her to record the call and use it for 911 training.
5. Kristie Daniels & Angie Aguilar Arrive
- a. The front door of the residence was open and they heard Martin yelling, “Help, help, I need someone, help. Help me”
  - b. Upon entering Krisit told Martin she would call 911. He told her he already did. Martin informed Kristi and Angie he needed a “man’s help” to get Michele out of the tub.
    1. Kristi is a flight attendant who knows CPR. She felt both she and Angie could’ve gotten Michele out of the tub.
    2. Kristi observed Michele’s head near the top of the tub near the faucet – just as Ada described.
    3. Kristi ran home to get her cell phone can call her husband who was close by.
    4. Angie Aguilar stayed at the home and observed Martin paced nervously around the room with his hands on his head
    5. Upon Krisiti’s return to the home, Martin showcased an attempt to get Michele out of the tub. This didn’t seem unusual at first to Kristi because Martin had been saying he was dying, using a cane, etc. Water was drained out of the tub.
    6. Kristi observed Martin bending over Michele appearing to give her breaths and cradling her head.
    7. Kristi reported she observed Michele clothed in a dark, long sleeve shirt. Angie believed the shirt to be white. The shirt was pulled up above Michele’s chest.

8. Doug Daniels was only 45-60 seconds away when he got the call.
9. He assisted Martin in getting Michele out of the tub onto the tile floor.
10. CPR was started, Kristi did compressions and Martin did breaths. After she gave 10 breaths, Martin stopped Kristi and yelled at Michele for having the surgery and pounded on her chest three or four times.
11. Doug Daniels stated he did not see any mucus transfer from Michele's face onto Martin. He also never saw her chest rise, which is consistent with what Martin told Dr. Frikke. Daniels believed Martin was feigning the breaths.

**6. 11:55 AM, PG PD Arrive on scene.**

- a. Martin told Officer Motsinger his wife was taking a lot of medication. (Note - Told Dr. Thompson the same day she was only taking one Percocet a day) He had to lie about the meds because she was given a lot.
- b. Martin told him he found wife hunched over the tub with her head in the water.
- c. Martin told Motsinger his wife had cosmetic surgery
- d. Officers Motsinger/Ormand moved Michele and took over CPR – Michele threw up a lot of clear liquid, all over his uniform and had to go change his clothes after.
- e. Observed Michele's face and hair wet, skin cold
- f. Martin told officer Ormand Michele must have fallen into the tub and had some kind of reaction to the medication.
- g. Martin wet up past the elbows
- h. Martin told Det. Wright someone, maybe Doug Daniels let the water out of the tub
- i. Martin out on the front porch told Chief Marc Sanderson, his wife overdosed on medication and that was the cause of her death.

Martin also told him he assumed Michele slipped, tripped and fell into the tub.

- j. Martin also tells Sanderson he has only left Michele's sight for ten minutes and upon his return he found her totally submerged.
  - k. At 11:59 AM Alexis called Martin and he tells her he was performing CPR, that she was in the tub and not breathing. He hung up on Alexis.
  - l. At 11:59 AM Mysterious phone call from the home cordless phone to Martin's cell phone. The call lasted two minutes. It appears Martin had a cell phone and cordless phone from the house at this time.
  - m. 12:00 P.M. Ambulance arrived on scene
  - n. 12:03 P.M. Steve Mickelson, Developmental Center, PA requested to come to the scene as a result of Martin's phone call to VanZant. Mickelson noticed various police vehicles, ambulance and Martin speaking with officers outside of the house.
  - o. 12:05 P.M. Alexis called Martin back, he yelled, "We're doing CPR and immediately hung up. Martin had Mickelson talk to Alexis and tell her to come home as soon as possible.
  - p. PG PD, Det Wright took some important pictures of the master bathroom and bedroom before leaving...
  - q. Doug Daniels asked to lock-up the house.
    - 1. He was going to clean the bathroom but couldn't find any towels in the bathroom or bedroom. He found soiled towels in the laundry. He used one of those to wipe up blood and water on the tile floor in the bathroom.
    - 2. He also picked up Michele's bra, garment top, and black shirt and other clothing items to the laundry room. They were wet, but he didn't see any bottoms to the clothing items which bothered by he and Kristi.
7. Ambulance arrived at the hospital

- a. At 12:24 P.M., the ambulance arrived at the hospital. Dr. VanWagoner, ER Physician, reported he was at Michele's bedside immediately.
  - b. CPR was being performed. Dr. VanWagoner said Michele was turning blue from the breasts up, indicating to him a pulmonary embolism or where a clot had broken free and lodged in the heart not allowing it to pump effectively. This was supposition without the aid of body scans.
  - c. Martin told VanWagoner that Michele passed out in the bath tub. He pulled her out and began CPR. He only left her alone for an hour and a half.
  - d. He told him further Michele was taking only a pain killer and antibiotics.
  - e. VanWagoner was confused as to why Michele's color did not improve in the field. She was cold and pale.
  - f. Damian came into the ER and had a confrontation or heated exchange with Martin.
  - g. VanWagoner also noted lividity forming on the back of the legs and buttocks area indicating she died on her back – not on her stomach as MARTIN indicated.
  - h. Stephanie ER Nurse, noted Martin was pacing quickly and angrily, at times throwing papers. He told Stephanie, "I told her not to do this! And that she was the mother of six children." Martin created very negative feelings among the staff. The staff found it inconsistent with a bereaving husband and were offended.
  - i. Resuscitation Efforts ended at 1:03 P.M. Martin requested VanWagoner continue CPR and offered him \$10,000 to do so. They had been working on Michele for forty minutes.
8. Medical Examiner Notified
- a. Spencer Cannon, ME Investigator arrived at the hospital. The ER Doc told Cannon she appeared to die because of an embolus and not a drowning.
  - b. That the incisions appeared to open as a result of the fall.

9. Martin Asked Hang To Destroy Medication
  - a. Around 2:00 P.M. Martin collected all of the medication and asked Hang to destroy them because he couldn't bear to have them remind him of her death.
  - b. She put the medication in the toilet and threw the bottles in the garbage can. (Note - Martin knew better because of the deaths at the Developmental Center he attended and they saved all the drugs)
  - c. Alexis arrived home at about 4:30 P.M. She noticed many of her mother's personal items had been removed from the bedroom.
  - d. Alexis asked Martin where Michele's drugs were. He told her the police had taken them.
  - e. Martin later in the evening showed Rachel and Alexis how he found their mother using his body in the tub. Face down, feet hanging out of the tub. He also told Rachel, "We have to get this autopsy complete so people won't blame me for causing her death."
10. A group of women come from Martin's church
  - a. A group of women came to the home to offer their condolences that evening. Lorene Thompson recalled mostly hearing Martin speak about remodeling the home, and he would have to adjust to being a bachelor. She said Martin was not acting like a grieving husband.
11. Michele's Autopsy By Mauren Frikke
  - a. Immediate cause of death: "Chronic hypertension and myocarditis, which are capable of causing acute unexpected arrhythmias and sudden death." The manner of death was declared as: "Natural"
  - b. Martin called Dr. Frikke a number of times giving her false and misleading information he knew was untrue.
  - c. Dr. Frikke had cancer and was not feeling good during this time. She passed away in April 2008.

12. Funeral

- a. April 14<sup>th</sup> Martin planned the funeral
- b. Martin refused to notify Michele's mother and siblings about her death and subsequent funeral arrangements. They were warned if they came, the police would escort them away. Linda Cluff and her family was the only exception. Martin always felt judged by Michele's family
- c. Gypsy attended the funeral. During the funeral, Martin and Gypsy texted each other twice.
- d. Luncheon following the funeral: Linda Cluff heard Martin say, "I am going to have to get used to the life of being a bachelor, just hanging out with buddies and playing golf." Not sounding like a grieving husband...
- e. Picture of Gypsy's military – docs indicate they were married on April 14, 2007. This shows how he really felt about Michele!

13. Need for a Nanny

- a. Lani Holliday, a neighbor needed a job and told Martin after the funeral April 14<sup>th</sup> she would be happy to be his nanny to take care of the children. He told her he already had one.
- b. April 16<sup>th</sup>, Rachel quit her job to help at home with the children. Martin told her he did not want her help!
- c. April 16<sup>th</sup>, Martin and Gypsy handout gifts together at the neighbors homes for participating at the funeral. One of the homes they went to was Jackie College's. Jackie told Martin she felt Michele was not meant to die at this time and felt something was wrong. Martin quickly replied, "Yes it was! She had high blood pressure and refused to take any medication for it. And that's why she had a heart attack."

14. Alexis ordered back to school

- a. Even though she is on a furlough for two weeks from school, on April 18<sup>th</sup>, Martin ordered her to leave and threatened she would not be able to speak with the children if she disobeyed him. Alexis flew back to Henderson.

15. Martin & Rachel Meet Gypsy At The Timpanogos Temple – AF
- a. April 18<sup>th</sup>, seven days after Michele’s death, Martin went to the temple with Rachel, his oldest daughter.
  - b. After exiting the temple Rachel could not find Martin and went home. Martin called angry and told her to get back. She did and while they were talking Gypsy walked up. Martin acted like he didn’t know her and invited Gypsy to apply to be the nanny. Martin left Rachel and Gypsy alone. Gypsy tried to get Rachel to speak with her but she was not interested. Rachel was still grieving. Martin returned and told Rachel she was worthless.

16. Nanny Interview

- a. Eileen Hang on the board. She stated Gypsy is the only who showed up for an interview. Eileen recommened Martin not hire her because Alexis already knew her name and the relationship with her father.
- b. Three or so weeks after Michele’s death, Gypsy moved into the home as the nanny.
- c. Lots of contention in the home. Alexis and Rachel were kicked out of the house.

M. Investigation Continues...

1. MARTIN Offers To Kill Vanessa

- a. In June of 2008, Vanessa met her father at a restaurant. She thought he wanted to get her into a detox program. He offered to end her life
- b. “He said, ‘take my hand and leave with me.’ He said, ‘I will end your life and I will end my own.’ And he said that’s the only way that you’ll feel peace. He said, ‘just don’t be afraid. Take my hand.’”
- c. She began to cry and left calling Alexis to pick her up and related the story to her. Also MARTIN told Anna he wanted to kill Vanessa because she was an embarrassment to the family. Corroborates both Anna and Vanessa.

2. NMS Labs

- a. We found that the Developmental Center used Succinylcholine which is a paralyzing agent. It paralyzes patients so they can do dental or other work on them. Very little documentation for their meds.
- b. DC Staff believed there was Succinylcholine missing.
- c. July of 2009, we obtained Michele's body tissue collected during autopsy and sent them to NMS Labs.
- d. Dr. Grey said his office had not done our investigation any favors because of the chemicals used to preserve the tissue destroys the medication.
- f. We also learned this medication is difficult to find and leaves the body very quickly.
- g. Report: There was no Quaternary Ammonium Neuromuscular Blocking Agents, such as Succinylcholine, in Michele's tissue. However, the lab also informed us the chemical used to preserve the body tissue may have created problems for them in finding the suspected drug or its metabolites in the body tissue.

3. 20/20 Segment

- a. 2009, producers of 20/20 called wanting to do a program involving the MacNeill Case
- b. We agreed since we were at a standstill at this point. We were hoping this would generate new leads
- c. It did generate new information – nothing very helpful.
- d. We found the producers misrepresented some of the facts in order to make a better story. I was told they have an artistic license to change the story because it is not presented in court.

4. Dr. Dawson – Toxicologist

- a. We found Dr. Dawson in Idaho from a homicide school I participated in. I gave an overview of Michele's death. An officer from Idaho suggested we contact Dr. Dawson .

- b. Dr. Grey did not feel he had enough experience and suggested Dr. Reynolds.
  - c. Dr. Dawson was the best teacher on the witness stand and brought complex medical toxicology information to the understand of any none medical person.
  - d. Dr. Dawson's statement after a review of our case file
  - f. He is also a part-time deputy, and testifies as a toxicologist in DRE cases.
5. Dr. Doug Rollins – Toxicologist
- a. Professor of Pharmacology and Toxicology at the U of U and Toxicologist for the Olympics in Salt Lake.
  - b. Dr. Rollins examined toxicology results and gave an approximate time frame which each drug would have been taken and how much was in her system.
6. Dr. Dave Cragun – Medical Director, Cardiovascular Catheterization laboratories UVRMC
- a. After reviewing ME Rpt, and additional toxicology reports, he described the myocarditis to relatively mild. There was no evidence in the M.E. report to suggest a myocardial infarction occurred.
  - b. “Cragun stated, “it is also certainly my experience that it is *very rare* to see arrhythmic death occur in persons (except in cases of acute infarction or significant cardiomyopathy) unless they have significant left ventricular dysfunction and usually symptoms of congestive heart failure.” Dr. Cragun stated, “I am concerned about who was administering that cocktail to her and do feel that the drugs clearly contributed to her death.”
7. Doug Witney Is Elected a Utah County Commissioner
- a. In November of 2009, after working a year and a half on this case, Doug was elected as Commissioner
  - b. In January of 2014, he began serving as a commissioner and Jeff Robinson became the case officer.

8. Doug & Jeff Fly to Texas
  - a. Interviewed Gypsy at the prison in Ft Worth
    1. She admitted her car was probably at the MacNeill home on Ada's b-day. She doesn't know why she was there.
    2. We accused her of participating in the death of Michele or having knowledge of it. She lawyered-up but asked for our card just in case she wanted to call us.
    3. Drove to Texarkana and attempted to interview Martin. He refused to speak with us and a short time later we received a call from Randy Spencer telling us not to speak with his client.
9. Meeting With Dr. Grey
  - a. September 30, 2010 Chad Grunander, Doug Witney, and Jeff Robinson met with Dr. Grey and presented the information from the doctors and the interviews we had performed to this point.
  - b. Dr. Grey after considering the information, wrote an addendum to Dr. Frikke's report.
  - c. Still no determination of manner of death / how she died. Doug and I would take both sides and argue the merits of the case.
10. Dr. Joshua Perper – Retired M.E., JD from Florida
  - a. Chad Grunander found Dr. Perper
  - b. He had written a book “When Doctors Kill”
  - c. We contacted him and sent him our entire case file
  - b. Dr. Perper's Opinion – Cause of death: Drowning, Manner of death Undetermined.
  - c. After listening to the witness at trial before he testified, he said he now believed that Michele's manner of death is a homicide.d.
11. MacNeill Released From Prison / Wire
  - a. We determined to do a wire as Martin got out of prison on July 6, 2012, to see if we could develop a potential smoking gun.

- b. I had Gypsy's probation officer get a hold of her because she was violating her probation by staying at other places beside her home – in retrospect that made it so she refused to speak directly with Martin. She was released from the Utah County Jail at 5:00 P.M. on July 17<sup>th</sup>. We had officers follow her.
- c. We had camera's (Major Crimes) up in MacNeill's neighborhood and Gypsy's house, so we could track their comings and goings in real time
- d. We listened to their phone calls.
- e. Martin reached out to Gypsy by a third party wanting to speak with her. She refused worried she would go to jail.
- f. After four days we stopped listening. (Judge signed orders to make the wire public)

12. MacNeill Charged

- a. Date of wire July 17, 2012 – July 26, 2012 (Only four days)After the wire, we met and reviewed our evidence and decided to give the MacNeill family their day in court.
- b. Chad Grunander, Sam Pead, Jared Perkins charged MacNeill with Murder and Obstruction of Justice. Date charged August 24, 2012
- c. Had MacNeill's Federal PO meet with him and had the warrant UC Warrant Division arrest him as he entered the federal court house.

13 Lessons Learned:

- 1. Over the years, we had three paralegals, and three legal assistants that assisted with the case file. As a result there was much duplication of the same reports or documents.
- 2. Defense subpoenaed all of our email, notes that we had kept through the years. Be careful what you write in your emails and what you write in your notes. Memories dim over time. As you continue to ask your witnesses or victims questions, they may give you differing answers.
- 4. Remember you are being recorded when you speak with inmates or email them. At time the defense twisted what I

wrote or said to make it the situation appear different than it was.

5. Always use the appropriate interview procedures for children.
6. Working with the media is a two edged sword. They are there to make money, not to be totally accurate in their presentation.