

United States District Court

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

EASTERN DISTRICT OF WASHINGTON

JAN 14 2009

JAMES R. LARSON, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

SEALED

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

RYAN SEIDEMAN

CASE NUMBER: MJ-09-010-1

(23 C Street, Nespalem, WA)

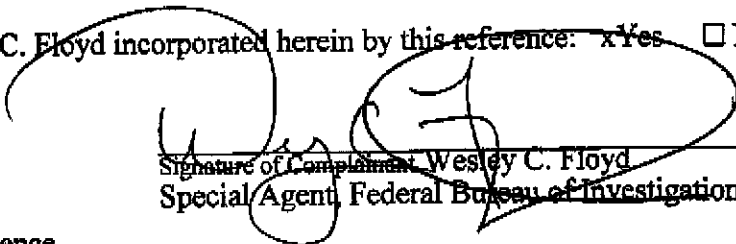
I, the undersigned Complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief.

Count 1

(First Degree Murder in Indian Country)

On or about March 20, 2006 , in the Eastern District of Washington, on the Colville Tribal Indian Reservation, a place within Indian Country, the Defendant, **RYAN SEIDEMAN**, willfully, deliberately, maliciously, and with premeditation and malice aforethought, did unlawfully kill Lillian Jolene Lee, a human being, by cutting her repeatedly with a sharp object, causing lacerations to her lower abdomen, face, throat and lower legs, and causing her to bleed to death, in violation of Title 18 United States Code Sections 1153 and 1111.

Supported by the attached Affidavit of Wesley C. Floyd incorporated herein by this reference:  Yes  No

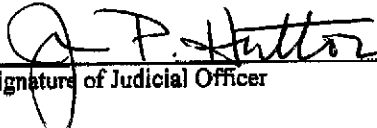
  
Signature of Complainant Wesley C. Floyd  
Special Agent, Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence

1/14/2009  
Date

at Yakima, Washington  
City and State

JAMES P. HUTTON  
United States Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer



(LJL). A foul odor was emanating from the interior of the residence. Responding officers observed the victim lying on her back on the living room floor, approximately 4 - 5 feet inside of the front door with her legs spread wide apart. The victim appeared to be covered in dried blood. The victim's face appeared purple and swollen. The victim appeared to have sustained lacerations to her lower abdomen, face, throat and lower legs. The victim was observed to be clothed from the waist up, and nude from the waist down, exposing her vaginal area. Arriving officers, from previous contact with the victim, were able to identify the victim as LJL. The victim was pronounced deceased at the scene by emergency personnel.

3. Shortly after the above observations were noted, the Federal Bureau of Investigation (FBI) was notified, and the CTP maintained crime scene security until the arrival of the FBI. While waiting for the FBI to arrive, CTP conducted witness interviews in the area of the residence. One of the interviews was with a Danny Moomaw, neighbor of the victim. Moomaw informed CTP that earlier that afternoon, while feeding birds, he had observed a plastic grocery bag hidden in a bush just outside of the back door of his residence. Moomaw expressed being annoyed at finding the bag, and presumed that his neighbor, LJL, had disposed her

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trash in her yard. Moomaw reached into the bush, retrieved the bag, and flung it over the barbed wire fence at the edge of the property. CTP officers noted that the bag was approximately 8 feet beyond the barbed wire fence. CTP Officer Chris Evans inspected the bag and noted that it appeared to contain clothes, and noted what appeared to be blood. This bag was seized as evidence by the CTP and subsequently turned over to the FBI.

4. A statement was taken by CTP on March 20, 2006 from the complainant, Diana Picard, and another witness by the name of Myra LaRoque. Diana Picard provided the following information: Picard, Paula Piatote and Donald Kanslighter throughout the day (at least 3 times) had attempted to contact LJJ by knocking on her residence door. All attempts were met with no response. After the last attempt, Picard went looking for assistance from Myra LaRoque, who possessed a key to LJJ's residence. LaRoque unlocked LJJ's front door. LaRoque struggled to open the door. After opening the door, they observed LJJ in the same position previously described by CTP Officers. Picard was directed by LaRoque to contact the CTP. LaRoque provided similar information to what was provided by Picard.

5. Louise Mary Lee Jerry, the victim LJJ's daughter, also provided a statement

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to the CTP that: Jerry, the victim LJL (Jerry's mother) and Anita Adolph returned from a trip to Yakima, WA the morning of March 20, 2006 and arrived back at the victim's residence in Nespalem, WA at approximately 5:15 a.m.. Upon arrival, Jerry observed Ryan SEIDEMAN (aka Ryan Stout) outside of her mother's apartment. SEIDEMAN was looking for a place to stay. Jerry overheard her mother, the victim LJL, provide SEIDEMAN permission to stay with her. Jerry and Adolph then left the victim's residence, leaving the victim with SEIDEMAN. At approximately 4:00 p.m. on the same date, Jerry went looking for her mother, first looking at the Trading Post in Nespalem, and then at her mother's residence. Jerry found that no one answered the door at her mother's residence.

6. Based on CTP information, a federal search warrant was sought from United States Magistrate Judge Cynthia Imbrogno for the residence of the victim, Convalescent Senior Apartments, Unit #3096, Nespalem, WA, by FBI Special Agent Stanley Meador, for the purpose of obtaining evidence. The search warrant was signed on March 21, 2006.

7. With this search warrant, the FBI Evidence Response Team (ERT) responded to the residence of the victim, LJL, to process the scene. The following are some of the observations made by FBI ERT member SA Cheryl M. Henderer.

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The front door of the residence was sealed with evidence tape. The victim was located immediately inside the front door to the right. She was nude from the waist down lying in a pool of blood and wearing a sweatshirt with blood on it. A pair of panties, long underwear and pants were near the body on the floor. Entry was made by the ERT through the back door that had also been sealed with evidence tape. Bloody shoe prints were noted in the hallway between the front room and the kitchen. The scene was photographed, video taped and sketched. After arrival of the ERT, the victim was removed by Streight Funeral Home. Evidence was identified and collected. Of note, evidence collected from the bathroom sink was identified as an unrolled condom that appeared to contain an amount of semen.

8. On March 21, 2006, an autopsy was conducted on the victim by Dr. Gina Fino in Wenatchee, WA. The cause of death was determined to have been caused by multiple cuts (slashes) to the victim's face and neck, one of which cut through her jugular vein and ultimately caused her death. Defensive wounds were observed on the victim's hands, as well as several other non-lethal wounds on her abdomen and buttocks.

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9. On March 21, 2006, Ryan SEIDEMAN (aka Ryan Stout) was interviewed by CPT Detective Kevin Anderson. SEIDEMAN admitted that he had been at LJL's residence over the weekend, that he saw LJL and her daughter, Jerry, returning home early in the morning. SEIDEMAN advised that he assisted LJL in carrying beer into her residence. After carrying the beer into the residence, SEIDEMAN was told by LJL to leave, which he did. SEIDEMAN next went to his Uncle Buck's place, (Randall Picard), stayed a short time there, and began walking home. SEIDEMAN was picked up by an individual he identified only as a "white guy" and provided a ride home to Tamara Stout, his sister's, residence. SEIDEMAN denied ever having any sexual contact with LJL.

10. On March 22, 2006, the investigation continued with the interviews of numerous potential witnesses and suspects. Buccal swabs for DNA samples were obtained from most individuals interviewed, as well as photographs of the bottom of their shoes. Without exception, all male individuals interviewed denied any recent sexual contact with the victim.

11. Most of the evidence seized from the residence of LJL during the execution of the search warrant, to include voluntary DNA samples from persons interviewed, were submitted to the FBI Laboratory for examination on April 5,

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2006. FBI Laboratory report dated May 15, 2007 identified the substance in the unrolled used condom that was seized during the execution of the search warrant at the residence of LJL as semen, but no DNA found in the semen matched any of the voluntary DNA samples submitted.

12. During the latter part of January 2008, the FBI Laboratory searched the national DNA database (CODIS) using the DNA profile developed from the semen contained in the previously mentioned unrolled used condom. In a report dated February 6, 2008, the FBI Laboratory advised that the DNA profile obtained from the unrolled used condom, matched a forensic specimen previously submitted by the Washington State Patrol (WSP). Contact was immediately made with the WSP and the identified forensic specimen was matched to the DNA sample CTP obtained from Ryan SEIDEMAN during its prior investigation of him for rape. CTP, by way of WSP, had submitted SEIDEMAN's DNA to the CODIS database during the course of their prior investigation.

13. On February 11, 2008, your affiant, interviewed Tamara Stout, the sister of Ryan SEIDEMAN. Ms. Stout indicated that the weekend that LJL was found dead, she recalled that her brother, Ryan SEIDEMAN, had probably been wearing a pair of Rock A Wear jeans, and probably a pair of white tennis shoes. She advised that

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her brother formerly owned a pair of shoes that were similar, if not identical to Nike Air Trainer Arrival. According to Stout, these shoes were later chewed up and destroyed by their pit bull dog. Stout admitted that when she was first interviewed about the death of LJJ, she had advised her brother to tell the CTP that he had been at her (Stout's) residence the entire weekend. During this interview, Stout admitted that, although SEIDEMAN had been at her residence during the time period of LJJ's death, he had also been gone for periods of time and Stout could not account for his location during these periods of absence.

14. On February 21, 2008, your affiant interviewed Jade Lee Kiser, an acquaintance of Ryan SEIDEMAN. Ms. Kiser indicated that she had heard from Tamara Stout that SEIDEMAN had been at the residence of LJJ when she was killed, and that SEIDEMAN's pants had been found at the crime scene. Stout expressed worry to Kiser that her brother, SEIDEMAN, may have killed LJJ. Stout also informed Kiser that, on the morning of the day that LJJ was found dead, SEIDEMAN came home wearing different pants from the night before when he had left her residence. The night before LJJ was found dead, Kiser advised that she, with SEIDEMAN, Brook Konant and possibly Joanne Williams, had been

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partying and drinking beer. Kiser also recalled that SEIDEMAN had been smoking crack cocaine.

15. On February 21, 2008, your affiant executed a search warrant on Ryan SEIDEMAN to obtain hair samples and fingerprints. SEIDEMAN was also interviewed about the events surrounding the date that LJL was found dead. SEIDEMAN recalled partying with Jade Kiser and others, smoking marijuana and drinking beer. SEIDEMAN claimed that he intervened in a fight between two individuals at the party and cut his hand on a broken beer bottle. Early the next morning, SEIDEMAN was near the residence of LJL, and observed her arrive home accompanied by her daughter, Louise Jerry. SEIDEMAN helped LJL carry some beer into the residence, and LJL's daughter left. According to SEIDEMAN, LJL offered him a beer, which he accepted. SEIDEMAN stated that he did not finish the beer and left LJL's residence and went to his Uncle Buck's residence. At his Uncle Buck's, SEIDEMAN stated that he went into the back bedroom and slept until daylight. SEIDEMAN then arose and started walking toward his sister's residence in Elmer City. SEIDEMAN stated that he walked a couple of miles and, by hitchhiking, was able to get a ride from an unidentified white male in an old pick up truck the rest of the way.

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16. The FBI Laboratory, DNA Unit, in a report dated June 24, 2008, advised that the DNA belonging to SEIDEMAN had been found on the sweatshirt worn by LJJ at the time her body was found. The report indicates a mixed DNA result with the contributors being consistent with the DNA of the victim, LJJ, and SEIDEMAN.

17. In an interview on July 3, 2008, Louise Lee, aka Louise Mary Lee Jerry, daughter of LJJ, advised your affiant that she had a conversation with Joanne Williams at the Colville Tribal Jail, a conversation that occurred while both were incarcerated. Williams advised Lee that one or two days prior to the death of LJJ, SEIDEMAN had been drinking heavily and snorting cocaine. Williams recalled being present when SEIDEMAN departed his sister's residence. SEIDEMAN was wearing Rock A Wear brand clothing with a Rock A Wear belt and buckle, clothing that belonged to Tygeer Catchings. When SEIDEMAN returned to his sister's residence, he was no longer wearing Catchings' clothing, to include belt and buckle, and SEIDEMAN had visible scratches on his body.

18. On January 8, 2009, your affiant was advised by the FBI Laboratory, DNA Unit, that they had found DNA, consistent with that of SEIDEMAN, in a blood stain located on underwear that was with the clothing found in the plastic bag by

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the CTP behind the victim's residence. This was the bag that contained Rock A Wear pants and the Rock A Wear belt and buckle. In addition, the victim, LJJ was identified by the FBI Laboratory as the major contributor of a DNA mixture obtained from another stain from the clothing.

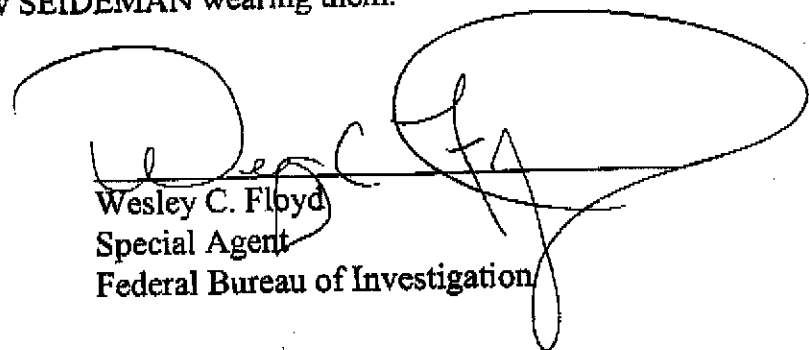
19. On January 12, 2009, your affiant interviewed Tygeer Catchings, the boyfriend of Tamara Stout (SEIDEMAN's sister). Catchings advised that on the evening prior to the death of LJJ, SEIDEMAN was wearing a pair of Catchings' Rock A Wear pants, to include a Rock A Wear belt and buckle. The following morning, when SEIDEMAN returned home, he was wearing different clothes. Catchings was shown a photograph of the previously seized Rock A Wear belt and buckle and identified these as identical to the belt and buckle he previously loaned to SEIDEMAN and that SEIDEMAN was wearing the night before LJJ's death.

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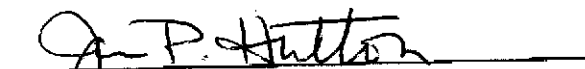
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Catchings advised further that he never saw that particular pair of pants or belt and buckle after that evening he saw SEIDEMAN wearing them.



Wesley C. Floyd  
Special Agent  
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me this 14 day of January, 2009.



James P. Hutton  
United States Magistrate Judge