

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO,

CASE NO.: 2024 CR 03226

Plaintiff(s),

JUDGE STEVEN K. DANKOF

-VS-

JONATHAN ERIC LINK,

Defendant(s).

**ORDER CONCERNING THE STATE'S
MOTION *IN LIMINE* REGARDING
ALTERNATIVE SUSPECT**

This matter is before the Court on the State's November 6, 2025 Motion *in Limine* Regarding Alternative Suspect ("the Motion"), anticipating that Mr. Link will seek to introduce evidence regarding alternative suspects like Steven Moorehead ("Mr. Moorehead"), and urging that such evidence is not relevant. Pursuant to the Court's November 10, 2020 Order, the State provided and the Court reviewed Mr. Moorehead's statements contained in recordings and/or transcripts referenced in the State's Motion.¹ On November 19, 2025, Mr. Link responded in opposition.²

The Second District has recognized that "[w]hether rooted directly in the Due Process Clause of the Fourteenth Amendment or in the Compulsory Process or Confrontation Clauses of the Sixth Amendment, the Constitution guarantees criminal defendants a meaningful opportunity to present a complete defense."³ Certainly, "[a] complete defense' *may* include evidence of third-party guilt."⁴

¹ The Court received State's Exhibit 1, which contains the Cloverdale Police Department cruiser footage, the recordings and transcripts of Mr. Moorehead's 8/21/01 and 8/22/01 Putman County interviews, the transcript of Mr. Moorehead's 10/9/01 Ross County interview with Sgt. Pierce, the photo Mr. Moorehead was shown of Shannon Anderson, Sgt. Pierce's case notes, and Sgt. Pierce's narrative report.

² The Court notes that Mr. Link's response provided the Court with incorrect case authority representing that the "... [Second District] held that the trial court's exclusion improperly invaded the jury's factfinding function and that the alternative-suspect evidence is admissible when it has a 'legitimate connection' to the offense", citing to "*State v. Adams*, 2015- Ohio-3954," which is rather an Ohio Supreme Court case *that does not relate to alternative suspect evidence*.

³ *State v. Gillispie*, 2009-Ohio-3640, ¶ 120 (2d Dist.), quoting *Crane v. Kentucky*, 476 U.S. 683, 689-690 (1987), internal quotations omitted.

⁴ *Id.*, citing *Holmes v. South Carolina*, 547 U.S. 319 (2006), emphasis added.

“While there is no question that all criminal defendants are constitutionally guaranteed a meaningful opportunity to a complete defense, *criminal defendants do not necessarily have a right to present all evidence of third-party guilt.*”⁵ Indeed, proffered evidence of third-party guilt must “...tend to create reasonable doubt that the defendant committed the offense.”⁶

The Second District has also noted that “The United States Supreme Court has indicated that it is widely accepted that evidence introduced to prove that another person may have committed the crime with which the defendant is charged ‘*may be excluded where it does not sufficiently connect the other person to the crime*, as, for example, where the evidence is speculative or remote, or does not tend to prove or disprove a material fact in issue at the defendant’s trial[.]’”⁷ Further, matters offered for third-party guilt are frequently excluded because they are too remote and lack connection to the crime at hand.⁸ And this Court always remains mindful of the requirements the Rules of Evidence in general, and Evid.R. 402 and 403(A) in particular.⁹

Upon review of the evidence of Mr. Moorehead’s statements provided by the State, the Court *expressly* finds that evidence of Mr. Moorehead as an alternative suspect is not admissible herein by the clear application of Evid.R. 402, 403(A), and the above case authority concerning third-party guilt evidence.

Why?

First, the Court *expressly* finds that evidence concerning Mr. Moorehead is not relevant to the instant case because it is not sufficiently connected to Ms. Anderson’s murder.

Second, even assuming the Moorehead “evidence” had any relevance¹⁰, its minimal probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, and misleading the jury.

Again, why?

⁵ *State v. Jones*, 2018-Ohio-2332, ¶ 33 (2d Dist.), citing *State v. Swann*, 2008-Ohio-4837, ¶ 19 and *State v. Gillispie*, 2009-Ohio-3640, ¶ 120 (2d Dist.), emphasis added.

⁶ *Id.*, quoting *State v. Gillispie*, 2012-Ohio-1656, ¶ 40 (2d Dist.), internal quotations omitted.

⁷ *Id.* at ¶ 34, quoting *Holmes v. South Carolina*, 547 U.S. 319 (2006) and citing *State v. Walker*, 2006-Ohio-6240, ¶ 49 (5th Dist.), internal quotations omitted and emphasis added.

⁸ *Id.*, citing *Holmes* at 327.

⁹ See e.g. *State v. Nurein*, 2022-Ohio-1711, ¶ 38 (3d Dist.), quoting *Chambers v. Mississippi*, 410 U.S. 284, 302, 93 S.Ct. 1038, 35 L. Ed. 2d 297 (1973) (holding that in making a third-party guilt defense, the defendant “‘must comply with established rules of procedure and evidence designed to assure both fairness and reliability in the ascertainment of guilt and innocence.’”). See also *State v. Gillispie*, 2012-Ohio-294, ¶ 20 (2nd Dist.) (holding that courts must evaluate evidence of third-party guilt under Evid.R. 403).

¹⁰ And it most certainly does not.

The majority of Mr. Moorehead's statements concern "confessions" to murders by firearm of female sex workers in Steubenville, Ohio around Tweed Avenue. These "details" have absolutely no connection to Ms. Anderson's murder.

The closest Mr. Moorehead comes to making any sort of relevant statement is "confessing" to the *supposed* murder of an unknown woman at an unknown point in time that he picked up off the streets of Kettering, Ohio and murdered elsewhere.¹¹

As to the date of this *supposed* Kettering murder, Mr. Moorehead stated that he thought the murder happened on maybe the "19th or 20th", but of what month? July? Ms. Anderson was alive on July 19th and 20th. How about August? She was dead by the 19th or 20th, based upon the discovery of her body in a ditch in Ross County on August 16th.¹²

As to the weather in Kettering at the time of the *supposed* murder, assuming it occurred on July 28, 2001, which is when Mr. Link told police that Ms. Anderson went missing, Mr. Moorehead said it was "pretty hot" that night. It was not. National Weather Service data indicates the average temperature in Dayton on July 28th was 71 degrees, with maximum and minimum temperatures of 77 and 65 degrees respectively.¹³

As to his *supposed* Kettering murder victim, Mr. Moorehead provided *no* description of the woman, other than that she was "manly" and had "fairly straight hair." When shown a picture of Shannon Anderson, Mr. Moorehead told the officer to put the picture away because he "did not do blondes." And he did not claim to wrap the woman's head in a towel and trash bag or to have placed her body in a ditch, as occurred in this case.¹⁴

Finally, Mr. Moorehead claims that, after the *supposed* murder, he drove back to Kettering before returning to Steubenville. This makes utterly no sense, given that Ms. Anderson's body was discovered in a Ross County ditch and the juxtaposition of Jefferson, Montgomery, and Ross Counties.

It is useful to compare the above-described proposed Moorehead alternative suspect evidence with the alternative suspect evidence from *State v. Gillispie*, 2012-Ohio-1656 (2d Dist.), in which the Second District

¹¹ It should not be lost on anyone that the State's case is built upon, among other things, Shannon Anderson's considerable blood evidence in the Master Bedroom of the Residence she shared with Mr. Link, including on a blood-soaked mattress.

¹² Based on the credible testimony of Detective Stout at Mr. Link's January 27, 2025 Bond Hearing.

¹³ See <https://www.weather.gov/wrh/Climate?wfo=iln>.

¹⁴ Again, based on the credible testimony of Detective Stout at Mr. Link's January 27, 2025 Bond Hearing.

found that Mr. Gillispie presented sufficient newly discovered alternative suspect evidence in support of his motion for a new trial.¹⁵ In *Gillispie*, the defendant, accused of three rapes, identified an alternative suspect for the crimes where the evidence indicated that the alternate suspect's physical description resembled the victims' descriptions and composite sketches, along with evidence of statements made by the alternative suspect similar to the statements attributed by the victims to Mr. Gillispie, such as the claimed assailant's name, and that in another situation, the alternate suspect had posed as a police officer to handcuff and abduct a woman from a parking lot in a method similar to the abductions and rapes of two of the *Gillispie* victims to whom the assailant claimed to be store security.¹⁶ The Second District found that this evidence tended to create reasonable doubt that Mr. Gillispie had committed the offenses.¹⁷

Here, the Court *expressly* finds that Mr. Moorehead's statements about the *supposed* murder of an unknown, unidentified woman he picked up on a Kettering street on some indefinite date are utterly speculative and too remote to find a sufficient connection to Shannon Anderson's murder, much less create reasonable doubt whether Mr. Link murdered Shannon Anderson.

Based on the foregoing, the Court **GRANTS** the State's Motion as to Mr. Moorehead, and rules that any alternative suspect evidence relating to Mr. Moorehead is **INADMISSIBLE**.

As to any other evidence Mr. Link would offer relating to any other alternative suspects, the Court will apply the foregoing analysis and authority at such time as such evidence is proffered in determining its admissibility. And, in any event, if Defense Counsel intends to offer such alternative suspect evidence, the Court reminds Defense Counsel to first advise the Court of his intent in a sidebar conference in order that the Court may give the matter the proper consideration it deserves.

SO ORDERED:

JUDGE STEVEN K. DANKOF

¹⁵ *State v. Gillispie*, 2012-Ohio-1656 (2d Dist.).

¹⁶ *Id.*

¹⁷ *Id.* at ¶ 59.

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General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

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