

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

STATE OF OHIO

CASE NO. 2024 CR 3226

Plaintiff

JUDGE STEVEN K. DANKOF

v.

**JONATHAN ERIC LINK
Defendant**

**STATE'S MOTION IN LIMINE
Re: Alternative Suspect**

The State anticipates Defense may pursue an alternative suspect defense and seek to introduce what is often referred to as Reverse 404(B) evidence relating to Steven Moorehead, or potentially others. The State asserts, as set forth in the attached, that Defense will fail to meet the relevancy threshold to introduce any evidence of statements or acts of Steven Moorehead. Nor does the State believe there is relevancy to introduce statements or other bad acts of any other individual that defense may seek to label as Alternative Suspects. If irrelevant, such testimony should be excluded as it would only seek to confuse the issues before the jury.

In the event that the Court does find there is potential relevancy to such evidence, a conference with the Court and counsel could be of assistance with respect to the manner and scope of evidence to be admitted by Defendant, or by the State to rebut the assertions.

Respectfully submitted,

MATHIAS H. HECK, JR.
Prosecuting Attorney

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MEMORANDUM

The State acknowledges that the leading, mandatory authority with respect to Alternative Suspect, or Reverse 404 (B) evidence is set forth in *State v. Gillispie* (April, 13, 2012), Montgomery App. 24456. *Gillispie* carves an exception akin to a hearsay exception with respect to alternative suspects type of testimony. The State disagrees with the reasoning of *Gillispie* as it relates to admitting what would otherwise be hearsay, and will object for the appellate record, but understands the Court must follow mandatory authority if the evidence is otherwise deemed relevant.

Relevance is the threshold for all evidence. As the Court is aware pursuant to Evid R. 401 and 402 evidence is relevant if it has any tendency to make a fact of consequence more or less probable. Relevant evidence is admissible, irrelevant evidence is not. The State asserts in this case Defense will be unable to show the relevancy of any evidence regarding Steven Moorehead or any other alternative suspect. As set forth below, investigators did look into Moorehead, an individual who claimed responsibility for several deaths in early August 2001 of women in the Steubenville Ohio area, and one near Columbus. In 2001 there were allegations in the media by those not familiar with the facts of the Shannon Anderson investigation that Moorehead could have been taking responsibility for her death. As noted below, when officers familiar with the facts of the Shannon Anderson case interviewed Moorehead, and reviewed his statements, it becomes clear that he had no knowledge of this case.

When speculation and rumor is removed, and the words of Moorehead are reviewed- the State asserts that there is no evidence by which a reasonable jury could find that his statements relate to Shannon Anderson. As such this type of evidence would have no relevance and only serve to needlessly confuse the issues before the jury.

Some discussion of the timeline of this case will put the State's argument in perspective. Shannon Anderson was last seen by co-workers, her children, and Defendant on July 28, 2001. Her decomposed body was located in a ditch on a farm road in Ross County on August 16, 2001. Residents report the smell of decay in the area of the ditch on August 1 or 2, 2001. The body of the deceased is ultimately located on August 16, 2001 by town trustees. It was not until after the body was identified, and the Defendant's residence subsequently searched locating blood splatter on the closet, dresser, entertainment center foot, and the ceiling, and Defendant and the Victim's blood-soaked mattress recovered that the location of the homicide was learned- the bedroom Defendant shared with the deceased.

Meanwhile on August 20, 2001, in a small town in Indiana, Cloverdale Police, in Putnam County, an individual named Steven Moorhead, now deceased, was arrested for a disturbance he caused in a bar. During the August 20, 2001 arrest, which was recorded on cruiser camera, Defendant makes admissions to killing someone. During the course of that interaction with officers, Moorehead indicates he had killed two or three women three or four days ago; in the same discussion, he increases the number to five, six or seven victims all killed in the same vicinity: Tweed Avenue, Steubenville, Ohio. He claimed all of his killing was done with a 9mm gun. Those recordings have been provided in discovery.

On August 21 and August 22, 2001 Moorehead was interviewed by Putnam County Sherriff's office. Those interviews were recorded and transcribed. Kettering law enforcement was able to retrieve those recordings and transcripts and they were provided with the original discovery.

During the August 21, 2001 interview, Moorehead told officers that around August 8, 2001 he went see his parole officer and was drug tested, he knew he would fail because he had been using crack cocaine. That led him on a drug-induced killing spree. He spoke of killing three women and letting a fourth woman one go because she was pregnant. All of these women he took to the same location in Brilliant, Ohio, by the river All he killed with his 9mm gun.

After that interview he asks to be interviewed again, and is again interviewed by the Putnam County officers on August 22, 2001. He had tested positive for drugs from his urine test, and was told to meet with his probation officer on August 10, 2001. He indicated he knew he was going back to prison. Because of his impending probation revocation he started drinking and partying which led to him taking these women to the isolated location in Brilliant to kill them. Moorehead named Becky, later determined to be Becky Mitchell, as the first woman he murdered. He indicated that he victimized all of these women within less than a 24-hour period. There is no mention of anything about Ross County, Montgomery County, Shannon Anderson or anything similar during those interviews.

On August 23, 2001 Jefferson County Sherriff Abdalla and Deputies M. Wilson and K. Santoro transport Moorehead to Jefferson County Ohio. While enroute Moorehead discusses a female he had killed approximately two weeks ago. This was not a recorded conversation.

After Moorehead's arrival in Jefferson County, Ross County Sgt. Kevin Pierce and Captain Mosley interviewed Moorehead. A transcript was recovered with respect to this interview, the audio is believed to have been destroyed in a flood in the Ross County property room. Sgt. Pierce was directly involved in the recovery and investigation of the decomposed victim who was ultimately identified as Shannon Anderson and will be a witness in the upcoming trial. Sgt. Pierce and his partner, were the only officers to interview Moorehead, who had actual firsthand knowledge about the manner in which Shannon Anderson was located and killed.

Although not in his initial report, when Sgt. Pierce sat down for the interview with Moorehead, before the recording device was turned on, and thus before the transcript began, Sgt. Pierce first showed Moorehead a photo of Shannon Anderson. Moorehead told him to put the photo away because he "did not do blondes." When Det. Stout took over the investigation of this case Sgt. Pierce relayed this information to Det. Stout and showed him his original file, that still contained the photo of Shannon that he had used. Further in that file Det. Stout found hand-written notes from the interview with Moorehead that said "No idea who she is" and "waste of time." Although the interview continued, the time-line Moorehead provided and the details he provided did not match the details of the instant case.

Once law enforcement identified Shannon Anderson as the decomposed body as Shannon Anderson, they searched her home. As the Court is aware, during that search there was blood located on the ceiling, in various places in the room, and on a mattress. To confirm the bedroom was the murder scene, that blood was tested against Shannon Anderson's DNA, since Moorehead was a name in the investigation his DNA was also compared at that time, and his DNA was not located at the murder scene. Out of an

abundance of caution as TCSU and Det. Stout reviewed this case in the 2020 era, Shannon Anderson's DNA was compared to items in Moorehead's car, and her DNA was not found.

Moorehead essentially has become a red herring in this investigation. Certainly the State anticipates defense will try to introduce him in this case. However, unless and until Defense can show some link, so to speak, beyond mere speculation by entities who were not familiar with the facts of the case, between statements by Moorehead and Shannon Anderson's death the State moves to exclude that evidence as irrelevant.

If the Court believes there is relevancy, a conference with the Court and Counsel would be of assistance. The discovery in this case includes recordings from Defendant's arrest, reports, recorded interviews, notes and transcripts. It is possible, if deemed relevant, a discussion could result in a mutual agreement as to how that evidence would be admitted by either defense or the State.

Respectfully submitted,

MATHIAS H. HECK, JR.
Prosecuting Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on date of this filing, this document was electronically filed via the Court's authorized electronic filing system which will send notifications of this filing to DENNIS LIEBERMAN, Attorney for Defendant.

/s/ Jacob P. Mosher