

STATE OF ILLINOIS PRISONER REVIEW BOARD

IN THE MATTER OF:
HERBERT WHITLOCK

)
)
)
)
)
)
)

Docket # 24067

RECEIVED
JUL 23 2013
PRISONER REVIEW BOARD

AFFIDAVIT OF WILLIAM CLUTTER

1. I am a licensed private detective (IL Lic. #115-001630). I am Director of Investigations for a national project called Investigating Innocence. The mission of our not-for-profit organization provides investigative support to indigent inmates, lawyers and Innocence Projects throughout the United States who seek to prove post-conviction claims of actual innocence.
2. I began conducting the post-conviction investigation for the death penalty appeal of Gordon "Randy" Steidl in Jan. of 1992, working as an investigator for attorney Michael Metnick. Mr. Steidl had been condemned to death in 1987 for the murders of Dyke and Karen Rhoads in Edgar County, Paris, Illinois. In 2003, federal Judge Michael P. McCuskey ordered the reversal of Mr. Steidl's conviction. Mr. Steidl was released from prison on May 28, 2004. On March 27, 2013, US Federal District Judge Harold Baker entered a final order in Mr. Steidl's civil case against the City of Paris and Edgar County that asserted a claim of actual innocence, effectively ending all litigation in the civil case through an out-of-court settlement of their claims.
3. I also directed the post-conviction investigation for Herbert Whitlock (Mr. Steidl's co-defendant), who was also convicted of the murder of Karen Rhoads. Mr. Whitlock was acquitted in 1987 of the murder of Dyke Rhoads in a compromised jury verdict. Working with his attorneys Richard Kling and Suzanna Ortiz, my investigation provided additional evidence exonerating Mr. Whitlock. In reversing Mr. Whitlock's conviction, the 4th Dist. Appellate Court relied on and cited my investigation. Herb Whitlock was released from prison on Jan. 8, 2008. He too, filed a civil lawsuit and received a settlement of his claims of being wrongfully convicted.
4. On April 27, 2011, I traveled to Livingston, Texas and interviewed death row inmate Tommy Lynn Sells. Mr. Sells is a convicted serial killer who resided in Missouri during much of his life. During my interview Mr. Sells provided

information and admissions that convinces me that he was the person responsible for the murders of Dyke and Karen Rhoads.

5. Tommy Lynn Sells grew up in Holcomb, Missouri, an area near the Mississippi River in the southeast part of the state in an area known as the "Bootheel". He is currently under a death sentence for the murder of Kaylene Harris that occurred on or about Jan. 31, 1999, in Del Rio, Texas; and for a the April 1999, murder of Mary Bea Perez in Bexar County, Texas.
6. After his arrest in Del Rio in January 2000, Sells confessed to the murder of Kaylene Harris. Sells claimed that he committed the murder because the father owed a \$5,000 drug debt. He then began confessing to other murders. Sells claims to have killed as many as 70 people over a twenty year period beginning when he was a teenager. Sells stopped cooperating with Texas Rangers during an incident that occurred in Winnemucca, Nevada, while attempting to locate the body of one of his victims there. Sells was upset over a scuffle with a correctional officer, after he had to be forcefully subdued. He declared to Texas Rangers that there were more murders he committed that they had yet to talk about.
7. I began my investigation of Tommy Lynn Sells in March of 2000, after reading media reports of his confession to the murder of the Dardeen family from Ina, Illinois. The Dardeen family, a wife and husband, a child and an infant, were murdered by Sells on Nov. 18, 1987. I first heard about the Dardeen case in Nov. 1988, when I read an Associated Press story about the one year anniversary of the murders. Not long after reading this article I had a conversation with a client from that area who had been charged with trafficking kilos of cocaine. My client had been involved in transporting cocaine from Florida to the area of Olney, IL during the mid 1980's. He lived not far from Ina. He asked me if I had ever heard of the Dardeen murders. He told me that the "rumor" was that the murders were drug related. He then began to tell me that the husband's penis had been severed and stuffed in his mouth and that the victim's car was parked in Benton, IL where the federal courthouse is located "to send a message". I knew from my previous work on a major drug conspiracy case that was tried in federal court in Benton, in the Spring of 1986, that there was a wide-ranging federal investigation of narcotics trafficking, and that this investigation involved cooperating informants from the area of western Indiana and eastern Illinois in the southern part of those states. I also knew from the discovery from the federal conspiracy case that that unindicted co-conspirators resided in the Danville, Illinois area, in close proximity to Paris, Illinois.

8. The month before reading about Sell's confession to the Dardeen murders in Ina, Illinois, I received information that a confidential informant had provided new evidence to federal prosecutors in Peoria, Illinois, concerning the murders of Dyke and Karen Rhoads. This informant stated Randy Steidl was innocent, and that the murders were carried out by members of the Sons of Silence motorcycle gang from Paris, IL. This informant was the ex-wife of Herbert "Duke" Board Jr. She provided information that re-opened a homicide investigation of an unsolved double murder that was believed to have occurred in Paris, Illinois in 1984. This unsolved case involved the murders of rival Diablo motorcycle gang members Gilbert and Lanslaw. They were last seen at a bar in Terre Haute, Indiana on Sept. 18, 1994, that served as the clubhouse for the Son's of Silence motorcycle gang. Their van was discovered abandoned with blood inside just across from the Illinois border in Indiana. Their bodies were never found. Later that year, Herbert Board and his brother Jerry were indicted for the murders of Gilbert and Lanslaw based on the re-investigation of the case from the information that was provided by this informant.
9. After receiving this information, on March 2000, I wrote a letter to Sam Nolan, Director of the Illinois State Police requesting that they reopen their investigation of the Rhoads homicide case in light of this informant's information. I subsequently interviewed the ex-wife and had the impression that these statements she alleges were made by her ex-husband were designed to intimidate her. In the context of telling her that he was involved in the murders of Dyke Rhoads she told Sgt. Mike Britt of the Illinois State Police on May 21, 1999, that Dyke's penis was severed and stuffed in his mouth. (See Ex. #1) ISP dismissed this statement as being inconsistent with the crime scene evidence in the Rhoads case. However, I recognized this statement as being consistent with the facts of the Dardeen case, as related to me by my former drug trafficking client.
10. After Sells was arrested for the Del Rio, Texas murder, an investigator with the Illinois State Police contacted Texas Rangers to inquire whether Sells ever spoke of killing a family in Illinois. On Feb. 21, 2000, "Sells suddenly volunteered that he had murdered a family somewhere," according to a report prepared by Texas Ranger. It goes on to report that on March 1, 2000, Det. John Kemp of the Jefferson County Sheriff's office and two other investigators from the Illinois State Police interviewed Sells regarding the Dardeen murder. "Sells was able to provide sufficient details to convince Kemp and other investigators that only he could have been responsible for the Dardeen quadruple murder," according to the Texas Ranger report. (See Ex. #2)

11. On April 27, 2011, I traveled to the Polunsky Unit in Livingston, Texas, where I conducted an interview of Tommy Lynn Sells. Prior to the interview I sent Sells a letter and enclosed photographs that I got from his sister-in law of the wedding reception that was held in St. Louis on June 14, 1986. I sent photographs of the wedding based on advice I had received from an investigator with Texas Rangers. The investigator told me that in their experience, showing Sells photograph helped to refresh his memory. My intention was to have Sells recall where he went in the weeks that followed his brother's wedding reception.

12. On May 13, 1986, Sells was released from the Missouri Department of Corrections. After his release from prison, he moved into an apartment in St. Charles, MO, with his brother Timothy Sells and Tim's fiancée. On June 14, 1986, Sells, pictured below, attended his brother's wedding reception at a riverfront hotel in St. Louis. After the reception he left and disappeared, according to his family. Paris, IL is approximately 166 miles from where Sells was last known to reside.



13. As I began the interview I avoided telling Sells any details about the crime that I was investigating. I began the interview by asking him questions about his confession to the Dardeen murders. Sells stated that he gave police false information about his motive for killing the Dardeen family because he did not want them to know that the murder was related to organized crime. Sells stated, "I told police about truck stops and railroad tracks because I wanted them to think I was a drifter. I didn't want police to think it had to do with organized crime". Sells admitted during my interview that the Dardeen family had been targeted. He said that he waited and watched the home for some time before he went in. "When you step in the ballpark you better be ready to play. You bring yourself down, your wife down, even your kids. He's lucky it stopped at his family." The tone of Sells voice had changed when he said this. It was conveyed in a serious tone. His statement confirmed the fear that Ruby Dardeen's aunt had about talking about the case. Her fear was genuine.
14. During the course of my investigation of Sells, true crime writer Diane Fanning informed me that the family of Ruby Dardeen was reluctant to cooperate with her because of their fear of the mafia. She provided me email correspondence she had with the maternal aunt of the murder victim Elaine "Ruby" Dardeen. On Nov. 23, 2004, I conducted a phone interview of this witness. She informed me, "My family would not want to get involved. We are afraid of the mafia."
15. The mother of the murder victim Keith Dardeen informed me that Ruby may have worked at Joe's Pizza in Olney, IL, at one time. This remains unconfirmed. The owner of the Olney pizza parlor, Giuseppe "Joe" Trupiano, was also a co-defendant in the Pizza Connection case that also included his cousin Joe Vitale who operated a pizza parlor in Paris, IL. They were both nephews of Gaetano Badalamenti, head of the Sicilian mafia.
16. I told Sells that I know he was not in the habit of carrying identification when he encountered police. I asked him, what alias did you use? Sells replied, "I liked to use Tony, Ricky, Richard. I used Ricky and Richard a lot". I did not reveal any information about the "transient" who checked into the Hotel France right before the murders of Dyke and Karen Rhoads.
17. The guest list of three hotel registries in Paris were checked as part of the original police investigation. The Hotel France had only one guest registered on July 5, according to agent T. Snyder's report: "**RICHARD SMITH**, R.R. 1 Paris, no vehicle information." The hotel, according to sources, was nearly vacant and was later remodeled not long after this. (See Ex. #3)



The Hotel France, pictured to the left, located at 118 E. Court Street in Paris, is three blocks away from the scene of the crime. Dyke and Karen Rhoads lived at 433 E. Court Street. Remodeled, the building is used as offices and assisted living facilities today.

18. Sell's answer to my question about his use of alias confirmed that the name "Richard Smith" was actually Sells. When I asked him what last name he would give, he avoided answering my question.

19. "Richard Smith" was the first suspect Agent Jack Eckerty of the Illinois State Police began investigating as the murder suspect. According to recently discovered evidence, the first suspect in the Rhoads homicide investigation was a "drifter" who had been picked up by the Paris Police Department and checked into the Hotel France, in the early morning hours before the murders of Dyke and Karen Rhoads. The hotel is three blocks from the scene of the crime.

20. I first became aware of this information on Jan. 3, 2008, several days before Herbert Whitlock was released from prison. I was asked by attorney Michael Metnick to review the Steidl file on a matter related to the civil case that was pending. I came across a letter written by Randy's mother to her son's trial attorney John Muller. Dated April 5, 1987, the letter described the details of an interview Mrs. Steidl and Emma Whitlock (Herb's mother) conducted of Sara Gordon, a hotel clerk at the Hotel France:

Mrs. Gordon told us the following: On the night of July 5th, 1986, "the police" called her saying this particular "transient" was on his way to the hotel, advising he is not to leave. . . . The police called again the following morning asking "did he leave during the night?" She replied "Yes." A maid told her "his room had considerable beer cans in it" . . . His room # was 114 . Rev. Gary Sheets pays for and is suppose to have all transient registry slips. (See Ex. #4)

21. The police reports of the Rhodes homicide investigation failed to include this information. The fact that a transient from the Hotel France was the first suspect in

the murder investigation was omitted from the police reports that were tendered in discovery.¹

22. I consider this information significant, because I knew that Tommy Lynn Sells traveled between towns as a “drifter” and one of the reasons he was able to elude police was because he always fled the area after his crimes were committed.

23. The fact that there were a number of beer cans in the transient’s room is also significant. There were two Budweiser beer cans collected by crime scene investigators in close proximity to the Rhoads home. Police “found a Budweiser beer can . . . in the Church trash can at High and Wood St [a block from the crime scene]. This was the only thing that was not burned in the can. This was the same kind of beer can as alongside the street on the north side of the crime scene. These were all collected for possible identification.” This evidence was sent to the crime lab, but technicians were unable to find any fingerprints.

24. I was able to confirm that it was the policy of Paris Police to place transients in local motels using funds from the Salvation Army that was administered by the Nivins Christian Church, 17475 E 390th Rd., Paris, IL 61944. Reverend Gary Sheets was the pastor. The “RR 1 Paris” address listed on the hotel registry is the rural route address for the Church.

25. After Herb Whitlock was released from the Edgar County jail on Jan. 8, 2008, I went to interview Sara Gordon. She was living in a high rise apartment, but due to dementia from advanced age she was unable to provide any memory of the “transient” who checked in to the Hotel France.

26. Police radio logs from the early morning hours of July 6, 1986, confirm the information about the transient “Richard Smith” through the daily activity reports from the Paris Police Department:

At 12:05 a.m. on July 6, 1986 [Capt. Lindley and Off. **Sollars** on duty, TC Camp at the desk] “Richard Smith on sta wishing to speak with Parrish. Called Jim, Smith spoke with him and adv. Parrish will be on his way in. Smith waiting in squad room.”

¹ I suspect that this information was intentionally left out of the police reports based on a pattern of Brady violations that occurred in this case. The conviction of Whitlock was vacated by the 4th Dist. Appellate Court based on Brady violations. Edgar County State’s Attorney Michael McFatrige had his personal secretary typing the investigative reports of Agent Jack Eckerty of the Illinois State Police. In the spring of 1986 (before the Rhoads homicide), Herbert Whitlock and Randy Steidl provided information to the FBI alleging that State’s Attorney McFatrige was involved in protecting gambling in taverns and drug distribution in Paris. During the course of my investigation I learned that Michael McFatrige resigned as State’s Attorney based on an allegation that he was involved in the usage of drugs.

1:10 a.m. "Parrish on sta with Richard Smith."

1:31 a.m. "Sollars out at France Hotel to see if they have a room for the night for Richard Smith, at the req of Parrish."

1:48 a.m. "Parrish adv Smith has been delivered to France Hotel. Also authorized bus ticket to Hammond Indiana."

9:32 a.m. "Eckerty called, advised to advise SA of possible double homicide//Advised SA Parrish advised to contact France Hotel, see if Richard Smith left anytime during the night//Called hotel, they advised if he left during the night they would not know, he did leave approx. 9 a.m. to catch a bus//Advised Parrish." (See Ex. # 5)

27. The last entry was made four and half hours after fire fighters were called to the home of Dyke and Karen Rhoads. The house had been set on fire by the killer. Whether Richard Smith actually left at 9 a.m. to catch a bus was never confirmed. A gas can was found in the garage, and an empty gas can was found abandoned along the railroad tracks leading out of town. Sell's was known to hop freight trains to make his escape after committing a crime. Whether the transient left by train or by bus is not something that the police investigation ever determined or documented.

28. I told Sells that I had information that he once lived in Little Rock, Arkansas in the early 1980s, and that he had been involved with drug dealers there. He said this was true. He stated that he ran weed and cocaine into Missouri, Illinois, and Indiana. When I asked him where in Illinois he delivered drugs, his first response was Terre Haute, Indiana. "I got solid friends there". He stated, "There's (sic) some groovy underground nightclubs. If you associate with the right people you get the keys to the city," he said. He stated that it was a member's only type of nightclub. I asked him what else he can tell me about the nightclubs in Terre Haute. Sells stated, "Now you want me to bring down people you don't want me to bring down". Sells then made the statement, "The nightclubs are almost mafia like".

29. Sells was able to sense that the mention of Terre Haute had my attention, as I asked him more questions about his time and travels to Terre Haute. At one point Sells declared, "Terre Haute, that's fucking with you now". The way he said this, and the expression on his face gave me the distinct impression that he knew more but enjoyed toying with me. I asked Sells what was his reluctance to talk about this case. He replied, "It'll go back to the Dardeens if I do". I commented, so the two cases are related. "There're not related", he said, "but the person who knew me turned the person on to get the other one done".

30. I asked him again about what alias he would have given police if they encountered him. I asked, "What last name did you like to use"? He refused to answer the question. "Put a period by it, that's where it stops", he declared. Sells then stated, "It fucks with you a little doesn't it"? I responded, "How so?" "Cause you know I know", he said. "I'm batting 100%." I told him he was. "You know these answers are right", he said.
31. Sells stated that he would prefer talking to a woman rather than a man. He made a crude remark objectifying women. He stated that he didn't care about my clients in prison who may be innocent. He wanted to see a woman. I told him that one of the attorneys on the case is a woman. She might be interested in hearing what he had to say. He stated that he would tell her what he knows.
32. I left the interview feeling disappointed that he had not fully confessed, but what he did tell me confirmed my suspicions that he was the drifter at the Hotel France who was the first person police suspected of the murders of Dyke and Karen Rhoads.
33. When I returned to my office on Saturday, May 7th, 2011, there was a letter on my desk from Sells. The date on the letter was the same the same that I visited him at the prison. He must have written it after I left: "4-27-11 Bill, all I'm going to say is: keep asking if you new (sic) Karen for a reason. See your lawyer friend soon. P.S. Eifel tower nice this time of year. You ever been?" (See Ex. #6) His reference to the Eifel Tower indicated to me that he was letting me know that he was the one who committed the Paris murders of Dyke and Karen Rhoads.
34. On May 15, 2011, Sells wrote another letter to true crime author Diane Fanning. He mentioned my visit to the prison. She called me and provided a copy of his letter. Sells wrote:

Two or three weeks ago a Cat from IL shows up asking me about another murder he thinks has some kind of Tommy traid (sic) mark on it . . . And of course I gave him anouth (sic) to say mmmm? This Mufucker (sic) know's (sic) about this. But pointed out to him he don't have a set of tits that I want to look across at-and if he wanted me to open up I perfur (sic) to talk to a woman. . . I'm sure you know of the murder(s) it was a couple. Man and woman. Nothing like creeping in a dark bed room late at night with a man & woman sleeping nacked (sic). But that's the past. I don't even think of that kind of shit no more. Just what once was is no longer. But

you can bet your sweet self that I'll not talk to no more police or get drag back in a court room. (See Ex. #7)

35. Sell's letter to Diane Fanning provides accurate details of the murders of Dyke and Karen Rhoads. They were murdered at approximately 4 a.m., which is the time that a neighbor was awakened by a woman screaming. A few minutes later (at 4:39 a.m.) the neighbor unable to sleep after hearing the screams, heard the crackle of fire and the sirens of fire trucks. A pillow was found covering the face of Karen Rhoads. She had defensive wounds on her left hand, as if warding off knife blows. She had time to reach for her glasses on the night stand. The broken arms of her glasses were under the pillow that was found covering her face. She was lying on her back on the floor at the foot of the bed. There was evidence of a struggle on the mattress, which was turned slightly counter clockwise. Karen's husband slept closest to the door. The majority of stab wounds to him were to his back. He was known to sleep on his stomach, according to his family. A blood trail arcs across the night stand on his side of the bed and leads to where he collapsed near the bedroom door. Both bodies of the newlywed couple were nude. These are details of the crime that Sells has knowledge of. His letter to Fanning also confirmed that he was purposely withholding these details when I interviewed him, but knew he said enough about the alias he used and the connection to Terre Haute that convinced me that he was the one.
36. Our investigation of the Rhoads homicide determined that a large butcher knife found in the kitchen sink was consistent with both the depth and width of the incised wounds. According to forensic pathologist Michael Baden, this butcher knife was a perfect match to the weapon that was used to kill both victims. It was likely washed of blood and left in the sink. It was collected by police, but was never forensically tested for trace evidence. The use of a knife from the home of the victim is consistent with Sell's modis operandi in a number of his other crimes, including the murder of Joel Kirkpatrick, and Kaylene Harris.
37. The time of the murders occurring at 4 a.m. is another modis operandi of Tommy Lynn Sells. The time of intrusion into the homes of Joel Kirkpatrick and Kaylene Harris, and other victims, also occurred around 4 a.m.
38. There is evidence in the Rhoads case that the murders may have been arranged through members of the Sons of Silence motorcycle gang members from Paris, IL. They were known to frequent a particular bar located in Terre Haute, IN. In April of 2000, I met with Lt. Michale Callahan, Commander of Investigations in the Champaign office of the Illinois State Police. Based on his investigation, Callahan became convinced that Duke Board Jr., a member of the Sons of Silence had some degree of involvement in the Rhoads murders. Karen Rhoads was employed at Morgan Manufacturing Inc. in Paris, IL. A week before Karen Rhoads was murdered she reported to friends that she had witnessed her boss Robert Morgan and another associate "Smoke" Burba loading a large sum of cash and machine

guns in the trunk of his car, headed to Chicago. (See Ex. #8, ISP report of Agent J. Eckerty pp. 6 and 12) She thought it was unusual, since the company did not deal in cash transactions. Karen Rhoads' employer had once lived in Danville, Illinois, and had been convicted in federal court there of bootlegging distilled alcohol that had been diverted from Kraft Foods in Champaign. Morgan moved to Paris and incorporated his business Morgan Manufacturing Inc. in 1978. His business recycled scrap cheese which he used to make animal feed.

39. Morgan Manufacturing Inc., where Karen Rhoads worked, was incorporated the same year the mafia Pizza Connection conspiracy began. The conspiracy was discovered by FBI agent Joseph Pistone, known by the undercover name Donnie Brasco. Morgan Manufacturing Inc. was located directly behind the pizza parlor on the south edge of Paris owned by Giuseppe "Joe" Vitale. Vitale's uncle, Gaetano Badalamenti, was head of the Sicilian mafia and was the mastermind of a drug smuggling operation. Heroin from the Middle East was transported to Sicily, where it was imported to New York. The pizza parlor in Paris, and in other locations throughout the country, served as distribution centers where heroin was transported from the base of operations in Brooklyn. Cocaine smuggled from Central America was also part of the Paris conspiracy, brought to Illinois from Miami, Florida. The proceeds of the profits were laundered through the pizza parlors. The trial of Vitale began Oct. 24, 1985, and ended in a guilty verdict on March 2, 1987. Rudolph Giuliani was the US Attorney, and the lead prosecutor was Louis Freeh, who later became FBI Director. Two of the defendants were murdered in the middle of trial. Vitale's cousin, Pietro Alfano, was shot and nearly killed in Greenwich Village on Feb. 11, 1987. Vitale was sentenced to five years in prison on June 22, 1987. The Pizza Connection case was the largest organized crime prosecution in US. history.

40. Dyke and Karen Rhoads were murdered during the middle of the Pizza Connection trial. According to the FBI, their investigation of Vitale was never able to determine exactly how the drugs had been transported to Paris, IL. Morgan Manufacturing Inc. operated a small fleet of semi-truck trailers that delivered its products throughout the United States. Duke Board Jr. worked at Morgan Manufacturing Inc., while his first wife worked at Joe's Pizza Parlor in the early 1980s, according to divorce records. The Son's of Silence motorcycle gang were likely partners in the drug conspiracy, serving as a distribution network for drug trafficking.

41. Larry Marshall, who represented Randy Steidl in his habeas appeal, received a letter from a woman who reported that a former boyfriend who lived in the boot

heel of Missouri had been contracted to kill Dyke and Karen Rhoads. She said he committed the murders with another man named Tommy Lynn Sells. Sells grew up in the boot heel region of Missouri.

42. In April of 2003, during a discussion with a former crime scene investigator who had retired from the Illinois State Police, I mentioned that we received information that Tommy Lynn Sells and another individual had been contracted to commit the Rhoads murders in Paris. As I was telling him about Sell's confession to the Dardeen murder he indicated that he was very familiar with that investigation. Later, I was shown but was not allowed to copy handwritten notes prepared by during the course of the Illinois State Police investigation from the Dardeen case file. According to the case notes: "Keith informant Indiana area" The notes also noted as a source of information a newspaper article "Pizza Connection Olney, Mark Cowling Evansville, Sunday Courier, 1/31/88."

43. As part of my investigation, I met with the mother of Keith Dardeen. She has been advocating for the prosecution of Tommy Lynn Sells in Jefferson County for the murders of her son and family. She stated that investigators found trace evidence of adhesive tape around the wrists of her daughter-in-law Ruby Dardeen and her 3-year old grandson Peter. The duct tape had been removed by the killer after they were murdered. Both had been beaten to death with a baseball bat. During the beating, Ruby, eight months pregnant, went into labor. The new born baby, with the umbilical cord still attached, was also beaten to death. The baseball bat was found shoved into the birth canal. The mother, child and baby were side-by-side. Her son Keith was found in a field about a mile from their home. He died of a single gunshot wound to the back of the head. His penis was severed and stuffed inside his mouth. The family car that he drove was found parked near the courthouse on the square, 17 miles from where Keith's body was found. The inside of the car was bloodstained. These facts would suggest that the killer entered the home, bound the hands of the wife and three-year old child and waited for Keith Dardeen to come home. His wife and family were beaten to death, and the killer removed the duct tape, not wanting to leave trace evidence. They were either killed when Keith Dardeen came home (which would likely require at least another accomplice) or they were murdered before he arrived home and forced to see the bloody aftermath of the crime. He was then lead out at gunpoint to the car and driven to the field a mile from the home where he was killed. Although Tommy Lynn Sells has given different stories as to his motive for the murders, Texas Rangers told me they are convinced he is the killer based on his knowledge of details that only the killer would know.

44. During my interview of Sells he admitted that some of the details he told police about the Dardeen murders were "bogus". Sells said he lied about the motive. He said he told police that Keith Dardeen picked him up at a truck stop and solicited him to have three-way sex with him and his wife. He said that was a lie. He said he also lied to police about the reason for leaving the victim's car in Benton, IL. He said he told police that the car was parked at that location because it was close to railroad tracks so he could flee the area by hoping a freight train. Sells admitted, "I told police about truck stops and railroad tracks because I wanted them to think I was a drifter. I didn't want police to think it had to do with organized crime".
45. The Dardeen murders were committed a year and four months after the Paris murders of Dyke and Karen Rhoads. In June of 1987, six months before Sells committed the Dardeen murder he was living in an apartment located at 4020 Riverside Drive, in Coral Springs, Florida, a suburb of Miami. According to state police sources, Sells was driving Volkswagens between St. Louis, Missouri and the Miami area during this time period, and was suspected of being a drug mule.
46. During the course of my investigation, I developed sources that possessed letters written by Tommy Lynn Sells. One source was a man named Bob Schanz who lived near Branson, Missouri. Schanz began writing to Sells after reading about his confession to the murders of Ena Cordt and her five year old son that was committed in July 1985, in Forsyth, Missouri. Schanz believed that the murders were a contract killing. He believed that the man who contracted the murders was a former Las Vegas casino worker, who was allegedly involved in narcotics trafficking in southwestern Missouri. In a letter to Schanz dated April 2, 2003, Sells wrote:

I've only killed a fear (sic) few for money or drugs, that murder had both. Yes, someone pick me up at a drug rehabie (sic) center a few time and we go for (unintelligible) rids, (sic) Ena Cordt was pointed out to me. She was not just someone I ran into, No, I did not tell Don Swan [Taney County MO sheriff detective] all this. What I did tell Don was I kill them. Snithchen in my world on anyone besides yourself is a no-no. Ther (sic) is so much to this story I would like to do it in person if we can. Yes ther (sic) is other who put me up to it. . . I'll work with you anyway I can if I could see a picture of who you suspect I may be able to remember him.

47. The murders of Ena Cordt and her son occurred a year before the murders of Dyke and Karen Rhoads, while Sells was on parole from prison from an auto theft conviction.

48. The evidence against Tommy Lynn Sells is compelling that he committed the murders for which Herb Whitlock and Randy Steidl were wrongfully convicted.

Your affiant sayeth not.


WILLIAM R. CLUTTER

SANGAMON COUNTY }
 }
STATE OF ILLINOIS } SS

Signed and sworn to before me this 22nd day of July, 2013.


NOTARY PUBLIC

