

FKA
Forensic Services Inc.
Fran Kukla-Ali, President

WIDENER OFFICE
3704 Gedid Drive
Widener, WD 00001

Dear Counselor:

This letter contains my certified report of my analysis and conclusions with respect to the authorship and handwriting characteristics of the following document:

- Q1: Handwritten Note
- Q2: Envelope with Printing
- Q3: Page of Photographs with Handwritten Captions
- K1: Handwriting specimen sheet of Max Grabelsky
- K2: Eight Paid Checks (#s 101 – 108) drawn on the Account of Max Grabelsky

I examined original documents Q1, Q2, and Q3 at the Buffalo-Niagara District Attorney's Office. Item K1 is a document that was filled out by your client, Max Grabelsky at my office on August 19, 2009. Item K2 consists of eight paid checks brought in and given to me by your client on August 19, 2009. These items were provided as known samples of your client's unrehearsed handwriting.

I understand from our telephone conversations that Q1 and Q2 were obtained by the District Attorney's Office from the evidence unit of the Buffalo-Niagara Organized Crime Task Force (OCTF) and that Q3 was obtained by the OCTF from the home of Max Grabelsky.

My first order of business was to examine Q1 to identify its salient handwriting characteristics. I looked at how the individual letters were formed, their angle and direction of slant and how the letters comprising each word were connected (or not, as the case may be). I also examined the numbers that appear to represent a particular address. I examined this and all documents both with the naked eye and under microscopic enlargement. After examining Q1, I examined and analyzed the handwritten captions on Q3 using the same criteria and methodology. I then compared the handwriting on Q3 with the handwriting on Q1 to see if there were common patterns or characteristics between them. The handwriting on these two documents was also compared with the handwriting on the eight checks in K2.

I understand from our conversations that the authorship of these documents is not in issue. Nevertheless, one of my objectives in looking for common characteristics between and among the documents was to be verify your client's authorship.

I paid particular attention to the numbers representing years and ages that appeared on Q3 to evaluate their characteristics and to determine whether there were common patterns or stylistic consistencies between them. I then compared the numbers on Q3 with the numbers on Q1 to determine whether this evidence confirms or refutes your client's position that the address on Q1 is 76th Street rather than 19th Street. The numbers on these documents were also compared to the numbers that appear on the eight checks in K2.

On August 19, 2002, I had your client fill out K1 which is a handwriting specimen form modeled after forms developed by the FBI and the Secret Service. Its purpose is to obtain a sample of the subject's handwriting and printing of letters, words and numbers so that they can be examined in their own right and in comparison to other known writings of the same subject. The different words that appear on the form are designed for the subject to write all of the letters of the alphabet in different orders and combinations so that characteristics and patterns of the subject's handwriting and printing can be identified. While the form is filled out in a structured setting and format in which the subject is conscious about the writing process (as opposed to everyday writings which tend to be performed spontaneously), the form nevertheless provides a reasonably reliable sample or indicator of the subject's true handwriting and printing.

The handwriting on K1 was compared with the handwriting on Q1, Q3, and K2. The printing on K1 was compared with the printing on Q2. The numbers written on K1 were compared with the numbers written on Q1, Q3, and K2.

Findings and Conclusions

Q1: This is an entirely handwritten document that appears to be in the nature of a message. The letters are written in cursive rather than in printed form. The letters of the first word and in fact, of all the words, with the exception of "Branch" are connected in a continuous stroke from the first to last letters. The initials appearing at the bottom of the note are also connected with one continuous stroke. Those initials, like the introductory word at the top of the page, are connected with swirling loops.

The letters in Q1 are slanted somewhat from left to right and capital letters are used instead of lower case letters to begin the words "Street" and "Branch".

There are some inconsistencies in the way the same letters are written in different words. For example, the word "at" is written with a "t" that is partially crossed with a separate horizontal stroke on the right side of the vertical stem while the "t" at the end of "Street" is written in a continuous single stroke that flows horizontally in a wavy line to the right of the vertical stem. A similar but lower and slightly flatter configuration appears in the "h" at the end of the word "Branch".

The first word, viewed in isolation, appears, at first glance, to be either "cop" or "cap". As previously noted, the middle letter has loops on both sides written in a continuous swirling stroke that connects all the letters together. The loop on the left side is oval while the loop on the right side is smaller and more circular in shape. The second loop is similar in stroke and shape to the upper loop of the second letter of the initials at the bottom of the page. The middle letter of the first word appears almost heart-shaped on account of the bilateral loops. The right-side loop is somewhat lower than what is commonly associated (i.e. taught in elementary school), with a lower case "o" and somewhat higher than a lower case "a". In contrast the loop in the letter "o" in the word "now" is located at the top of the letter and there are no internal loops on either side. The loop in the letter "a" in the word "at" appears more towards the lower right side of the letter. The same is true for the letter "a" in the word "Branch". However, that letter has no visible inner opening probably because this note appears to have been written with a rather thick nibbed marker pen.

This rather dramatic looping characteristic of the first word of Q1 appears in very few of the other examined documents except perhaps in the second letter "o" of the word "Rolo" beneath the photo of the

football players in Q3. You'll notice that the second "o" at the end of the word finishes with a swirling coil that resembles a lower case letter "u" or even a pig's tail. Also, referring to K2, the "o" in "auto" on the memo line of check #104 has what appears to be a double loop. For these reasons I concluded within a reasonable degree of certainty that the second letter of the first word in Q1 is more likely an "o" than an "a".

After comparing the writing style and letter characteristics of Q1 and Q3, it is also my opinion with a reasonable degree of certainty that these two documents were written by your client. As a general observation, the formation of the letters, the way they are connected and their slight left to right slant all support this conclusion. More specifically, the capital letter "S" as it appears in the word "Strike" in both Q1 and Q3 is virtually identical in shape and style. That is, they have a "swan-neck" shape with a loop at the bottom which connects it with the next letter "t". Still on Q3, the capital "S" in the words "Stars" and "Spring" are configured in the same manner. Similarly, in K2, the capital "S" in "Support" on the memo line of checks #101 and 105 have this same configuration. It is also noteworthy that the "S" in "Strike" and "Stars" in Q3 are gratuitously capitalized like the "S" in "Street" in Q1. Also, the "m" in "me" in Q3 is also very similar to the "n" in "now" in Q1 in that both letters begin with a curved loop that starts above and behind the main body of the letter. This looping pattern is also evident in K2 on the first letter "M" in your client's signature on all of the checks and in the capital letter "m" in "march" on checks #s 101, 102, 103, 104 and in the capital "M" in "Mastercard" on check #102.

I should point out that Q3 and Q1 were written almost 30 years apart. While it is not uncommon for an individual's writing style to evolve or change somewhat overtime, your client's handwriting, for the most part, has remained remarkably consistent in style and letter formations. This observation is also supported by the writing on K1 and K2.

I also compared the printing on Q2 with the printing on the left side of K1 concluded with a reasonable degree of certainty that your client printed the words "Captain Kowalski" and "urgent" and that the printing on K1 is a reasonable representation of your client's printing. As a general observation, the printing on both documents is clear, crisp and legible. The "A's" in "Captain" and "Kowalski" on Q2 are all capitalized and they are pointed (rather than rounded off) as are the "A's" in "lane", "same", "Auburn" and "Attica" in K1. The only anomalies are the "A's" in "Agent" and "Correctional Facility" in K1 which are somewhat rounded off at the top. It is an accepted principle in the field of handwriting analysis that it is not uncommon for the same writer to have slight variations in style. The word "urgent" on Q2 is interesting in that while this word is printed, the first letter appears to have been written in cursive with a swooping horizontal line on the upper left side. This "u" is very similar to the "u" at the beginning of the word "Umpfrey" on K3. It should also be noted that the cursive capital "Z" on K1 is very similar to the capital "Z" in "Ziggy" and "Zeppo" in Q3. In addition, the letter combination "MG" that appears in your client's signatures on K1 and on all the checks in K2 is virtually identical to the initials appearing at the bottom of Q1. These letters are combined such that the "M" flows into the top loop of the "G" which then swoops down to form a larger loop at the bottom in a kind of an extended figure 8.

With respect to the address on Q1, it is my opinion within a reasonable degree of certainty from my analysis of the documents that it says "76th Street". The basis for this opinion is my examination of these numbers in comparison to the numbers written on Q3, K1, and K2. As you will notice, the number "9" appears in three places in Q3: 1) under the top photograph in the year " "; 2) under the lower left photograph in the year " "; 3) and under the lower right photograph in the date " ". In each

instance, the number 9 is written with an open rather than a closed loop on the top and with a long vertical stem. The same configuration can be seen the number "9" written on K1 in the street address, "169 Lois Lane"; in the year of birth, " "; in the height, "5'9"; on the number line above the signature; on the date line, "August 19th " and in the address "9012 E. North Place, SE" on the right side of the form. The same is true in K2 on the date "March 9" on check #104 and the amount "1900.00" on check #106.

In contrast, the number "6" is written on Q1 with a wider open loop and a shorter stem. The same configuration appears in Q3 beneath the lower left photograph in the "(age 16)" entry under the word "me", and below the lower right photograph in the entry "(68th birthday)". This formation of the number "6" is also evident in K1 under the street address, "169 Lois Lane"; in the weight column, "165"; on the number line; on the date line, "August 19th, "; in the address "5678 S. West Blvd., NW" and "3456 W. South St., NE". The "9" and the "6" written on the date line (August 19th, 2) clearly illustrate the difference between your client's writing of these two numbers. This same pattern is also evident in the "O's" representing the year "20) on all of the checks in K2.

With respect to the number "1", it is evident from Q3 ("Fall 1974", "age 16", "Spring 1975", and "June 1997") and K1 (number "1" in the address "169 Lois Lane"; on the number line and in the date line, "August 19, 20 ", and the address, "1234 N. East Ave., SW") that your client writes his "ones" with a slight hook at the top left of the stem. This is also evident in K2 on the date "March 1" on check #101; in the amount "150.00" on check #102; on the date "April 10th, 20 " and amount "1900.00" on check #106; and in the amount "150.00" on check #108".

In some instances, such as in Q1: ("Spring ", "June "), and K1: ("1134 N. East Ave., SW" and "August 19th, 2 ") the number "one" is almost indistinguishable from the number "7". In other instances, however, such as in Q3 ("Fall ", "Spring ", "June "), and in K1 ("7" on the number line), the number 7 has a small vertical line or hook dropping down from the horizontal line to the left of the stem. This characteristic can also be observed in K2 in the date "March 7, 2 " on check #103.

At first glance, the first number of the address on Q1 could be construed as a "1" since the line coming off the vertical stem appears a wee bit short for a "7" and it slopes down at an angle instead of horizontally to the left. Also there's no small hook dropping down from the line. This same configuration is evident in Q3 in the number "one" in "age 16" and on the date line of K1, "August 19, 2 ". However, the "7" that appears in the date "April 7, 2 " on check #105 in K2 is virtually identical to the first number in Q1. Furthermore, it is my understanding from our discussions, that there were only two possible relevant addresses in this case, either "19" or "76". Inasmuch as the second number on Q1 is, in my opinion, a "6" and not a "9" based on the reasons cited above, it would make no sense for the first number to be a "one". Moreover, as noted above, it is not uncommon for individuals to have variations in their own style of writing especially when they are writing in a hurry.

Accordingly, it is my opinion within a reasonable degree of certainty that the message on Q1 states:

COP-

Strike now at 76th Street Branch!

M.G.

I hereby certify that I relied on sufficient data (re: handwriting exemplars), to form my opinion, I utilized the principles and methodology commonly relied on and accepted by experts in the field of handwriting analysis and that I applied these principles in this case in a reliable manner based on my over 25 years of experience in the field of handwriting analysis.

Thank you for referring this case to FKA Forensic Services, Inc. for forensic analysis. My invoice is enclosed.

Sincerely yours,

Fran Kukla-Ali

**Fran Kukla-Ali
President**

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In the area of handwriting identification and analysis, Fran is one of the top experts in the country. As a member of the FBI's forensic crime lab for almost ten years, Fran was called upon to examine thousands of questioned writings in order to determine their authenticity and source of authorship.

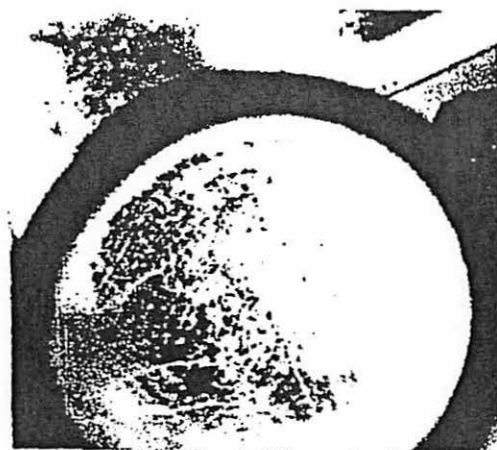


Fran has lectured on the subject of handwriting analysis at seminars, symposia and training programs sponsored by law enforcement agencies and private companies across the country. Fran is also the author of "The Write Stuff", a handbook on the methodology of handwriting analysis. Fran is also a distinguished member of the American Society of Questioned Document Examiners. He has also published articles on handwriting Analysis in the Journal of Forensic Science, The International Journal of Forensic Document Examiners and The Canadian Society of Forensic Science Journal.

Fran is also an adjunct associate professor at Buffalo-Niagara University where he teaches courses in Criminology, Forensic Document Examination and Forensic Accounting.

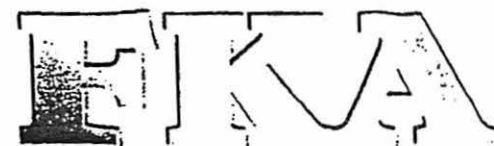


Expert Handwriting Analysis

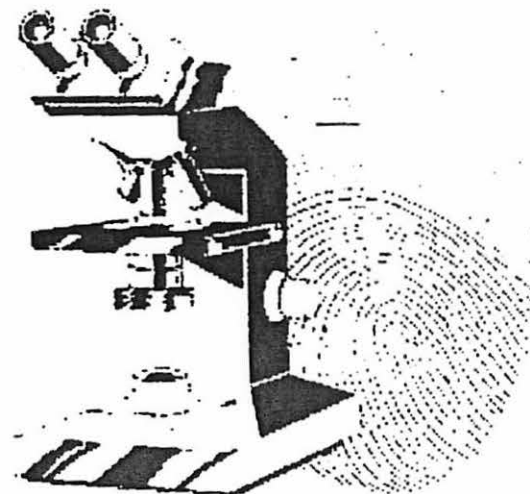


FKA...
Leading the way in Forensic Services
and Litigation Support.

For all your forensic and ligation support needs "call FKA right away" at
1-800-FKA-1957.
Email: FKAforensicservicesinc.org
(c) 20
Buffalo-Niagara



Forensic Services Inc.



Fran Kukla-Ali, President

1-800-FKA-1957


HANDWRITING SPECIMEN

Name MAX GRABELSKI			Case No. 155-06		
Street Address 149 LOIS LANE			Office FKA ENTERPRISES		
City BUFFALO - NIAGARA		State NEW YORK			
Place of Birth SAME			Arthur Bob Charles <i>Arthur Bob Charles</i>		
Date of Birth FEBRUARY 10, 1947		Age 47			
Height 5'9"		Weight 165		Build MEDIUM	
Color of Eyes BLUE		Color of Hair AUBURN		Right or Left Handed LEFT	
Place of Employment (or last employment) FBI / BNPD - OCTF			Don Edward Frank <i>Don Edward Frank</i>		
Occupation or Trade SPECIAL AGENT			George Henry Imig <i>George Henry Imig</i>		
Name of Nearest Relative ZIGGY GRABELSKI		Relation BROTHER			
Address ATTICA CORRECTIONAL FACILITY			John Kenneth Lamb <i>John Kenneth Lamb</i>		
WRITE - DO NOT PRINT - CAPITAL AND SMALL LETTERS			Mary Nan Olson <i>Mary Nan Olson</i>		
Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj			Paul Quentin Robert <i>Paul Quentin Robert</i>		
Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt			Samuel Tom Umphrey <i>Samuel Tom Umphrey</i>		
Uu Vv Ww Xx Yy Zz			Vernon Will Xavier <i>Vernon Will Xavier</i>		
a b c d e f g h i j			Yolanda Ziffman <i>Yolanda Ziffman</i>		
k l m n o p q r s t			1234 N. East Ave., S.W. 5678 S. West Blvd., N.W.		
u v w x y z			5478 West Blvd NW 9012 E. North Pl., S.E.		
1 2 3 4 5 6 7 8 9 10			9012 E. North Pl., S.E. 3456 W. South St., N.E.		
X <i>Max Grabelski</i>			3456 South St., N.E.		
The above is a specimen of my handwriting prepared freely and voluntarily.					
Date August 19th 2004			Signature <i>Max Grabelski</i>		
Witnessed by <i>Paul Quentin Robert</i>			Exemplars of (Print Last Name, First Name, Initial) GRABELSKI MAX		
Date Witnessed 8/19/1			Year Born		Sex

Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE April 7 1971 105

PAY TO THE
ORDER OF Tammy Fay Baker \$ 2000.00 no
Two Thousand & no/100 DOLLARS


 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR always no
⑆43618071⑆ 7279678402⑈ 0105⑈ Max Grabelsky

Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE April 7 1971 106

PAY TO THE
ORDER OF University of Chicago \$ 7500.00 no
One Thousand Five Hundred & no/100 DOLLARS


 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR University of Chicago
⑆43618071⑆ 7279678402⑈ 0106⑈ Max Grabelsky

Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE April 15 1971 107

PAY TO THE
ORDER OF Three Draft Credit \$ 350.00 no
Three Hundred Fifty & no/100 DOLLARS


 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR auto loan
⑆43618071⑆ 7279678402⑈ 0107⑈ Max Grabelsky

Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE April 25, 1971 108

PAY TO THE
ORDER OF by antenna \$ 750.00 no
One Hundred Fifty & no/100 DOLLARS

 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR credit card
⑆43618071⑆ 7279678402⑈ 0108⑈ Max Grabelsky


Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE March 7,

101

PAY TO THE ORDER OF Jenny Faye Baker \$ 2000.00

Two Thousand & no/100 DOLLARS

 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR Money / Support

⑆43618071⑆ 7279678402⑈ 0101⑈ Max Grabelsky


Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE March 3,

102

PAY TO THE ORDER OF Martine \$ 750.00

One Thousand & Fifty & no/100 DOLLARS

 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR Credit card

⑆43618071⑆ 7279678402⑈ 0102⑈ Max Grabelsky


Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE March 7,

103

PAY TO THE ORDER OF Visa \$ 200.00

Two Hundred & no/100 DOLLARS

 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR Credit card

⑆43618071⑆ 7279678402⑈ 0103⑈ Max Grabelsky


Max Grabelsky
PO Box 600
Buffalo-Niagara 14600

DATE March 9,

104

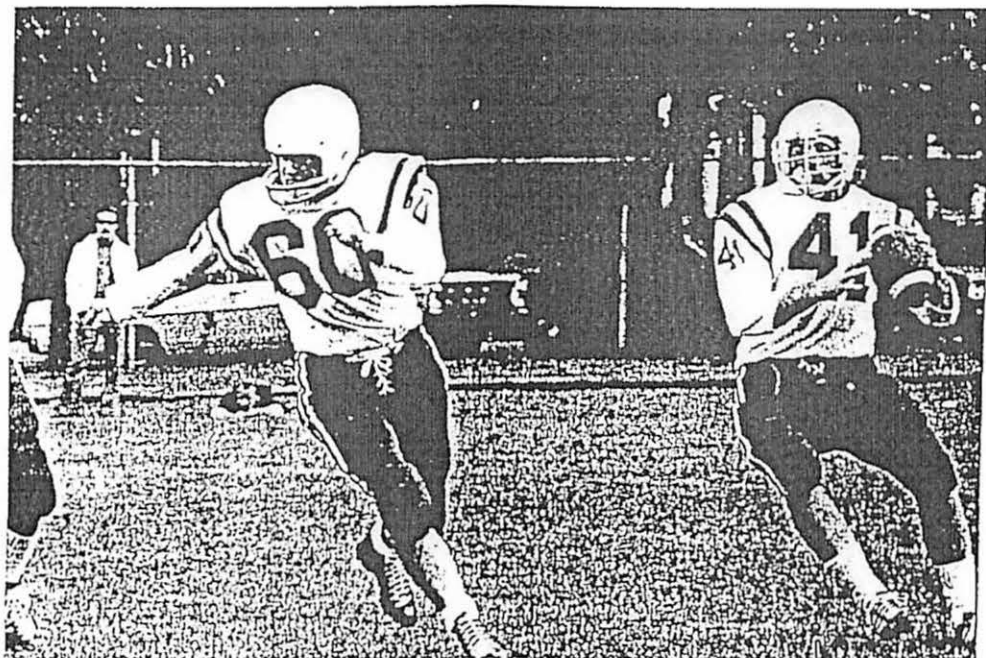
PAY TO THE ORDER OF Force Motion Credit \$ 350.00

Three Hundred Fifty & no/100 DOLLARS

 **BNSL**
Buffalo-Niagara
Savings and Loan

FOR Auto Loan

⑆43618071⑆ 7279678402⑈ 0104⑈ Max Grabelsky

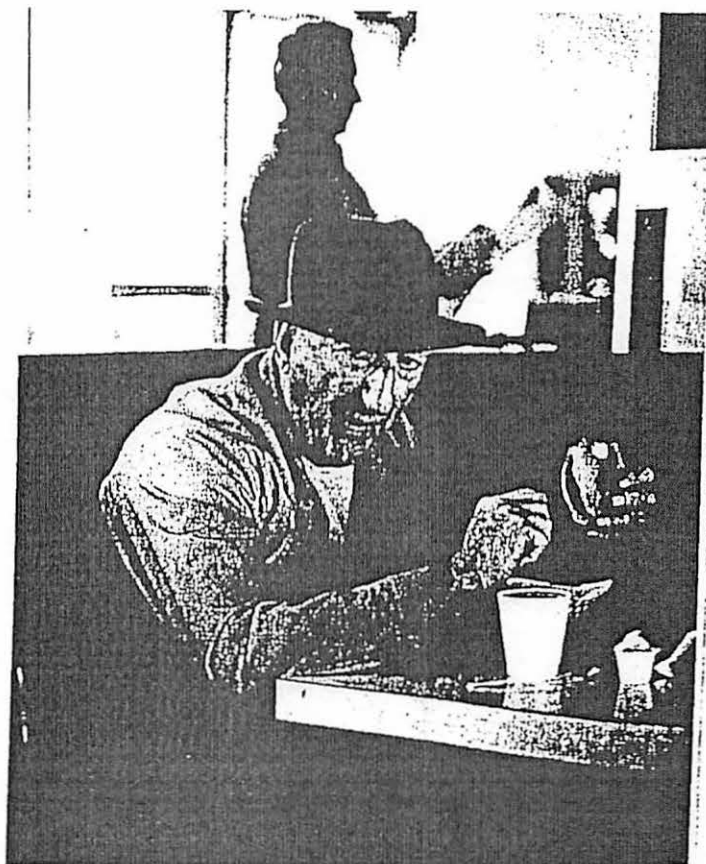


Ziggy runs interference while Rolo sets up for another T.D. Strike. Fall



Ziggy me Rolo
(age 16)

Two Varsity Lacrosse Stars
and me. Spring



Pop at Zeppo's after a
bad day at the track - June
(Shortly after his 48th birthday)



Rolo

Ziggy

Dear Maxim -

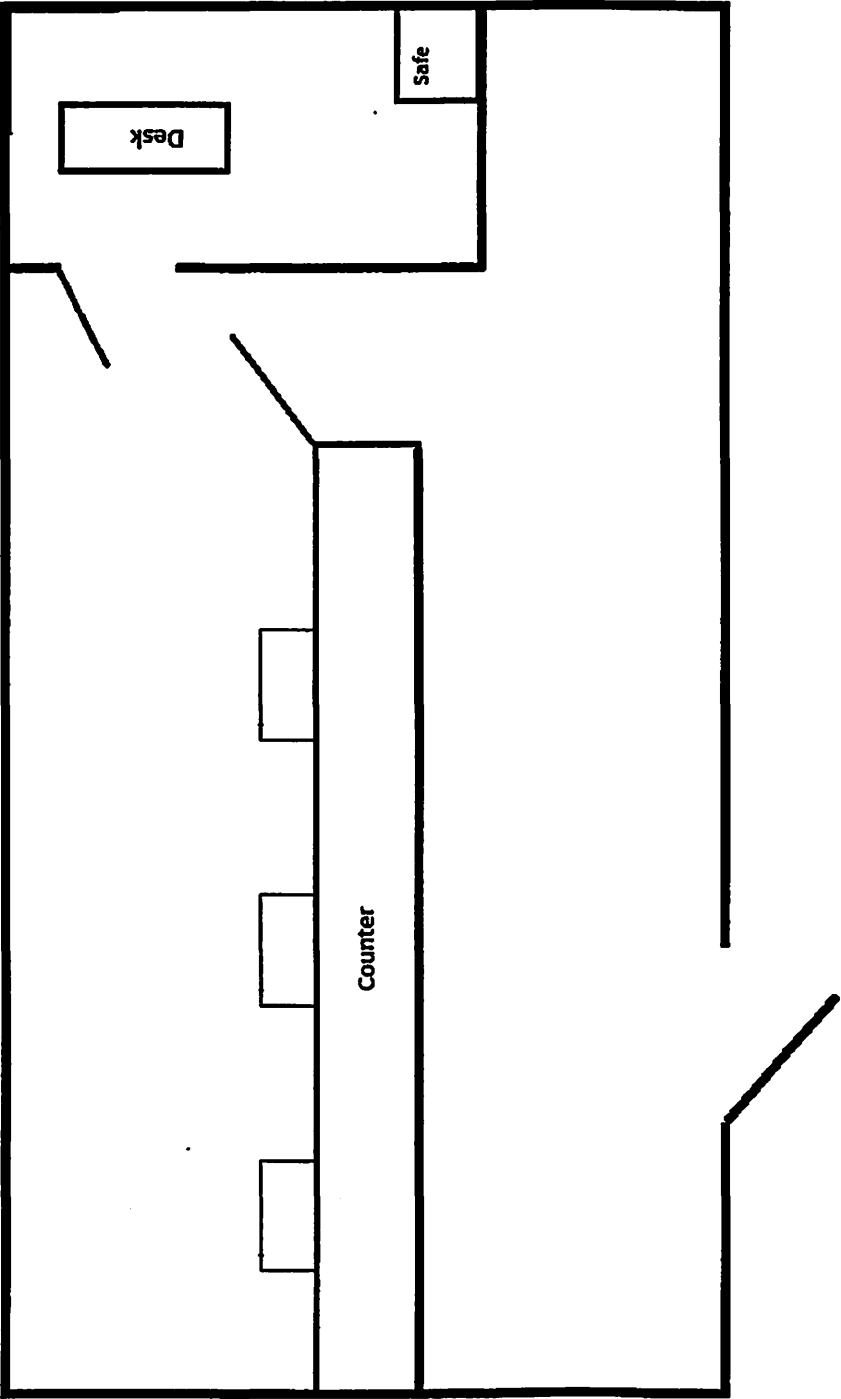
My cancer has spread through my body
but the pain over what has happened to Zygmunt
is more than I can take.

Fifteen years in prison, and for
what? Murderers and rapists get less than
that!

I cannot go on fighting the cancer knowing
that my eldest son is rotting in jail. Do
what you can to help him. Forgive me,
your Loving Father.

PS: As your mother and I
taught you as a boy, "Family First"

OTB Parlor 99 76th St., Buffalo-Niagara





Gedid County Court of Common Pleas

Court Summary

Zyrga, Lyman
5330 Melrose Ave.
Buffalo-Niagara, WD

DOB: 6/12/1

Sex: Male
Eyes: Hazel
Hair: Black
Race: Caucasian

Closed

Gedid

CP-21-CR-0000534-2007

Proc Status: Completed

Arrest Dt: 12/23/

Disp. Date: 8/28/

Disp. Judge: Haller, Chamberlain

Def. Atty: Biegler, Paul

Sec. No.

Description

Disposition

18 § 6106

CARRYING FIREARMS WITHOUT
LICENSE

Guilty Plea

18 § 4108(c)

COMMERCIAL BRIBERY

Guilty Plea

Sentence Dt.

Sentence Type

Sentence Length

8/21/

Confinement

Min: 11 Month(s) Max: 23 Month(s)

CP-21-CR-00002187-2001

Proc Status: Completed

Arrest Dt: 3/24/

Disp. Date: 11/13/

Disp. Judge: Randolph, Julius

Def. Atty: Kaffee, Daniel

Sec. No.

Description

Disposition

18 § 2702

AGGRAVATED ASSAULT

Guilty

Sentence Dt.

Sentence Type

Sentence Length

11/13/

Confinement

Min: 48 Month(s) Max: 72 Month(s)

CP-21-CR-00004728-1995

Proc Status: Completed

Arrest Dt: 6/21/

Disp. Date: 8/6/

Disp. Judge: Hoyle, Milo

Def. Atty: Baylor, Rudy

Sec. No.

Description

Disposition

18 § 6108

CARRYING FIRE ARMS/PUBLIC

Nolle Prossed

Sentence Dt.

Sentence Type

Sentence Length

Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Widener Judicial System nor the Administrative Office of Widener Courts assume any liability for inaccurate or delayed data, errors or omission on these reports. Court Summary Report Information should not be used in place of a criminal history background check which can only be

provided by the WIdener State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 WI. C.S. Section 9183.

QUITCLAIM DEED

The Grantor, Rolo Tomassi, of 6301 Quebec Dr., City of Buffalo-Niagara, County of Gedid, Commonwealth of Widener, for the consideration of One Dollar (\$1.00) releases and quitclaims to Rolo Tomassi, Grantee, of 1972 Canyon Dr., City of Buffalo-Niagara, County of Gedid, Commonwealth of Widener, all interest in the following described real property situated in Gedid County, Commonwealth of Widener:

All that certain tract or parcel of land situate in the City of Buffalo-Niagara, Widener, more particularly bounded and described as follows, to wit: .

BEGINNING at a point at the Southwesterly corner of 15th and Liberty Streets; thence along the westerly line of North 15th Street erroneously set forth as Liberty Street on prior Deed of record, South 06 degrees 00 minutes East, Ninety and Eighty-Eight One Hundredths (90.88) feet to a point on the Northerly line of Miller Avenue; thence along same, South 76 degrees 00 minutes West, Seventeen and Sixty-Five One-Hundredths (17.65) feet to a point. Thence North 14 degrees 00 minutes West, Ninety (90) feet to a point on the Southerly line of Liberty Street, aforesaid; thence along same, North 76 degrees 00 minutes East, Thirty and Three Tenths (30.3) feet to a point, the Place of Beginning.

BEING THE SAME PREMISES which Michael R. Bless as Executor of the Estate of Zeppo Tomassi conveyed unto Rolo Tomassi, by deed dated November 15, 1989, in the Recorder's Office in and for Gedid County, Widener, in Record Book 333, Page 436. Having thereupon erected a commercial establishment known as "Zeppo's"

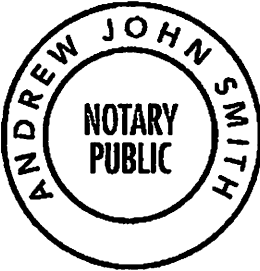
Commonwealth of Widener

County of Gedid

On this 12 day of June, 20 _____, before me, a Notary Public in and for Gedid County, came the above named Rolo Tomassi and acknowledged the foregoing deed to be

his act and deed, and desired the same to be recorded as such.

Witness my hand and seal, the day and year aforesaid.



Andrew J. Smith

Notary Public

My commission expires May 15, 20 _____.

Dated June 12, 20 _____.

GRANTOR: Rolo Tomassi

Rolo Tomassi

BOOK **1889** PAGE **287**

Opp -

Strike now
at

14th. Street
Branch!

M.J.

Captain Kowalski,

Urgent