

## "When we want your testimony, we'll provide it for you!" \*

Every week or two, I receive another letter from an inmate in Rawlins, or from a local source, making further allegations that a man other than the one convicted for the disappearance and murder of his wife is really the guilty party.

The disappearance happened in December, 1990 and charges weren't filed until 2007. There was no physical evidence or confession of guilt - the case was built around imaginary evidence and changed and possibly perjured testimony.

The finger of guilt is always pointed at the same guy - the younger brother of the guy convicted of second degree murder and doing 45 years to life in Rawlins for a crime he has always denied having a role in.

David Bush attempted to introduce an alternate suspect at his trial and was denied the opportunity. In his first interview with police after his wife's disappearance, he told them, "You find my brother and you'll find my wife."

As the letters accumulate, the frustration is that there is nowhere to turn. Attorney-wise, that is. The public defenders who represented David Bush at trial in Casper passed the case on to the Appellate Division for the appeal that was denied by the Wyoming Supreme Court in 2008. The Supreme Court does not like to interfere with a jury verdict - they look at other things before affirming or reversing a verdict. A jury verdict is hardly ever reversed. Once an appeal is argued, the Appellate Division is also generally finished.

And, for someone who cannot afford to hire a private attorney, and few who had public defenders can later afford a private attorney, as is the case with David Bush, they face an uphill battle to get anyone to review their case or conviction. Attorneys make money from paying clients, not from pro bono cases. When the Supreme Court affirms a conviction, there aren't many avenues left. The Innocence Project specializes in convictions with DNA available. In the Bush case, no body has ever been found and DNA was not used to convict David Bush.

It is possible that DNA could have been present on an ignored beer can - a brand not drunk by David Bush but preferred by his brother - that was in the abandoned pick-up truck of Lynn Bush when the truck was found. It was ignored.

Obviously, letters implicating other people in any crime which originate from inside prison walls has to be viewed with a level of scepticism.

And, if there were no reasons to doubt the guilt of David Bush, such letters wouldn't get much attention from me. But, after reviewing over 4,000 pages of the trial transcript, witness interview transcript, Supreme Court ruling and other written documents related to this case, there are many reasons to question the verdict.

Plus, the fact that David Bush, who was his younger brother's defender and support in the past, had finally come to realize

that his brother had motive, opportunity and means to harm his wife, and had alerted Casper investigators from the beginning to find his brother, gives one pause when reviewing this matter.

Several inmates came forward prior to the trial and alleged that the younger brother had told many in WSP Rawlins that his brother (David Bush) did not commit the crime and/or that he (Glendol Bush) had and gave details of how, where and why and where the body had been dumped.

In August, an inmate sent a letter to numerous recipients he thought might be able to look into the matter on David Bush's behalf. In that letter, the inmate, who is serving two life sentences for murder and conspiracy to commit murder, gave details of a confrontation between Lynn Bush and Glendol Bush in Casper, including the location and date. He further alleged that Glendol had killed the woman and that he was there and had provided transportation into northern New Mexico where they disposed of the body and where he had ditched Glendol Bush.

He further claims that he can lead authorities to the location where they dumped Lynn's body back in December of 1990. He should have further details, if he is telling the truth, about the event in Casper and the trip to northern New Mexico.

But, no one is interested enough to go to the pen and interview the guy. It shouldn't be too much of an effort to determine if

he may be telling the truth.

I have received two letters directly from inmates, one also sent to the Appellate Division but the other, as far as I can determine, was sent only to me. I have no one to offer those letters to because no one in authority is interested in determining whether there is "newly discovered evidence" in this case.

There is a possibility that the UW College of Law Post Conviction folks may look into the new information. A possibility.

The difference in these letters is that the first guy implicated himself. Not that he can do more time - he is already serving two life sentences - but usually the finger is pointed at someone else, not yourself, with these jailhouse confessions.

The inmate who apparently sent his letter just to me named several other people to whom Glendol Bush allegedly confessed his involvement in the disappearance and murder of Lynn Bush. That letter is available, with the inmate's permission, to anyone who has access to the prison and would interview the men named. I may seek a "special visit" with the guy who wrote the letter incriminating himself but I am awaiting the decision of the Post Conviction people at UW before proceeding.

Those involved in David Bush's prosecution aren't eager to look into the possibility that they helped convict an innocent man. For obvious reasons. The beat goes on.

## David Labon Bush

Convicted by the alleged words of a 2 ½ year old baby who didn't remember, at trial 15 years later, what she had said and could not be cross-examined; a psychologist who destroyed all tapes of the interviews with the child; a psychiatrist who saw the young child for less than two hours; \*a former girlfriend who only "remembered" David Bush's incriminating words - 15 years after the "crime" - in exchange for immunity; an elderly couple whose trial testimony contradicted statements made at the time of the disappearance 15 years earlier and who testified by video-conferencing because he was too ill to appear at the trial; and overzealous investigators who provided incriminating words of testimony to a witness who had never said them earlier. All in "the name of justice?"