

Coroner Bill Ryan thought the death of Dwayne Sells was a homicide

For a few hours more than ten days, Dwayne Sells lay in United Medical Center.

For those same ten days, Laramie County Coroner Bill Ryan had the opportunity to investigate the pair of incidents which occurred at the Outlaw Saloon between 1:00 and 1:20 am on April 23, 2005.

It would be his call to determine, as the form at the right indicates, whether the death was of natural causes, an accident, a homicide or a suicide.

Within an hour of Dwayne Sells being pronounced dead at UMC, at 0650 (6:50 am) on May 3, 2005, Bill Ryan completed the form at the right.

On the form, his judgment - having had ten days to investigate, as is required by state law - was that the death of Dwayne Sells was a homicide.

He had the choice of leaving all possible causes of death blank, to be completed later by someone else.

Long after the death of Sells, a coroner's inquest was called but not at the initiative of Bill Ryan. Laramie County District Attorney Jon Forwood, not satisfied with the investigation of the Cheyenne police department - at least to the point of not being comfortable with criminal charges being brought in the matter - "directed" Bill Ryan to call a coroner's inquest.

At that inquest, as predicted by the Cheyenne Herald before it was held, he invited three personal friends to sit in judgment on this complicated matter that the police department could not be certain whether the criminal offense initially written down on a photo identifier tag (aggravated assault) could or should be brought. The second tag was completed well after questioning the bouncers at the Outlaw within an hour of the incident.

Trained investigators could not determine with certainty exactly what had happened at the Outlaw that night. But three untrained and inexperienced friends of the coroner would make that determination after three-plus hours of confusing and conflicting testimony (with no deliberation) and with no adversarial questioning of witnesses.

The three inquest jurors, who were paid \$100.00 each for his service, were simply out of their element. Few criminal defense attorneys could have reached a reasoned and intelligent decision based on the contradictory testimony presented during the brief inquest. Attorneys who were present had to sit by silently as jurors posed inane and unhelpful queries.

The photo identifier tags, which had offered a glimpse into the mindset of police officers right after the incident, were not introduced at the inquest nor were

Laramie County Coroners Office
 310 West 19th Street, Suite 410
 Cheyenne, Wyoming 82001
 (307) 637-8000

DATE: 5-3-05 TIME: 0650 NOTIFIED BY: UMC-W

PLACE OF DEATH: UMC-W-ICU

NAME: DWAYNE A. SELLS

ADDRESS: 719 W. 25th ST. TELEPHONE: 778-8153

NEXT OF KIN: JACK SELLS RELATIONSHIP: FATHER

ADDRESS: 4729 E. 12th ST. TELEPHONE: 674-9250

AGE: 35 SEX: MALE DATE OF BIRTH: 9-9-69 SSN: 520-04-1242

DATE OF DEATH: 5-3-05 TIME OF DEATH: 0552

ATTENDING PHYSICIAN: C. THOMAS - TISER TREATED FOR: CLOSED HEAD INJURY

IMMEDIATE HISTORY: INVOLVED IN A FIGHT 4-23-05 - OUTLAW INN

DISCOVERED BY: STAFF PHONE: _____

ADDRESS: _____

PRONOUNCED BY: STAFF TIME: 0552

REMAINS RELEASED TO: WIR

INVESTIGATING AGENCY: CPD INVESTIGATOR: JOHN DALLIE

AUTOPSY NEEDED? Y BLOOD SAMPLE? Y AUTOPSY BY: GNA

CAUSE OF DEATH: CLOSED HEAD INJURIES - BLUNT FORCE IMPACT TO THE HEAD

DEATH DUE TO: PER JURY

NATURAL: _____ ACCIDENT: X HOMICIDE: X SUICIDE: _____

INJURY CAUSING DEATH: _____

CORONER/DEPUTY REPORTING: [Signature] DATE: 5-9-05

REV 1/99

ON MAY 3, 2005 CORONER JUDGED DEATH A HOMICIDE

DATE - APRIL 23rd, 2005
 TIME - 0120 - APPROX
 LOCATION - 3839 E LINCOLNWAY

they shown to the jurors. It would have been highly inappropriate for them to view evidence outside the public's scrutiny.

The Cheyenne Herald was recently critical of Bill Ryan for signing a death certificate and attesting to a cause of death which was contradicted in an autopsy ordered and paid for by the family of the deceased. But that is his job.

The fact that he signed the above form and indicated, an hour after the death of Dwayne Sells, that he ... HE, BILL RYAN, CORONER ... had determined the death

to have been a homicide should have carried some weight with the inexperienced jury that he had brought together. A jury of his friends who may have respected his position and judgment.

There is no evidence to the contrary that he continued to believe it was a homicide up until and during the coroner's inquest. But he never shared those thoughts with his handpicked jury nor those in attendance at the inquest. Like the photo identifier tags, this critical piece of information was withheld - in spite of Ryan proclaiming that he wanted all possible

pertinent and relevant testimony and evidence brought forward to the jury.

Those who say they were at the Outlaw that night continue to come forward. At least once a week, another contacts the Cheyenne Herald. They don't always provide clarity to a clouded picture but they do offer further insight and unsworn testimony. Documents like the tags and the above form trickle into public purview.

Will there be more? Your guess is as good as mine.

Dave Featherly