

LW-07-3872

REC. ON 12-03-07 AM #617



LUKE CHARLES LIROT, P.A.

ATTORNEYS AND COUNSELORS AT LAW
2240 BELLEAIR ROAD, SUITE 190
CLEARWATER, FLORIDA 33764



(727) 536-2100 TEL

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November 28, 2007

Detective Steve Bohling
Clearwater Police Department
645 Pierce Street
Clearwater, Florida 33756

RE: Kyle Thomas Brennan

Dear Detective Bohling,

In reviewing my file on this issue, I realized that I had received an e-mail regarding some of the issues I felt were relevant to this matter that had not been forwarded to you. Rather than miscommunicate any of the concerns raised by the relative that sent the e-mail, I am forwarding it to you in its entirety with the hopes that you can act on the matters raised therein. Please give me an update on your progress at your earliest convenience and Happy Holidays.

Sincerely,
LUKE CHARLES LIROT, P.A.


Luke Lirot

LLkj

Enclosures
cc: Client

Kathy Jackson

From: Vbreton2062@aol.com
Sent: Tuesday, November 06, 2007 9:00 AM
To: kathy@lirotlaw.com
Subject: Correspondence to Detective Bohling
Attachments: November 4.doc Mia's response.doc

Dear Kathy,

Attached are some answers to questions that Detective Steve Bohling had regarding Kyle's computer. If you could please forward them to Bohling, it would be much appreciated.

I hope you are well.

Take Care,
Victoria Britton

See what's new at AOL.com and [Make AOL Your Homepage](#).

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.503 / Virus Database: 269.15.23/1113 - Release Date: 11/6/2007 10:04 AM

Mia Brennan's response regarding the computer of Kyle Brennan

November 4, 2007

The question is not what is on the computer, but rather what is missing. When I looked at the computer after we received it in the mail from Tom Brennan, I noticed that there was a lot of activity in the hours and day's after Kyle's death. I am not a computer expert, But I did run a search on recent activity. I took a screen shot of my findings and saved it as 'suspicious activity' in it's folder. The biggest concern, it is circled in red on the suspicious findings' picture, is that files were moved off of the computer onto a drive E (probably a thumb drive or other data storage device). We would like to know what was removed and we realize that there is nothing of significance on the computer currently. For example, when you open Microsoft Word, you can see the recently worked on document (or at least I could in February), none of them could open because the shortcuts were broken due to the files being missing/ deleted. At the very least, Kyle had many school papers/poems/assignments-where are they? Kyle was proud of his work, he often shared his papers with me both for help with editing and to ask my opinion. He was dedicated to school and put endless hours into his assignments, I truly believe that Kyle, would never erase his work himself. What we would like to know is what else may have been on the computer? What might Kyle have worked on/composed during his three months traveling alone around the country? There are to many unanswered questions.

We have a video from Kyle's cell phone showing him holding a note up to the camera that said something to the effect of "My name is Kyle T. Brennan. Years ago my father started a fire. If Kyle took the time to film this, it was obviously a high priority project in his life. He may have written plans/goals/facts/notes on what he remembered.....many things having to do with this. We know that Kyle was a planner and a list writer, especially during the last phase of his life.

It is important that files that were moved to a removable drive E be recovered. We believe the missing information holds the answers to many unanswered questions.

Sincerely,

Mia Zorn Brennan

Home: (434) 973-7927

Cell: (434) 409-3517

Kyle's computer arrived at the home of his brother, Scott Brennan on February 23 or 24 the exact date is not known. It was after Kyle's funeral, which was on February 22, 2007.

The other items that were delivered with Kyle's computer, were clothing, a wallet with driver's license, passport, favorite movies, and his cell phone which contained a recorded message from Tom Brennan, and a message from Kyle stating he was planning on telling the authorities the truth about his father.

At a later date Kyle's Ipod was returned with the contents deleted.

Tom Brennan has minimal knowledge of computers. He would not have been the person deleting files two hours after Kyle's death. Can we find out who this person was?

Where was the computer when the police searched the apartment after Kyle's death?

6-10-07-2072
REC ON 12-03-07 #617

PAUL B. JOHNSON
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Tampa, FL 33606

Post Office Box 3416
Tampa, FL 33601

Telephone (813) 258-0087
Fax (813) 254-8074

November 28, 2007

Detective Steve Bohling
Clearwater Police Department
645 Pierce Street
Clearwater, Florida 33756

Re: Suicide of Kyle Brennan

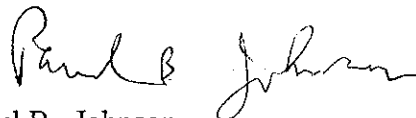
Dear Detective Bohling:

We thank you for the opportunity for my client Tom Brennan to speak to you and clear up some questions which you may have had concerning the death of Kyle Brennan.

Enclosed herewith are the seven (7) pages of documents from the deceased's computer as referred to by Tom Brennan together with the memorandum by Jerry Gentile entitled "the mystery of the deleted files".

Should you have any questions please do not hesitate to contact me.

Sincerely,



Paul B. Johnson

PBJ/seh
enclosures
cc: Tom Brennan



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No

601 Cleveland Street, Suite 400
Clearwater, Florida 33755
November 23, 2007

Clearwater Police Department
645 Pierce Street
Clearwater, Florida 33756


ATTN: Complaint Investigator:

The enclosed e-mail was received by the Federal Bureau of Investigation (FBI), Pinellas Resident Agency, on November 5, 2007. Mia Zorn Brennan is inquiring about possible files which may have been removed from Kyle Brenna's computer. She has evidently corresponded with Detective Steve Bohlings regarding this matter.

The information provided does not meet FBI investigative guidelines and is being forwarded to your agency for whatever action deemed appropriate.

Sincerely,

Steven E. Ibison
Special Agent in Charge

By: 
Christopher Reimann
Supervisory Senior Resident
Agent

FW: Kyle Brennan's Computer (Please Forward to proper division)

Tampa Division

Sent: Sunday, November 04, 2007 7:47 PM

To: TP Pinellas

From: Vbreton2062@aol.com [mailto:Vbreton2062@aol.com]
Sent: Sunday, November 04, 2007 5:23 PM
To: Tampa Division
Subject: Kyle Brennan's Computer (Please Forward to proper division)

RE: Response to Detective Steve Bohlings (Clearwater Police Department) questions regarding Kyle Brennan's Computer.

The question is not what is on the computer, but rather what is missing. When I looked at the computer after we received it in the mail from Tom Brennan, I noticed that there was a lot of activity in the hours and days after Kyle's death. I am not a computer expert, but I did run a search on recent activity. I took a screen shot of my findings and saved it as 'suspicious activity' in its folder. The biggest concern, it is circled in red on the suspicious findings' picture, is that files were moved off of the computer onto a drive E (probably a thumb drive or other data storage device). We would like to know what was removed and we realize that there is nothing of significance on the computer currently. For example, when you open Microsoft Word, you can see the recently worked on document (or at least I could in February), none of them could open because the shortcuts were broken due to the files being missing/ deleted. At the very least, Kyle had many school papers/poems/assignments-where are they? Kyle was proud of his work, he often shared his papers with me both for help with editing and to ask my opinion. He was dedicated to school and put endless hours into his assignments, I truly believe that Kyle, would never erase his work himself. What we would like to know is what else may have been on the computer? What might Kyle have worked on/composed during his three months traveling alone around the country? There are too many unanswered questions.

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Home: (434) 973-7927
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See what's new at AOL.com and [Make AOL Your Homepage](#).



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2240 BELLEAIR ROAD, SUITE 190

CLEARWATER, FLORIDA 33764



Handwritten signature/initials

(727) 536-2100 TEL

(727) 536-2110 FAX

August 12, 2008

Via Certified U.S. Mail, Return Receipt Requested (# 7007 0710 0004 0430 4249)

Detective Steve Bohling
Clearwater Police Department
645 Pierce Street
Clearwater, Florida 33756

Section 365 171(12), F. S Any record revealing name, address, telephone number or personal information obtained by an agency, which may identify person requesting E911 is confidential and exempt.

RE: Kyle Thomas Brennan

Dear Detective Bohling,

I wrote you a letter dated July 1, 2008, but had not heard back. For your convenience, I have set forth the letter verbatim below. Please let me know the answers to these questions. My client is still heartbroken over this entire matter and the lack of any answers to these questions makes her agony that much worse. Please help me out. Here is what I asked for previously:

“After being retained in June of 2007, I can not be surprised that my client thinks that I am incapable of getting any final answers on the investigation involving the death of Kyle Brennan. I will not level any criticism at you or the CPD, but where does this investigation stand? Since the investigation is still open, my client has insisted that I try to get answers to the following questions.

“What was the time that Tom Brennan stated he arrived at his apartment? Is this the same time that he gave a family member, described as between 11:15 and 11:20?

“Why explanation did _____ give for not immediately calling 911?

“It has been reported that when _____ found Kyle he had already died. If it is true that _____ would call Jerry Gentile before placing a call to 911, what explanation does _____ provide for that?

“Mr. Gentile, presumably being in a superior position and not overwrought with grief from the discovery of his son’s dead body, why was Brennan not directed or advised by Gentile to immediately call the Clearwater Police Department for help? What explanation was given for this delay?

“How much time lapsed before Jerry Gentile arrived at the Brennan residence?

“How long was Jerry Gentile in the apartment before 911 was called?

“Who made the call to 911?

“Who gave the personal information regarding Kyle (Identity, home address, medical history) to Corporal Faulk and Officer Yeun?

“Who gave the personal information regarding Kyle to medical examiner Marti Schall?

“Why were the statutes in 406.11 section IV under traumatic or suspicious death not followed?

“Why was the home address written as Tampa, Florida when all of the identification in Kyle’s possession states his home as in Virginia?

“Did officer Yeun and corporal Faulk have access to Kyle’s identification?

“Kyle was reported as a “missing person” in Albemarle County. Why was the Albemarle County Police Department not contacted by the Clearwater Police Department?

“Why was Jerry Gentile the individual who called to tell Kyle’s family of his death at 1:18 a.m. on February 17, 2007?

“Where was the weapon used in the suicide kept in Mr. Brennan’s apartment?

“What was the make and model of the weapon, and what was the chain of possession that led Mr. Brennan to possess it?

“Is this the same weapon that Tom Brennan discussed at an earlier date with Kyle’s brother, Sean, believed to be an unregistered weapon that had belonged to Tom Brennan’s deceased father?

“When and where was the ammunition in the weapon purchased?

“Why would Tom Brennan keep a loaded weapon in the apartment when he expressed concern over Kyle’s fragile emotional state?

“Why was Kyle’s medication kept from him, and locked in his father’s truck? Why was the gun not locked in the truck with the medication if Brennan was concerned for Kyle’s safety?

“According to his Mother, Kyle would not willingly give up his medication. He had openly discussed with his uncle before arriving in Tampa his fear of running out of the medication. He expressed relief that this would no longer be a concern as he could refill the prescription. Kyle also understood the necessity of taking it daily as he came to realize that this would help stop some of his erratic behavior.

“My client asked Tom Brennan if he had seen or had access to Kyle’s medication. Tom Brennan stated that he did not see and knew nothing about the medication. This is now proven to be an obvious lie. Why would Tom Brennan lie to my client about the medication or him having access to it?

“Kyle’s autopsy was apparently performed as apropos to a presumed suicide. It has been determined that no note was found on him stating that he was taking his own life. There is nothing written in Kyle’s personal notes or letters in which Kyle states that he will, or is planning on taking his own life.

“Medical examiner Marti Schall states that an autopsy was performed as a suicide because on Kyle’s body, written in pen, was “look in pocket.” Was an analysis done on this handwriting? Does it match Kyle’s hand writing?

“Kyle had placed heavy water bottles in front of the apartment door on the night of his death. Kyle was frantically calling for help within twenty minutes of his estimated time of death. Why was Kyle so fearful of his father?

“Tom Brennan had stated to a family member that Kyle and he shared a wonderful day together before he took his life. Brennan stated that they went to Kyle’s favorite restaurant and had a large meal together.

“The autopsy report states that Kyle had no food in his system? What was the timeframe involving Kyle and his father in the hours leading up to his death?

“Kyle’s laptop computer had the contents deleted with a memory key two hours after his death. Who did this, and why? Has the lengthy forensic examination led to any information on these issues? Based on my information, it would not have been Tom Brennan, since he has very limited knowledge of computers and personally does not even own one. Was there any inquiry made to Tom Brennan regarding this issue?

“Has the information that was removed from the computer by either an agent of The Church of Scientology or someone else been recovered?

“My client has significant concerns that when she has discussed the fact that Tom Brennan’s story is inconsistent and he has obviously lied, “Detective Steve Bohling responds that he is aware of the fact that Tom lied but did so as a result of feeling bad about the out-come of the situation.” Have you entertained any other more nefarious explanations?

“When has lying during the questioning of an investigation become acceptable?

“Tom Brennan left a message on Kyle’s cell phone telling him to take his vitamins. Brennan’s tone in the message is extremely sarcastic. This would have been very upsetting to Kyle. When I mention the vitamin message to Detective Bohling he states

that there is nothing illegal about wanting your son to take vitamins, but this would certainly be consistent with the Church of Scientology's rejection of psychiatry and psychiatric medication, choosing instead to ingest vast amounts of vitamins and supplements. Would this not support the theory that Brennan, driven by misguided Scientology practices, would force his son to cease the ingestion of his prescribed medication, thus meeting the elements of neglect or abuse of a disabled person?

"My client states that she asked "Detective Bohling if he has asked Tom Brennan why he took Kyle's medication from him. Bohling states that Brennan took the medication away because it was making Kyle act weird." Is that an affirmative defense to abuse of a disabled person?

"Tom Brennan was/is an employee of Denise Miscavige Gentile. She had called me four days before Kyle's death to give me advice on sending him to Narconon (in notes sent) Kyle had met her in a previous visit to Florida and spent time in the Miscavige/ Gentile home. Tom was obviously asking and seeking advice about Kyle's condition from some of the highest authorities in the COS.

"My client states that, "Tom Brennan told Detective Bohling that he never pushed Scientology or tried to recruit Kyle into the COS. Kyle and I received a deluge of literature from Scientology. The most recent for Kyle was received on **March 11, 2008** (note the date)." My client received a letter on **March 13, 2008** Her letter read as follows: "Hello Victoria! How are things going? How is your family doing? The psych (sic) video is intense, isn't it? Please write back and let me know how you and your son are doing. Thanks!"

"Detective, I am sure you can understand and sympathize with my client. She has been tortured by this needless death since I came into her life. No matter how you cut it, a human being is dead because of another human beings unilateral decision to cut off much needed medication on the basis of erroneous and adverse "religious" beliefs. Finish this investigation so that I can try and obtain some justice in this unforgivable situation. I am the most patient person in the world, and I am aware of the complexities of these types of investigations, but resolution must be had. Please call me and let me know what is going on, and please answer the questions that have been posed. Thank you for your professional courtesies."

Obviously, some of the inquiries are not difficult, but some are critical and my client wants me to move forward in an effort to help her deal with this. Please let me know.

Sincerely,



Luke Lirot

Cc: Ms. Britton



REC'D 07-08-2008/17



LAW OFFICES OF LUKE LIROT

ATTORNEYS AND COUNSELORS AT LAW
2240 BELLEAIR ROAD, SUITE 190
CLEARWATER, FL 33764

(727) 536-2100 TEL

(727) 536-2110 FAX

July 1, 2008

Detective Steve Bohling
Clearwater Police Department
645 Pierce Street
Clearwater, Florida 33756

Section 365.171(12), F.S. Any record revealing name, address, telephone number or personal information obtained by an agency, which may identify person requesting E911 is confidential and exempt

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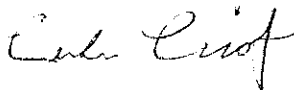
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