

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF CHESTERFIELD

COMMONWEALTH

vs.

CR01F01484-01; CR01F01484-02

DIANE FLEMING

Heard before the Honorable Cleo E. Powell

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**EXHIBITS**

Exhibits introduced at Trial on February 19, 2002

**Commonwealth's Exhibits**

Exhibit #1	E-Mail document	Enclosed
Exhibit #2	Photograph of victim	Enclosed
Exhibit #3	Charles Tanner's time clock report	Enclosed
Exhibit #4	VA State Police Results of Forensic Examination	Enclosed
Exhibit #5	Autopsy Report	Enclosed
Exhibit #6	2 full bottles of Gatorade	Retained
	1/2 bottle of Gatorade	Retained
Exhibit #8	Life Insurance Information (\$150,000 )	Enclosed
Exhibit #9	Life Insurance Claim Statement and Notes	Enclosed
Exhibit #10	1 bottle of Fruit Punch Gatorade (recovered from defendant's home in refrigerator)	Retained
Exhibit #11	Washer Fluid	Retained
Exhibit #12	Certificate of Analysis dated 10/04/00 (#C00-8867)	Enclosed
Exhibit #13	1 bottle of Lemon Lime Gatorade	Retained
Exhibit #14	Certificate of Analysis dated 12/17/01 (#C00-8867)	Enclosed

**Defendant's Exhibits**

Exhibit #A	Photograph of items in garage	Enclosed
Exhibit #B	Certificate of Analysis (#C00-8867) dated 02/01/02	Enclosed

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF CHESTERFIELD

COMMONWEALTH

vs. CR01F01484-01; CR01F01484-02

DIANE FLEIVHNG

Heard before the Honorable Cleo E. Powell  
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**EXHIBITS(Con't)**

**Exhibits introduced at Sentencing on May 2, 2002**

**Commonwealth's Exhibits**

Exhibit #1	Letter (undated) from defendant with envelope dated April 15, 2002	Enclosed
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**Defendant's Exhibits**

Exhibit #1	2 copies of Settlement Statement	Enclosed
Exhibit #2	Letter from Reverend Kenneth M. Ruppard	Enclosed
Exhibit #3	Letter from Shawnee Hansen	Enclosed
Exhibit #4	Letter from Betty P. Rickmond	Enclosed
Exhibit #5	Letter from Diederick Wienbarg	Enclosed
Exhibit #6	Letter from Cathy Barbour with attachment	Enclosed
Exhibit #7	Letter from Marchia Swanson	Enclosed

**Exhibits introduced at Motion Hearing on August 12, 2002**

**Commonwealth's Exhibits**

Exhibit #1	Certificate of Analysis (#COO-8867) dated 7/29/02	Enclosed
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I, Judy L. Worthington, Clerk of the above mentioned court hereby certify that the papers listed above and filed herein are the original papers, transcripts and exhibits filed in this matter.

Teste:

Judy L. Worthington, Clerk

Karla Viar, Deputy Clerk Supervisor  
Criminal Division



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

September 29, 2000

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

Telephone: (804) 786-4747  
Fax: (804) 786-5857

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115

Victim(s): FLEMING, Charles L.

Suspect(s): - - -

Evidence Submitted By: E. R. Baker

Received: 07/25/00

Item 1 One(1)vial of cat blood

**RESULTS:**

Item 1: - Ethanol not detected.  
- Methanol, isopropanol, acetone not detected.

**Attest:**

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Joseph J. Saady, Ph.D.  
Chief Forensic Toxicologist

JJS/pth



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

CR01F01484-01/02

**CERTIFICATE OF ANALYSIS**

CR01F01484-01  
September 29, 2000

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

Telephone: (804) 786-4747  
Fax: (804) 786-5857

Put in Diane Fleming file per Ruth Baker

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115

Victim(s): FLEMING, Charles Linwood, Jr.

Suspect(s): FLEMING, Diane

Evidence Submitted By: Susan Richardson

Received: 08/01/01

Item 768-1 Photocopies of finger and palm prints bearing the name Diane Fleming  
Item 768-2 Photocopy of fingerprints bearing the name Charles Lee Tanner

**RESULTS:**

Eight (8) latent fingerprints and one (1) latent palm print were previously reported in this case.

Two (2) latent fingerprints on item 14 have been identified with the submitted fingerprints of Charles Lee Tanner.

The remaining latent fingerprints were not identified with the submitted fingerprints of Diane Fleming and Charles Lee Tanner.

The latent palm print on item 6 was compared insofar as possible with the submitted palm prints of Diane Fleming. In order for a conclusive comparison to be made, fully recorded and legible sets of inked finger and palm prints of all suspects and investigating personnel should be submitted.

Photographs of the latent prints are still being retained in our file and will be available for any future comparison.

The evidence will be available at the Central Laboratory after you have received the results of all requested examinations.

**Attest:**

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Robin L. Young  
Forensic Scientist

RLY



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

CR01F01484-01/02

**CERTIFICATE OF ANALYSIS**

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

September 29, 2000

Telephone: (804) 786-4747  
Fax: (804) 786-5857

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115  
Victim(s): FLEMING, Charles Linwood, Jr.  
Suspect(s): FLEMING, Diane  
Evidence Submitted By: Christopher Sepic

Received: 06/15/00

Item 3A Sample of unknown yellow substance  
Item 5A Sample of unknown blue substance  
Item 6A Sample of unknown blue liquid  
Item 7 Drink bottle from refrigerator  
Item 7A Control bottle from victim's home  
Item 8A Unknown red liquid  
Item 8B Unknown red liquid  
Item 10 Bottle of Glass Plus Cleaner  
Item 11A Lemon Lime Gatorade bottle  
Item 11B Fruit Punch Gatorade bottle  
Item 12 Plastic bottle with purple solution  
Item 13 Bottle of Fruit Punch Gatorade

Evidence Submitted By: O. F. Akers  
Item 14 Clear 20 oz Gatorade bottle (plastic) Lemon Lime

Received: 06/20/00

**RESULTS:**

Item 3A:  
- Ethanol not detected  
- Methanol 0.1 % by weight by volume  
- Isopropanol not detected  
- Acetone not detected.  
- Ethylene Glycol not detected.  
- Propylene Glycol not detected

Item 5A:  
- Ethanol not detected.  
- Methanol 0.1 % by weight by volume.  
- Isopropanol not detected  
- Acetone not detected.  
- Ethylene Glycol not detected.  
- Propylene Glycol not detected.



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

Chesterfield County Police Department  
FS Lab #: C00-8867  
Your Case #: 20000614-0115  
October 4, 2000

- Item 6A:
- Ethanol not detected.
  - Methanol 32.8 % by weight by volume.
  - Isopropanol not detected.
  - Acetone not detected.
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected.
- Item 7:
- Ethanol not detected.
  - Methanol 3.3 % by weight by volume.
  - Isopropanol not detected.
  - Acetone not detected.
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected.
- Item 7A;
- Ethanol not detected.
  - Methanol, isopropanol, acetone not detected.
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected.
- Item 8A:
- Ethanol not detected.
  - Methanol not detected.
  - Isopropanol present.
  - Acetone not detected.
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected.
- Item 8B:
- Ethanol not detected.
  - Methanol not detected.
  - Isopropanol present.
  - Acetone not detected.
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected
- Item 10:
- Ethanol not detected
  - Methanol not detected.
  - Isopropanol not detected.
  - Acetone not detected.
  - Ethylene Glycol not detected
  - Propylene Glycol not detected.
- Item 11A:
- Ethanol not detected
  - Methanol 3.6 % by weight by volume. ‘
  - Isopropanol not detected
  - Acetone not detected.
  - Ethylene Glycol not detected
  - Propylene Glycol not detected.
- Item 11B:
- Ethanol not detected
  - Methanol 3.6 % by weight by volume.
  - Isopropanol not detected.
  - Acetone not detected.



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

Chesterfield County Police Department  
FS Lab #: C00-8867  
Your Case #: 20000614-0115  
October 4, 2000

- Item 12:
- Ethylene Glycol not detected
  - Propylene Glycol not detected
  - Ethanol present
  - Methanol not detected
  - Isopropanol present
  - Acetone not detected.
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected
- Item 13:
- Ethanol not detected.
  - Methanol 4.7 % by weight by volume.
  - Isopropanol not detected.
  - Acetone not detected
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected
- Item 14:
- Ethanol not detected
  - Methanol, isopropanol, acetone not detected
  - Ethylene Glycol not detected.
  - Propylene Glycol not detected

Attest:

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Joseph J. Saady, Ph.D.  
Chief Forensic Toxicologist

JJS/pt





Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

March 27, 2001

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

Telephone: (804) 786-4747  
Fax: (804) 786-5857

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115  
Victim(s): FLEMING, Charles L.  
Suspect(s): - - -  
Evidence Submitted By: Christopher Sepic

Received: 06/15/00

Item 7 Drink bottle from refrigerator  
Item 13 Bottle of Fruit Punch Gatorade

Evidence Submitted By: O. F. Akers  
Item 14 Clear 20 oz. Gatorade bottle (plastic) Lemon Lime

Received: 06/20/00

Evidence Submitted By: Barbara Condrey  
Item 6 Gallon bottle containing blue liquid

Received: 07/12/00

**RESULTS :**

Eight (8) latent fingerprints and one (1) latent palm print of value for identification purposes were developed as follows:  
Item 6 One (1) latent fingerprint and one (1) latent palm print  
Item 13 Three (3) latent fingerprints  
Item 14 Four (4) latent fingerprints

No latent prints of value are present or were developed on Item 7.

Photographs of the latent prints are being retained in our file and will be available for any future comparison

The evidence is being retained for personal pickup.



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

Chesterfield County Police Department  
FS Lab #: C00-8867  
Your Case #: 20000614-0115  
March 27, 2001

Attest:

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Robin L. Young  
Forensic Scientist

RLY



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

June 13, 2001

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

Telephone: (804) 786-4747  
Fax: (804) 786-5857

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115  
Victim(s): FLEMING, Charles Linwood, Jr.  
Suspect(s): FLEMING, Diane  
Evidence Submitted By: Crystal S. Webb

Received: 04/25/01

Item 3 Gallon jug containing unknown yellow liquid from Workbench  
Item 5 Plastic jug containing unknown blue liquid from shelf near garage door  
Item 11A Lemon Lime Gatorade bottle 0  
Item 11B Fruit Punch Gatorade bottle

**RESULTS:**

No latent prints of value for identification purposes are present or were developed on the submitted items.

The evidence is being retained for personal pickup.

**Attest:**

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Robin L. Young  
Forensic Scientist

RLY



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

CR01F01484-01802

**CERTIFICATE OF ANALYSIS**

February 1, 2002

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

Telephone: (804) 786-4747  
Fax: (804) 786-5857

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115  
Victim(s): FLEMING, Charles Linwood, Jr.  
Suspect(s): FLEMING, Diane  
Evidence Submitted By: Susan Richardson

Received: 08/01/01

Item 005 Gallon container labelled "Karcher Vehicle Wash"  
Item 006 Gallon container labelled "Krystal Kleer Windshield Washer"

**RESULTS:**

Item 005: - No analysis required per Detected Baker.  
Item 006: - Volume 3820.4 mL (tolerance limits 3709-3860 mL).

The evidence is being retained for personal pickup.

**Attest:**

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Joseph J. Saady, Ph.D.  
Chief Forensic Toxicologist

JJS/pt



Commonwealth of Virginia  
Department of Criminal Justice Services  
**DIVISION OF FORENSIC SCIENCE**

**CERTIFICATE OF ANALYSIS**

June 29, 2002

Central Laboratory  
P.O. Box 999  
Richmond, VA 23218

Telephone: (804) 786-4707  
Fax: (804) 786-5857

TO: E. R. BAKER  
CHESTERFIELD COUNTY POLICE DEPARTMENT  
P O BOX 148  
CHESTERFIELD VA 23832

FS Lab #: C00-8867

Your Case #: 20000614-0115  
Victim(s): FLEMING, Charles Linwood, Jr.  
Suspect(s): FLEMING, Diane  
Evidence Submitted By: Sandy Parrish

Received: 07/17/02

Item 018 One (1) bottle of Phosphagen Creatine EAS dietary supplement

**RESULTS:**

Item 018: - Methanol not detected.

The evidence is being retained for personal pickup.

**Attest:**

I certify that I performed the above analysis or examinations as an employee of and in a laboratory operated by the Division of Forensic Science, and that the above is an accurate record of the results of that analysis or examination.

Joseph J. Saady, Ph.D.  
Chief Forensic Toxicologist

JJS/pt

8/12/02  
EXHIBIT #1  
CEP, Judge