

A try at enlightenment

Facts surrounding the murder of Christopher Milke on 12-2-1989, opposing the State's theory and destroying it completely



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This single synopsis will make a try to shine some light on the proceedings of the terrible crime, the murder of Christopher Conan Milke, which eventually resulted in the arrest, indictment and conviction of his mother, Debra Milke. As the website has shown in many places, this happened by using questionable police tactics, a shocking list of falsehoods and twisted statements, and an overzealous prosecution that ruthlessly used every character assassination possible in order to accomplish the conviction of Debra at any cost. We are aware that the details contained on this page may appear questionable, contradictory and taken out of context to the onlooker, since a lot of conflicting details unravel, which were taken from the various records and documents available. Please consider it as an approach to try to tell what has actually taken place on that fateful day, December 2nd, 1989 and what caused the injustice done to Debra Milke and landed her on death row. The following will summarize accounts taken from a string of evidence and facts and try to explain the events on that Saturday. We will also attempt to show how the overreaching tactics of former Phoenix police detective Armando Saldate and prosecutor NOEL LEVY denied justice for Debra from early on and caused a prejudiced and unfair trial.

Story :

After a serious incident with her ex-husband MARK, a long-time friend of her sister, JAMES STYERS, had offered Debra Milke and her 4-year-old son Christopher to move in and share his apartment. MARK MILKE, an alcohol and drug abuser and ex-convict had harassed Debra, choke her and took away the keys of the car she was using. STYERS was the only local person Debra could turn to and trust, and he was immediately willing to help her.

STYERS, an unemployed Vietnam vet with various disabilities was well-known by a number of people for his caring nature and his reliability in dealing with children. He had a 2-year-old daughter with his former girlfriend, GAIL LIPSHULTZ, and was initially friends with SANDY PICKINPAUGH, Debra's younger sister. SANDY had married in the summer of 1989 and moved to the State of Wyoming. When Debra moved into STYERS' place in early August 1989 she had to adjust to life as a single parent together with her small son. Starting August 30, 1989 she had taken on a new job, and her stay with JIM was only a temporary solution until she would find an apartment for her son and herself. Throughout the day, when Debra was at work, STYERS watched CHRISTOPHER, and occasionally his daughter WENDY.

From the police report of DET. DAVIS #2181 (12/03/1989 - approx. 11.30 a.m.) :

(...) "DEBRA said JIM is good with kids and he does change their clothing. She said he does everything for WENDY and when she's at work, he does everything for CHRISTOPHER. DEBRA said that JIM started babysitting CHRISTOPHER full time in September to save her babysitting money. She was asked about JIM'S work and she said apparently he can't get a job because of a disability." (...)

And Debra's statements pertaining to how JIM STYERS treated CHRISTOPHER were corroborated by an interview of neighbor JOHN CIULLA to DET. J. TOWNSEND #3933 on June 15, 1990 :

(...) MR. CIULLA lived next door to the suspects JIM STYERS and **Debra Milke** at 7734 N. 12 St., #6 at the time of CHRISTOPHER'S disappearance. (...) He said that JIM was a very good father to his daughter, WENDY, who he had legal custody of. He also watched CHRISTOPHER during the day when Debra went to work, and he was also

very patient with him, taking good care of him. JIM never spanked CHRISTOPHER, but would talk to CHRISTOPHER about what he did wrong, and then either put him in the corner or send him to his room for discipline. (...)

It was at this time that Debra made acquaintance with one of JIM'S old friends, ROGER SCOTT. To understand the relationship of JIM STYERS and ROGER SCOTT it's helpful to read an account of JIM'S ex-wife, KAREN STYERS in a report filed by DET. DENNIS OLSON #2979 (12/2/1990 -approximately 6 p.m.) :

"I asked KAREN if there are any old friends that JIM happened to meet recently in Phoenix. She stated that she could not think of anybody but then said, they saw ROGER at the Civic Center a couple of years ago. She explained that ROGER apparently went to High School with JIM and were pretty good friends. When JIM and KAREN got married he lost contact with ROGER for several years. Ever since they saw ROGER at the Civic Center, JIM sees ROGER off and on."

Debra immediately disliked his appearance and when he inquired in September if she could lend him \$250, Debra snapped back : "What am I ? A bank ?"

And in another source a fellow worker of Debra, CARMEN SANTANA, stated to KIRK FOWLER, investigator for the defense, on December 22, 1989 :

"(...) Debra seemed like a good mother. She did the best she could with her child. Carmen had known STYERS since August. He seemed like a really nice man. Carmen thought STYERS cared a lot for Debra, unknown if this was romantic interest or as a daughter. ROGER SCOTT went out with them one time. CARMEN did not care much for him, he seemed creepy and weird. (...)"

Earlier in the year Debra had started dating a young man she had met at her previous job, one ERNIE SWEAT. On September 15, 1989 Debra's mother RENATE JANKA and her second husband ALEX came over from Europe to visit her and the grandchild in Phoenix. During that stay MS. And MR. JANKA would buy a car for Debra to ensure that she was able to make her daily way to work. On various occasions Debbie and ERNIE would be together with MS. And MR. JANKA, and it was no secret that the relationship of the two young people was solely meant to enjoy spending time together. Deep in her heart Debra was not over the divorce from MARK.

In October that year STYERS' car had wrecked up. JIM, who did not have enough money to have his car repaired got an offer from Debra to use her car throughout the days, but to pick her up from work in the afternoon. STYERS could use the car when she was at work and it was convenient for both of them, because STYERS would occasionally pick up his daughter, or go shopping. He didn't give Debra a reason for concern about his actions. Friends and family members later confirmed the caring nature of JIM STYERS. Only because of the police investigations it became known that STYERS and SCOTT had continuously met and neighbors testified that ROGER SCOTT was seen at the apartment complex frequently during the days, and that Debra was never with them.

From the police report of DET. TOWNSEND #3933 (12/02/1989 - approx. 2.00 p.m.) :

(...)

WITNESS : CIULLA, JOHN (neighbor)

"I asked John at that time if ROGER was a frequent visitor to the apt. and he said that he would come over at least two-three times per week and also went every week to the V.A. Hospital with JIM for treatment. Both men had been in the Marines together back in Vietnam. ROGER was also a heavy drinker and would get obnoxious sometimes during his visits and JIM would transport him home."

(...)

But the two men were not only at JIM STYERS' apartment. In an interview on December 3, 1989 SCOTT'S neighbor JANE DOLLAHAN stated to DET. KAVANAGH #4936 :

DOLLAHAN said that within the past 2 weeks, she noticed that a W/M, 35 to 42 years, 5'8" to 6', 200 to 220 pounds, with blondish gray hair and balding on top, and a W/M, 4 to 5 years old, had been visiting with ROGER SCOTT. DOLLAHAN had never seen them before.

For some reason JIM STYERS became more and more interested in guns at that time, which yielded the investment in a revolver which he had bought on November 11. Not only that - it also came to the attention of Debra that - at least at one occasion - STYERS was in a desert area with CHRISTOPHER to practice target shooting. She was scolding at JIM that she didn't want any activity like this around CHRISTOPHER, and JIM promised it wouldn't happen again. In the interview by DET. DAVIS #2181 (12/03/1989 - approx. 11.30 a.m.) Debra it reads :

"She was asked if JIM ever went out in the desert with his gun to shoot it or any location to shoot it. She said he has talked about shooting snakes and cans and so forth but she doesn't know where. She was asked if JIM ever took CHRISTOPHER any

place. She said last week, he took CHRISTOPHER out somewhere to watch the kites. She said also CHRISTOPHER and WENDY like to watch the planes at the airport."

A similar situation is described in a report filed by DET. SALDATE #1875 about [an interview he has had with MARK MILKE](#) on December 20, 1989 :

"MARK said that during the time that he and **DEBRA** were discussing where they had been, JIM STYERS came into the room and appeared to be excited. He then asked him if he had removed his gun from underneath the seat and MARK told him that he had not. MARK then told JIM that he didn't even know JIM had taken a gun out with them and he said that he did not like guns around his son CHRIS. JIM then told him that he had placed it under the seat and that it was not there now."

November 1989 brought a positive change for Debra's life, because she was accepted with an apartment application. [The application form](#) lists herself as well as her son, and Debra initially intended to move out by December 1st. However, she was considering STYERS' financial situation and filled him in on her intentions. She now planned to move out into her own four walls by January 1, 1990.

Around that time ERNIE SWEAT started to distance himself more and more from Debra. In his trial testimony on September 14, 1990 he stated that he felt at that time that Debra should find herself a man "who made a good husband for herself, and a father for Christopher". He, however, thought he was not mature enough to take that step, since he was also dating other girls. Debra's relationship with her ex-husband, on the other hand, was stressed with bickering about a restraining order that had been confirmed in Debra's favor in late October. Debra had finally received sole custody and insisted on supervised visitation because of MARK'S addictive behavior. Nevertheless she wanted her son to have a good relationship with his father and on Sunday prior to the tragic weekend MARK MILKE had his son and returned CHRISTOPHER at 8 in the evening. As stated [by MARK'S father, HENRY MILKE](#), Debra called MARK again on Monday and invited him to come over to watch a Batman movie with his son. MARK declined because he prepared for a short trip to Texas. The purpose of that trip was to bring the car mentioned above to HAROLD, and to renew MARK'S driving license, since he had lost his Arizona driving license due to a DUI.

From [the interview of HENRY MILKE](#), June 15, 1990 :

(...)

Ken Ray : And did you call Harold to --

Henry Milke : Yes.

Ken Ray : -- see if he wanted the car ?

Henry Milke : Yes.

Ken Ray : And he indicated that he was interested in it ?

Henry Milke : Yes.

Ken Ray : Okay. Was he going to take over the payments ?

Henry Milke : Yes.

Ken Ray : Okay. What about Mark ? Did he have a car at that time of his own ?

Henry Milke : No.

Ken Ray : Was he not interested in taking over the payments ?

Henry Milke : He doesn't have a license anyway.

Ken Ray : I see. All right.

Henry Milke : Couldn't even get insurance. No, he couldn't.

Ken Ray : How was it decided that Mark would go back with Harold in the car ?

Henry Milke : It's a long drive for one person. It's a long haul to (inaudible) Texas. And he and his brother just to go for a ride.

(...)

Ken Ray : Did Mark ever tell you that another reason -- he had another reason for going to Texas ?

Henry Milke : Oh, yeah, yeah, sure.

Ken Ray : What was his other reason ?

Henry Milke : Funny reason. To get a Texas driver's license.

Ken Ray : Okay. Did he get one ?

Henry Milke : Yes, I think he did.

(...)

On Friday, December 1, 1989 JIM STYERS took both CHRISTOPHER and his daughter WENDY with him for Christmas shopping to the Phoenix Metro Center, while Debra stayed at home doing laundry. It was during these chores that Debra found a box of bullets between the laundry, and she didn't want them lying around and shoved them into her purse. In the meantime CHRISTOPHER saw Santa Claus at the Metro Center mall, and it excited him a great deal. The little boy was determined to see "Santa" again. Later that evening STYERS dropped WENDY off at his mother GAIL and [inquired of her whether he could pick WENDY up again on Saturday morning](#). GAIL refused because of things she had already planned, but suggested JIM should pick his daughter up later on the afternoon of Saturday.

From the interview of GAIL LIPSHULTZ, June 25, 1990 :

(...)

Tom Buckner : Prior to Christopher's murder, when was the most recent time you saw Jim ?

Gail Lipshultz : Oh, I saw him the day before when he dropped off Wendy.

Tom Buckner : Okay, that would be on the 1st of December of 1989 ?

Gail Lipshultz : Yeah, probably.

Tom Buckner : How long had he had Wendy for that time ?

Gail Lipshultz : Well, we just like kind of switched back and forth, kind of, during the week because I was going to school and working, so he would watch her. He was supposed to come pick her up the next day.

(...)

Tom Buckner : When had Jim brought her home ? Do you remember what day ? Like you say, it was from the day before ?

Gail Lipshultz : Oh, you mean when he brought her here ?

Tom Buckner : Right.

Gail Lipshultz : Yeah, the day before, in the evening. He said he was going to pick -- he wanted to pick her up like early the next day. I told him, wait 'til like later in the afternoon because I wanted to take her somewhere.

Tom Buckner : So he never picked her up that weekend at all ?

Gail Lipshultz : No. (Inaudible)

(...)

And it's true, because after STYERS had filed the missing persons report at the Metro Center he had been involved with the search for Christopher all through December 2. And from another report of DET. JUDY TOWNSEND #3933 about interviews of the neighbors CIULLA and MURPHY [June 15th, 1990] we learn :

(...)

"During the course of the day (12/2/1989), JIM'S ex-wife, DEBBIE, kept calling for JIM to come pick up WENDY.

Comment : To wrongfully name WENDY'S mother, GAIL LIPSHULTZ, "Debbie" is just another example of how sloppy any Phoenix police detective fulfilled their duties in this case. Please remember the correct name and don't get confused, because GAIL was JIM STYERS' ex-girlfriend [not his ex-wife] and the mother of WENDY.

WENDY had gone to her mother's the night before, but was to be picked up on Saturday by JIM.

Comment : Another interesting detail, because in [his questionable report](#) which contains the 'so-called confession' of Debra, Saldate claims that 'On Saturday morning, she woke up and spoke to JIM. JIM told her that they were planning to do it today and that he was going to pick up ROGER.' That means that Saldate's account largely conflicts with witness testimonies.

When JIM came from being interviewed by the police on 12/3/1989, he called DEBBIE [note : again, her name is GAIL] from her phone, telling her that he was going to church and would pick up WENDY after the service. Both she and JOHN [note : CIULLA] said that JIM thought his phone was tapped because he had looked out his window and saw a van parked in the Basha's parking lot, and he thought the police were watching him."

(...)

The events in the morning of the next day - Saturday, December 2, 1989 - are not precisely described by the various individuals involved nor the referring reports. Debra herself stated to police that she got up at 10 a.m.

From the police report of DET. JONES #3025 (12/02/1989 - approx. 11.45 p.m.) :

(...)

"I asked DEBRA to explain the days activities as they occurred, starting with the time that she first woke up. DEBRA stated that CHRIS was in bed with her and woke up approximately 5:30 a.m. to tell mommy, 'Mommy, the sun's up.' DEBRA told him to go back to bed and she believes it was approximately 9:00 a.m. when CHRIS woke again and asked if he could go out and watch cartoons. CHRIS was allowed and DEBRA recalls getting up at approximately 10:00 a.m.

When DEBRA met JIM in the hallway, she asked him what he had planned on doing and he responded by stating that he was going to go to Metro Center. CHRIS had overheard this conversation and came and begged to go see Santa Claus with JIM. DEBRA then asked JIM if it was okay because she did not want to impose upon him as he had watched the children all week. JIM indicated to her that this was not a problem

and agreed to take CHRIS with him. DEBRA then took CHRIS with her, got him dressed, and prepared him to leave.

I asked DEBRA what time they left the apartment and at first, she was not sure of the time, but recalled that they were finishing watching the television show and looked in the television guide and determined that the show finished at 11:00 a.m. She told me that right after the television show, they left in her car."

(...)

Unfortunately neither the TV show nor anything else is reported in greater detail. On the morning of December 3rd, at 4.15 a.m. JIM STYERS was interrogated by detective CHARLES MASINO, and the following information was told :

(...)

Charles Masino : Okay JIM, what I want to talk to you about is what you've done to today from the time you got up to presently now so we can get an idea of what happened with you and CHRIS today. You were the last person with CHRIS today.

Jim Styers : As far as I know of, yes.

Charles Masino : Okay, why don't you outline your day for me. What time did you get up in the morning ?

Jim Styers : I woke up somewhere between 4:30 and a quarter to 5:00 somewhere in that area. CHRISTOPHER woke up a little after, maybe 5:30, 6:00 somewhere in that and I had come in and watched t.v. in the bedroom, watching Winnie the Pooh and some other cartoons and then we got up and went out and ate some breakfast and watched more cartoons.

Comment : Here an interesting detail unravels. Debra claimed that CHRISTOPHER had woken up at 5.30 a.m., but that she told him to go to bed again and believed Chris next awoke at 9.00 a.m. JIM STYERS, on the other hand, claims that CHRISTOPHER has gotten up at 5.30 a.m. and suggested that the little boy was with him watching those cartoons : "... and then we got up and went on out and ate some breakfast ...". We should not forget that Debra's statements were made during the missing person investigation, and she obviously woke up from a sound sleep, but JIM STYERS had already been awake for some time that morning. Also, STYERS' statement was undoubtedly made after the boy had been shot, which leads to assume that JIM had an intention and a motive to distance himself from the true timeline as far as possible, in order to cover his involvement in the killing of CHRISTOPHER.

Charles Masino : What time do you think it is now ?

Jim Styers : Right now ?

Charles Masino : No, the time that the cartoon, yeah the cartoon ...

Jim Styers : I don't know, after 8:00

Charles Masino : Okay.

Jim Styers : Something like that.

Charles Masino : Where does CHRIS normally sleep ? Does he sleep with you in your bedroom or does he have his own bedroom ?

Jim Styers : He sleeps with his mother in that bedroom. Charles Masino : Okay, what's her name ?

Jim Styers : DEBBIE.

Charles Masino : DEBBIE, okay. Ahh, so you watch the cartoons at 8:00 o'clock, what happens then ?

Jim Styers : His mother gets up, I took a shower -- well, before the mother got up I took a shower, I got dressed and we watched more cartoons. I stood outside for a while in the balcony. Ahhh, DEBBIE got up cause CHRIS went and woke her up, ahhh just watched TV, talked to the kids outside, I think the neighbors and beside while we was watching cartoons CHRIS and I, we got to talking about Santa Claus again and we decided we would go see Santa Claus.

Comment : The statement of STYERS spanned three hours. According to himself he took a shower, and only after that Debra had gotten up. JIM next claimed he stood in the balcony and watched some more cartoons. For three hours ?

Charles Masino : Okay, how did that happen ? Did you say you were gonna go to the shopping center alone and he volunteered to go or did ... ?

Jim Styers : No, no, he was just asking me cause we were up the night before, the day before and he said can we go, can we go see Santa Claus again and I said yes, alright we'll go and we got on up again and we left, I'm not sure of the time. I guess, after 11:00 or 11:00 o'clock I decided to go over to ROGER'S house.

(...)

Here JIM STYERS gave his account to detective CHARLES MASINO, filling him in on the details of that morning. But as described STYERS had a motive to cover the true timeline of that morning. Police did not investigate whether "Winnie the Pooh" was truly over at 11.00 a.m., or earlier, or whether it was really this show. This shows that the investigative work - in regards to a murder investigation - was

not proper or air-tight. However, all accounts consistently confirm that the idea of CHRISTOPHER and JIM to go to Metro Center together came up before Debra had gotten up that morning, and only when she was informed about this - and inquired whether this was okay with JIM - she gave CHRISTOPHER his clothing, because the little boy could already dress himself.

It is also well-known and no secret to experts that witness testimonies may vary a lot from individual to individual. A close friend and fellow worker of Debra, CARMEN SANTANA, had a different recollection about the proceedings and their occurrence on that morning. In a report about an interview with MS. SANTANA (12-22-1989) by KIRK FOWLER, investigator for the defense, we learn :

"(...) On Saturday, 12-2-1989 at about 9 AM Carmen called **Debra**. She told Carmen that Chris had left with Jim to the mall. **Debra** sounded kind of bored, she asked Carmen to call her later & we will do something. (...)"

But this report of MR. FOWLER wasn't the only hint to a different timeline than the one told by the State. At trial MS. SANTANA was challenged by prosecutor NOEL LEVY about the point 'who called who', but made no mention about the varying timeframe that unraveled with this testimony.

From the trial testimony, September 25, 1990 :

(...)

Noel Levy : On Saturday, December 2, 1989, who was it that called between Debra and yourself ?

Carmen Santana : She called me that morning and I returned the call in the afternoon.

Noel Levy : Do you recall telling Mr. Fowler on January 25th, 1990, telling him this, per his report : 'On Saturday, 12/2/89, at about 9:00 a.m. Carmen called Debra'. Do you remember saying that to him ?

Carmen Santana : I remember saying I couldn't remember who called who originally.

Noel Levy : Do you remember saying that to him? I'm just asking you.

Carmen Santana : No, I don't.

Noel Levy : Okay. Are you saying you did not say that to him ?

Carmen Santana : No, I'm not.

Noel Levy : You may have said that ?

Carmen Santana : Yes.

Noel Levy : That you called Debra at 9:00 a.m. ?

Carmen Santana : Yes.

Noel Levy : Then do you remember telling Stan Reichsfeld on August 6th, 1990, "On Saturday, December 12th (sic), 1989, she remembers Debra calling her at about 9:00 a.m.", where she would say, "I remember Debra calling her at about 9:00 a.m." ? Do you remember saying that to Reichsfeld ?

Carmen Santana : Yes.

Noel Levy : It was 9:00 a.m. ? That's what you told both investigators ?

Carmen Santana : Yes.

Noel Levy : And when she called you, she sounded kind of bored, is that so ?

Carmen Santana : Yes.

Noel Levy : She said that she would contact you later to do something.

Carmen Santana : Yes.

Noel Levy : And that she particularly said that Chris had left with Jim to the mall ?

Carmen Santana : Yes.

Noel Levy : Is that all she said about Chris going to the mall ?

Carmen Santana : He was going to look at go see Santa Claus.

(...)

No matter who had called who, but we learn from this trial testimony that CARMEN SANTANA confirmed three times that her telephone talk with Debra has taken place at 9.00 a.m. on that December 2, 1989 and that Debra had stated that CHRISTOPHER and JIM had already left. It either didn't come to the attention of the prosecutor that Debra's initial statement was that she had gotten up at 10.00 a.m.; or it had come to his attention, but NOEL LEVY covered his knowledge, because he wanted the jury to believe that the timeline presented by the state was the correct one. In his closing argument County Attorney NOEL LEVY suggested to the jury :

"Now, thinking about motivations, if James Styers took care of this child -- and you remember the time that she last sees him -- out the door at 11:00 a.m. on Saturday, December 2, 1989, out the door at 11:00 a.m., there is no motivation, not even a reasonable inference that James Styers would independently some desire to kill Christopher Milke with the help of Roger Scott."

Despite the unequivocal testimony of CARMEN SANTA, LEVY twisted his knowledge about the timeline and painted in a completely self-created scenario. Later on it was alleged by the police authorities that JIM STYERS and Debra had an arrangement that STYERS would take CHRISTOPHER to the desert to kill him, but as we have seen above both individuals have stated differently, namely that CHRISTOPHER had asked himself to be taken to the Metro Center to see Santa Claus again. Nothing else to support the State's theory - other than unfounded conjectures - ever came to surface.

This leads to another, shocking suspicion. Has one of the three supposed perpetrators probably ever been told "what to say" to the police authorities ? Is there any indication for something like that ? From [the tape-recorded interview of DET. R. MILLS with ROGER SCOTT](#) we learn :

(...)

Det. Mills : Okay, we'll get into that as time passes, okay. Uh, let me ask you this, what was Christopher told about these trips to the desert ?

Roger Scott : Later on he was going to go see Santa Claus, uh we ...

Det. Mills : How about Friday's trip to the desert, what was he told then ?

Roger Scott : Well that one was about Santa Claus.

Det. Mills : Santa Claus ?

Roger Scott : Yeah.

(...)

Hardly a coherent reply about a true reason for taking a little 4-year-old boy out to a desert area. However, this shows that the headline "Boy killed who wanted to see Santa Claus" was probably also nothing else but an invention of the authorities. In the police report of DET. DAVIS #2181 (12/03/1989 - approx. 11.30 a.m.) we also learn about this juncture :

(...) "Later JIM asked if he could use her car to go Christmas shopping for his daughter WENDY. CHRISTOPHER wanted to go. **DEBRA** told CHRISTOPHER that JIM takes care of him all week and probably wanted to go by himself. JIM, however, said it was okay and they left around 10:30 to 11:00 a.m." (...)

Now that we know about how LEVY twisted testimonies we should have a look if there are really indications to assume that JIM STYERS and Debra had a part in the killing of CHRIS. Why did LEVY suggest that STYERS and CHRISTOPHER have left the apartment at 11:00 a.m., when in fact more indications exist that tell us it has actually happened earlier ? First of all, let's have a look at the issue of the bullets again. When STYERS and SCOTT were arrested on December 3, 1989 the car they used - Debra's while Toyota Corolla - was confiscated by Phoenix police. In a police report by DET. R. MILLS #2781 he stated :

(...)

"On 12/7/89 at 1012 hours, DET. ARMANDO SALDATE and I went to the basement at 620 W. Washington to the vehicle examination room where we located the 1986 white Toyota Corolla bearing Arizona license DCZ-395. A search was conducted of that vehicle with appropriate photographs being taken by Latent Print Examiner MARK HATCHER #A2863.

(...)

On the transmission hum in front of the gear shift I located the sunglasses. When opening up the glovebox the first item noted was the child size Cardinals sweatshirt, and underneath of that was the box of CCI brand .22 caliber ammunition."

(...)

And the first page of that report summarized under point 7 : "One plastic box of CCI brand .22 cal. ammunition. Head stamp "C", silver casing with copper plated hollow point bullets. 18 missing from box of 50, K-Mart sale tag reading \$2.19 488 - Key 7."

Six of those bullets were found in the revolver discovered at ROGER SCOTT'S apartment, but police has never questioned why eighteen bullets were missing from this box. Since CHRISTOPHER had been found shot to death with three bullets in the head fifteen more bullets must have been used and spent otherwise. How ? Why ? What was behind the use of these other fifteen bullets ? None of the questions ever came up in Debra Milke's trial. And why did JAMES STYERS and ROGER SCOTT meet that morning ? In an interview with SCOTT'S neighbor, JANE M. DOLLAHAN, she told DET. KAVANAGH :

On Friday, 12-1-89, the W/M and little boy were in front of ROGER SCOTT'S apartment. The little boy was wearing a white and blue toy motorcycle helmet. She recalls that the boy was wearing all blue clothing. DOLLAHAN commented briefly to the boy 'where's your bike' ? And the W/M, whom she thought was the boy's father said 'it's at home'.

DOLLAHAN said that Saturday, 12-2-89, she again saw the W/M and little boy outside of SCOTT'S apartment. She did not speak to them.

DOLLAHAN said that on both Friday and Saturday when she saw them, it was during the daytime. She could not say whether it was morning or afternoon.

All we know up to this point is that STYERS along with CHRISTOPHER had picked up ROGER SCOTT from his apartment, and that there was a gun and a box of bullets in the car [not knowing how many bullets were already used before the three went to the remote desert area]. We still don't have any index to assume that a murder was preplanned, as LEVY had suggested. Nothing indicates such a crime. We also know - since MS. DOLLAHAN had seen CHRISTOPHER playing in front of ROGER SCOTT'S apartment alone - that JIM STYERS obviously went into the apartment all by himself, assuming that both men came to the outside together shortly thereafter.

Let's have a look at the issue of these guns. The very first mention of any guns involved in CHRISTOPHER'S disappearance happened during the interview of Debra by DET. DAVIS #2181 on noon of December 3, 1989, shortly before Debra left for Florence together with her step-mother :

"**DEBRA** said JIM is a good father and has spoiled WENDY. She described him as being very patient and that he has taken care of her sister's baby. She said JIM was in the Marines. At that time, **DEBRA** said, no he has never flipped out. She was asked about JIM owning any guns and she said I think he has one gun. She then asked if we would like to see it and I told her yes. **DEBRA** went to another room and returned with a revolver and found it to be a German made revolver that had the initials EIG MODEL E15 on it. It also was found to be a .22 long rifle 6 shot revolver with serial number 247137."

This means Debra had voluntarily shown this one revolver to DET. DAVIS, which is another indication that 'the conspiracy theory' of the State as such was nothing but an invention. If a crime was planned, wouldn't the perpetrators take care that no guns were present in their apartment ? Anyhow, the next time we learn about a gun is only after ROGER SCOTT, JIM STYERS and Debra were arrested. Only during the trial it became known to Debra that JIM had only filled her in on one gun, but that he had obviously bought two more. In DET. MILLS #2781 report about an interview with the investigative lead STEVEN W. HICKS it says :

"STEVEN said that he had sold two guns in mid-November to JIM STYERS and remembered receiving the check. He said he had to hold the check two weeks and it was post-dated. As to the guns he sold he said one of them was an RG model 14 short barrel .22. He said he did not have the serial number recorded. (...) STEVE said he sold the gun to STYERS in mid-November at a gun show at the VFW hall at 48 Street and Thomas. STEVEN said that sale was actually a sale of two guns and the other was a single action western style revolver that was owned by a friend of his named BILL, and STYERS bought both of the guns paying STEVE for them and STEVE in turn paid BILL a portion of the \$80.00 check when it cleared the bank in early December. (...)"

Later on, during his taped interrogation of ROGER SCOTT, DET. MILLS learned something else about the guns, when SCOTT'S story implicated Debra Milke :

Roger Scott : "She just said that she wanted Jim and me to handle it after Jim had purchased the one gun, uh, later on I believe it was 3, 4 days later he purchased another two guns."

Why should STYERS have bought three guns to shoot the little boy, instead of only one ? This story is hardly believable and doesn't make any sense, but this interrogation also reveals about the purchase of the guns itself :

(...)

Det. Mills : Do you know if he got a receipt for that gun ?

Roger Scott : I somewhat doubt it, uh, it was, the guns were purchased at gun shows that they have listed in the paper usually out in Mesa, and uh, around, I forget what they call the place but it's sort of like their own Civic Center.

Det. Mills : Okay.

Roger Scott : In their town where they have big gun shows and they sell guns across the counter like you would go into a Circle K and buy a roll of Certs. You just put the money down and take it with you.

Det. Mills : Were you there when he purchased that gun ?

Roger Scott : The first gun, yes.

Det. Mills : The gun that you have at your house ?

Roger Scott : No.

Det. Mills : Oh, you weren't there when he purchased that gun.

Roger Scott : No that was 3 to 4 days later when he bought the other two guns. He had gone himself.

(...)

And it's true, no spare ammunition for any of the guns had been found at ROGER SCOTT'S apartment when a search warrant was executed in the late hours of 12-3-1989. But the gun found at ROGER SCOTT'S apartment was indeed the one mentioned by STEVEN HICKS; a RG model 14 short barrel .22. But why would STYERS give SCOTT the gun that killed CHRISTOPHER, if STYERS was truly interested in having CHRISTOPHER shot ? And why didn't Phoenix police investigate who that BILL was who allegedly received a partial payment of JIM STYERS' \$80.00 check ? Was this BILL actually ROGER SCOTT ? How else could he possibly know the details of the purchase ? Other than the first gun, which was shown to police officers by Debra, a second revolver was later found in the apartment of JAMES STYERS. Debra said at trial she had no idea about this one.

And what do we know about ROGER SCOTT and his demeanor towards children in general ? In an interview with DET. MILLS #2781 from 12-3-1989 it says :

I asked ROGER if he liked children and at this point in the interview he seemed to perk

up. ROGER indicated that he liked all kids and there were many kids in the neighborhood that would come over to his home or would speak to him when they saw him outside. He said many of the children in the neighborhood know him by his first name and he regularly would fix bicycles for the neighborhood children. He indicated that he was currently fixing a radio controlled car for a child that lived across the street.

An interesting statement, especially since that neighbor of ROGER SCOTT, JANE M. DOLLAHAN, interviewed by DET. KAVANAGH #4936, stated :

(...) The only time that she ever saw SCOTT express anger or violence was approximately two weeks ago. SCOTT confronted a neighbor boy who was shining a flashlight in the alley behind SCOTT'S apartment. SCOTT confronted the boy and shined his own flashlight directly in the boy's eyes from close range. SCOTT accused the boy of shining a light into SCOTT'S kitchen, where he had been sitting, and into his eyes. (...)

A nice person ? GAIL LIPSHULTZ, the mother of JIM STYERS little daughter WENDY told investigator TOM BUCKNER on June 25, 1990 :

(...)
Tom Buckner : What about Roger Scott, how did he treat Christopher ?
Gail Lipshultz : The way he acted, just kind of seemed like he wished the kid wasn't around. He'd sometimes make comments like : 'Boy, I wish you'd fall down the stairs'. Stuff like that.
(...)

And even Debra knew about SCOTT'S attitude towards herself and her son and stated in her letter from January 4, 1990 to JIM STYERS : "Roger, on the other hand, did not like me and especially Christopher" (from one of Debra's [jailhouse letters](#)).

JIM STYERS indeed confessed in his letter from January 30, 1990 to Debra that he, CHRISTOPHER and SCOTT had been in the desert area where the little boy was found later : "To pass time until I good (sic) get Wendi we went out to watch the gliders and snakes. Chris thought that was a good idea. We where out there for awhile and I said it was time to go. Chris was right behind me Roger behind him. I thought the gun was in the car I said no shooting with Christopher along." 'No shooting with Christopher along' was exactly what both parents had told STYERS - Debra and MARK MILKE. Maybe this is exactly why STYERS emphasized this point in his letter to Debra. But according to local witnesses, not only three, but five to seven shots were heard on that Saturday, and they were significant because they were not the usual high caliber shots that were usual in that area. All the witnesses confirmed that no other shots were heard that weekend, even though this area was often used for target practicing.

In a telephone conversation on October 5, 1990 Debra's defense attorney, Kenneth Ray, [talked with JEAN PUGH, a local citizen](#) who claimed the only shots she heard in that area that weekend were fired on Saturday between 10.00 and 11.00 am :

Jean Pugh : The firing was not uniform, ahm, which we thought we've got problems and they were not rapid fires. There was one -- then another -- and then another and the first series, I don't know there were three or four shots, because it was of no importance to me. I just thought we gotta get this guy out of here. Then there was -- I stepped outdoors, I was playing cards -- stepped outdoors, walked over the edge of the yard, which is -- as I said off of the mountain -- and I wanted to see who was shooting, walked back in and then sat down and then the shots -- there was two or three more shots after that.

And it's certainly true, at the time the shocking crime was covered in the Arizona media all that was stated was about three shots. But why in the world would there be seven shots ? And it should also be mentioned, that JEAN PUGH was not the only witness for this amount of shots. A friend of her son, ALAN SWANSON, and a neighbor, CAROL GRIFFIN, confirmed PUGH'S observation.

The truth is that STYERS had accused ROGER SCOTT in the same way, claiming SCOTT had even pointed the gun at him after he had shot CHRISTOPHER and yelled something about the \$250, that he didn't receive from either STYERS or Debra. And in an [interview with fellow inmate ROBERT E. JOHNSON](#) the following information about statements of STYERS in prison unraveled :

Robert Johnson : And so I just continued the conversation with Styers because, what Roger was telling me, I related the information to him -- to Styers. And Styers had gave me the information, well, they did go out there but he didn't know that Roger had a gun. So they was out there, Styers was, you know, having fun with the little boy and they were looking at the show, whatever it was they were looking at. And when they were -- he told me it was time to go and Styers said when they were walking, the little boy was between them, and Roger Scott and the little boy fell back and Roger was -- I

mean Styers was still looking up at the sky then he heard a gunshot and he turned around and saw Roger with the gun and saw the little kid laying on the ground. Then he concurred with them going to the -- afterwards, going to the Metro Center and calling the police and concocting their story about him being -- that he was just kidnapped or something and they didn't know where he was at.

In this version [and preceding interview] STYERS was still covering the fact about how many shots were fired, and no mention of target practicing was made. In fact, STYERS had a reason to cover this issue, and the statement that he had no idea that SCOTT had a gun must be a lie. Why else did JIM STYERS take a gun with him when he and CHRISTOPHER got ROGER SCOTT from his apartment that morning ? As the investigations and the interrogation of SCOTT by DET. MILLS have shown SCOTT had exact knowledge about how many guns were in possession of JIM STYERS. But the claim that a gun was in the car and the three individuals stepped out into the desert for a balloon show (or anything like that) is hardly believable. STYERS' motive to distance himself as far as possible from the crime becomes more and more apparent, because it includes an ethnical guilt towards CHRISTOPHER'S mother, *Debra Milke*. However, despite these falsehoods there is still no indication for an involvement or planning on JIM'S part to have little CHRISTOPHER murdered. Earlier in the interview MR. JOHNSON has already told the investigator TOM BUCKNER about the actual perpetrator :

(...)

Robert Johnson : And said they were looking up there, they saw all the balloons or whatever they were looking at. They stayed up there for approximately an hour or so and they started going back to the thing. And then the little boy was walking up ahead, him and Styers were -- him and Styers said, 'Well, when should we do it ? When ?' Or, 'When do you want me to do it ?' And at that time he said it just had happened. He just pulled out a gun and shot him.

Tom Buckner : Who pulled out the gun and shot him ?

Robert Johnson : He did. Roger Scott had said that Styers -- Styers and his girlfriend had paid him \$250 to do this. And he said prior to them going out there that they were -- Scott was mad at him because he wouldn't give them -- give them -- give them the money right then, plus, they didn't want to go out somewhere, they wanted to do something else. And he said so he did it, he did it. Roger (inaudible) that he had did it.

Tom Buckner : Who had pulled the trigger on the gun ?

Robert Johnson : Yes.

Tom Buckner : Who had, which individual ?

Robert Johnson : Roger. Roger Scott.

Tom Buckner : Roger ?

Robert Johnson : He had pulled -- he had pulled out the gun, and when the little boy was walking ahead of him, he just shot him.

Tom Buckner : Roger told you that ?

Robert Johnson : Uh-huh. Then when they -- and so when they did it, they went to the Metro Center, called the police and they was going to make it look like it -- he had just disappeared or been kidnapped or something, when the police came. And they got the story and stuck with that story until like apparently they must have (inaudible).

(...)

It's the first time that ROGER SCOTT'S story that he was only the driver falls into pieces entirely. Therefore it's actually appropriate to question his incrimination of JAMES STYERS and assume that SCOTT'S statements to Det. Saldate and DET. MILLS were solely meant to cover his own butt.

But why was *Debra Milke* included in the allegation of a conspiracy ? How could it happen that the police authorities claimed she had a participation in the murder of her son ? To develop an understanding about this point, we need to go back and examine the issue of the State's theory of the timeline again. Prosecutor NOEL LEVY claimed that CHRISTOPHER, along with his killers, had been to a 'Peter Piper Pizza' place around noon that day, and this allegation is crucial in determining the true timeline of that fateful day. Emerging from statements of both SCOTT and STYERS it was said that all three people had been to that place on 4343 W. Glendale to have lunch. Since this information is conflicting with the statements of JEAN PUGH, ALAN SWANSON and her neighbor, CAROL GRIFFIN, we should also have a closer look at this point. According to a report of DET. D. ARMITAGE #3983 he interviewed the Peter Piper Pizza store manager, CHARLES FINKEL on 12-3- 1989, who was "almost sure" that he had seen ROGER SCOTT inside the restaurant on the day before. From the information given by STYERS and SCOTT the detective had FINKEL give him all cash register receipts from between 11.00 a.m. am 3.00 p.m. of December 2. From that stack one receipt came to light and it included one MD.SPCL (5,09), two MD.SODA (0,79) and one SM.SODA (0,69) with a total of 7,91 including tax. The waiter serving this order, one DONALD LEWIS, confirmed on 12-5-1989 to DET. ARMITAGE #3983 that the handwriting shown on this cash register receipt (no. #682978) was indeed his handwriting. This cash register receipt indicated that two adults and a 'smaller' person had sodas, yet it is not proof for anything. Pertaining to photographs shown to MR. LEWIS the report states :

"I then showed MR. LEWIS the three black and white Polaroid photographs of SUSPECT STYERS, SUSPECT SCOTT and VICTIM, CHRISTOPHER MILKE. MR. LEWIS identified both STYERS and SCOTT from the photos and although he could not identify VICTIM MILKE from the photo, MR. LEWIS said that the SUSPECTS definitely had a little boy

with them when they came into the restaurant on 12-2-1989.

(...)

MR. LEWIS said that after ordering, both SUSPECTS and the little boy sat at the end southernmost table of the fourth row of tables east of the restaurant service counter. This table seats four people.

(...)

MR. LEWIS told me that he remembers the little boy playing on a motorcycle ride game located along the south wall of the business while the order was being prepared."

This means that the presence of CHRISTOPHER at the Peter Piper Pizza place could not undoubtedly be confirmed by MR. LEWIS. It's also interesting that MS. LEWIS did not make any attempts to describe CHRISTOPHER'S clothing. And in the first report about store manager CHARLES FINKEL DET. ARMITAGE narrated :

"MR. FINKEL advised that he had a reserved birthday party thrown by an ASHLEY ABBOTT, 973-3XXX, and ten children. MR. FINKEL stated that this party began at approximately 11:45 a.m. and ended at approximately 5.00 p.m. and with all the children inside the restaurant, he wouldn't have been likely to have noticed one particular child."

Only here we learn that the restaurant was literally full of kids and any boy close to SCOTT or STYERS could've been held to be CHRISTOPHER MILKE. Another employee of 'Peter Piper Pizza', PHILIP CORDOVA, was also unable to identify any of the photos.

But what about the physical examination of the dead body of CHRISTOPHER MILKE ? Did the autopsy yield a coherent, undeniable result that could shine a light on this issue ? LEVY summarized in his closing argument :

(...)

And upon autopsy he had undigested contents in his stomach, and the evidence was that he had had a pizza at Peter Piper Pizza between noon and 1:00 o'clock before the killing took place.

(...)

But is that true ? On October 10th, 1990 defense attorney Kenneth Ray challenged the State's witness, a licensed physician, who performed the autopsy examination of CHRISTOPHER, M.D. GEORGE BOLDUC :

BY KEN RAY :

(...)

Ken Ray : In connection with the examination of this child, there was found to be 150 cc's of stomach content remaining in the stomach at the time of your examination, is that right ?

Dr. Bolduc : Yes.

Ken Ray : From your experience as a doctor in this area of forensics, do you have an opinion as to when that food had been consumed ?

Dr. Bolduc : No, I really don't. There's a lot of -- as I say, a lot of factors that influence the time that food can remain in the stomach.

Ken Ray : What factors are those, sir ?

Dr. Bolduc : Well, there are quite a few. One we already mentioned is the size of the meal. Secondly, a second consideration would be the type of food. For instance, if there's fats in the food, that can slow up the emptying of the stomach. If there is vegetable matter, it takes generally longer for vegetable matter to digest than other food, such as proteins. Another factor would be just the individual themselves. Every individual will have their own rate of food digestion and passage through the digestive system. Another thing is how much liquid was also consumed with the meal. Another consideration is how well -- you know, what consistency the food had, was it well chewed, or was it large chunks or was it diced or pureed. before eating. So that can slow up the digestive process also.

Ken Ray : You utilize -- have you ever been called upon, in connection with your participation in homicide investigations, to determine the time of death ?

Dr. Bolduc : Well, I have been asked that question, yes.

Ken Ray : And have you been able to render any opinions in that regard ?

Dr. Bolduc : Well, yes, but in the sense that I usually give a qualified, general response to that.

Ken Ray : In connection with the examination of Christopher Milke, you were not asked to perform an analysis to determine time of death, were you ?

Dr. Bolduc : Asked when ?

Ken Ray : At the time that you undertook to examine this child.

Dr. Bolduc : If I was, I don't recall at this time.

Ken Ray : Then, straightforward, did you do any type of analysis during the course of your examination or involvement with Christopher Milke to determine the time of death ?

Dr. Bolduc : No.
Ken Ray : And isn't it true that in making such determinations you would consider stomach content ?
Dr. Bolduc : Well, I'd have to know a large number of factors before I could probably make that, and even then, it would probably be just only a rough estimate, if that.
Ken Ray : You saved the contents of the stomach in this case, did you not ?
Dr. Bolduc : I saved a portion of it, not the whole content.
Ken Ray : Did you perform any analysis of the content ?
Dr. Bolduc : No, no analysis was done an the stomach, no.
Ken Ray : Did you do any type of processing of those contents to determine what food had last been eaten ?
Dr. Bolduc : Not analysis, only visual examination at the time of -- at the time I inspected the stomach and its content.
Ken Ray : So, then, you can't say what it was that he had eaten just before or at same point in time before he died ?
Dr. Bolduc : No, except that there was some vegetable matter present, and so that would indicate some kind of a vegetable matter was consumed.
Ken Ray : But you can't --
Dr. Bolduc : The vegetable I couldn't identify.
Ken Ray : You couldn't identify what type of vegetable ?
Dr. Bolduc : No, I couldn't. It appeared it might have been green, green-colored vegetable.
Ken Ray : And indeed, in your examination of the colon of this child, you have described that as being a soft, green stool, is that correct ?
Dr. Bolduc : Yes.
Ken Ray : Similar in color to that which was found in the stomach ?
Dr. Bolduc : Well, it's really coincidental. Most stool does look that way.
Ken Ray : I see. So then you do not know what time of day or even the day, for that matter, that this child died ?
Dr. Bolduc : Well, I know from the information provided that --
Ken Ray : Do you know --
Dr. Bolduc : I don't know the time of death.
Ken Ray : Do you know from a scientific standpoint or medical standpoint what time or day or both that this child died ?
Dr. Bolduc : Well, only from the time that he was officially pronounced dead.
Ken Ray : But he was --
Dr. Bolduc : The time the body was found.
Ken Ray : He was presented to you, though, not alive, correct ?
Dr. Bolduc : That's correct.
Ken Ray : And you don't know when he got in that condition ?
Dr. Bolduc : Only based on the information that was provided to me. But from the autopsy itself, I couldn't tell the hour or date that he died, no, only whether or not it might be consistent with that.
Ken Ray : Thank you. No further questions.
(...)

This proves undoubtedly that LEVY again falsified a witness' testimony made during the trail, twisting its actual meaning with his closing argument. There is no proof whatsoever that CHRISTOPHER MILKE had indeed been at the pizza place. It's the perfect example of how LEVY twisted the content and result of the physical examination, and denied the fact that no indication for the true timeline could be confirmed with the testimony of M.D. GEORGE BOLDUC. It appears the testimony of this medic is rather keen to raise more doubts about CHRISTOPHER being at the 'Peter Piper Pizza' place than destroying them. But why then did both SCOTT and STYERS give consistent testimonies about allegedly being there with CHRISTOPHER ? Didn't fellow inmate ROBERT C. JOHNSON state : "... and calling the police and concocting their story about him being -- that he was just kidnapped or something and they didn't know where he was at." The word "concocting" might be a clue for this point ...

We know for certain that ROGER SCOTT had been to a Walgreen's store, because DET. KAVANAGH'S report with SCOTT'S mother WILMA SCOTT (12-3-1989) states :

"(...) During my interview of WILMA, which occurred in her living room, I saw a receipt from Walgreen's on top of a Walgreen's package on the top coffee table. A Walgreen's pharmacy receipt was attached to the package. The medication on the pharmacy receipt was dated 11/29/89. The other receipt, which was a regular cash register receipt from Walgreen's, was dated 12/2/89, 11:52AM. With WILMA'S consent I retained the regular receipt as evidence. I also saw a T.V. Guide magazine, dated 12/2 through 12/8. (...)"

Later that day, December 3, 1989 DET. D. ARMITAGE #3983 went to the Walgreen' store at 4339 W. Glendale, which is just across the street from the 'Peter Piper Pizza' place. There he spoke with the pharmacist, MARK MERBECK :

" (...) I asked MR. MERBECK to check his records to see if ROGER SCOTT had filled a prescription on 12-2-89. MR. MERBECK checked and found that ROGER SCOTT had filled a prescription on 12-2-89. MR. MERBECK explained that MR. SCOTT is an A.C.C.H.S. patient and signed a prescription log when his script was filled. According to MR. MERBECK, no time could be determined for when the script was actually filled and IL CINDY ILSE was the pharmacy assistant who would have filled the prescription. MS. ILSE was not working at this time and I was unable to contact her at home. (...)"

STYERS, even though presumably not involved in the crime as the actual perpetrator, already knew he was in trouble just like ROGER SCOTT, which is why it was suggested that STYERS alleged the boy was missing from the Sears store at Metro Center. At 2.30 p.m. he called Debra at the joint apartment and filled her in that the boy was missing. But which other points lead to assume that CHRISTOPHER was murdered after 1 p.m. on December 2, 1989 ? The timeline suggested by LEVY at the trial of Debra Milke included the allegation that this is what happened. CHRISTOPHER had been taken to the desert area after the three individuals had been to the pizza restaurant, went to the remote desert area afterwards where CHRISTOPHER was later found shot to death. Looking at the police report we come across an information within a report of DET. A. S. MACIVER #3670, and it that it reads :

I.L.: SHEW, JENNY 9-21-68
6XXX N. 44 Avenue, 939-XXXX
Employed - Bashas, 4335 W. Glendale, 247-XXXX
Various hours

On 12-3-89 at 1305 hrs., while in General Investigations at 620 W. Washington, I received a phone call from JENNY SHEW, who works at the Bashas at 4335 W. Glendale. She said when she came to work today, she saw the police flyer on CHRISTOPHER MILKE. From the photographs on the flyer, she recognized CHRISTOPHER as being in the Bashas yesterday on 12-2-89 at 1230 hours. JENNY said he had on very nice cowboy boots and new jeans with the cuffs rolled up to show off the boots.

When she saw him, CHRISTOPHER was running toward the front of the store, and she believes he ran past the cash register and out the front door. According to JENNY, CHRISTOPHER was alone, and he did not appear to be frightened or upset.

JENNY said CHRISTOPHER is not a regular visitor in the store, and she had not seen him before until yesterday, 12-2-89. It should be noted that JENNY was at Bashas on 12-2-89 from 0800 to 1600 hrs. She said she would recognize CHRISTOPHER if she saw him again.

But was this statement to be believed ? At first we should point out that another part of the account of DONALD LEWIS reveals :

"Mr. LEWIS stated that it takes twenty to twenty-five minutes for the pizza to be made and although he does not recall seeing SUSPECTS and boy leave, he estimates that they were in the restaurant approximately one hour."

That means that - given the cash register receipt of the restaurant presented at trial was the right one (12.13 p.m.) - CHRISTOPHER would have been inside the restaurant at a point in time when JENNY SHEW allegedly saw him. But again, Phoenix police never investigated this point thoroughly, and MS. SHEW'S information was only an account from a telephone talk. She also did not mention that his boots were snakeskin boots or the conspicuous dinosaur on the sweatshirt that CHRISTOPHER wore that day. And if she really saw CHRISTOPHER, where was JIM STYERS ? No mention of him ! Could it be CHRISTOPHER has never been to that 'Peter Piper Pizza' restaurant, which is located close by to the former 'Basha's' store ?

Even if we try hard to give MS. SHEW'S account some credit and assumed she didn't see CHRISTOPHER at Basha's at 12.30 p.m., but at 1.00 p.m. (which would also require that the three individuals hadn't been at the pizza parlor for one hour, but only for approximately 45 minutes) ... that would have left SCOTT and STYERS no more than one hour to go from 4343 W. Glendale to the murder-scene at Lake Pleasant Road (at least a 30 to 40 minutes drive), be with CHRISTOPHER in the desert area for about 10 minutes (in which the killing must have taken place) and then go to Metro Center afterwards (a 25 minutes drive). As we will see this version would also conflict with other independent witness statements. Even a planning to go target practicing or check a new gun from that timeline of proceedings would conflict with a certain practical thought, but that was the State's theory presented at trial; the theory that included Debra Milke as being a perpetrator and participant in the conspiracy to this crime. And the tainted jury believed it.

Testimonies of employees of Osco Drugs at 3415 W. Glendale were also conflicting with the State's scenario, but support an assumption that CHRISTOPHER MILKE was murdered before 11.00 a.m. that morning. DARLY BARKLEY, the clerk for Osco Drugs, remembered SCOTT inside the store somewhere before 12.00 p.m. that day, that would mean before SCOTT entered the 'Peter Piper Pizza' restaurant.

Another employee, TRINI STERN, said she remembered SCOTT being there at about 1.15 to 1.20 p.m. in the liquor department, which would also make sense in regards to SCOTT'S alcohol abusing nature and assuming that STYERS had dropped him off after both men had concocted a halfway believable scenario. We already learned about SCOTT'S alcohol use in the various police reports.

After that ROGER SCOTT had been seen by MAXINE EDWARDS at Circle K, 42nd Avenue and Bethany Home Road. That witness also stated that she saw SCOTT wearing a blue athletic type bag. Was that the container in which SCOTT hid the shoes of JIM STYERS, which had later been impounded by police ? And after that - between 1.30 to 2.00 p.m. - ROGER SCOTT had again been seen at the Arabian Room, where he had a 'short' rum and Coke. DONALD LEWIS, TRINI STERN and MAXINE EDWARDS are three completely independent witnesses, and their observations fit in an accurate timeline, which contradicts the State's theory completely.

But what has STYERS done in the meantime ? The places SCOTT was seen were not too far away from his home, therefore it's reasonable to think that STYERS drove him there and dropped him off after the two men had agreed on a scenario to tell the police. It was clear to STYERS that he had to come up with some story and inform police that CHRISTOPHER was missing; and he also had to tell Chris' mother Debra Milke some believable scenario. Assuming that both men left the pizza parlor, STYERS dropped SCOTT off and went to Metro Center on his own, it fits the timeline which THOMAS EDWIN LYNCH (a.k.a. 'Budda') told DET. R. MEENK with the following information :

" (...) LYNCH was told by security about the missing child and overheard security talking about a missing child somewhere between 2:00 and 2:30 P.M. LYNCH was asked by STYERS to help to find the child and at first STYERS appeared calm and then STYERS became very excited. STYERS asked LYNCH about the police for the boy. STYERS asked LYNCH about who he could talk to about the boy and LYNCH told him to contact mall and store security. LYNCH did not identify or see to the best of his recollection the other subject, ROGER SCOTT. (...)"

At this point, let's have a look at STYERS' own statements and see whether they match in any way or conflict with these testimonies. In the morning hours of December 3, 1989 STYERS was interrogated by DET. CHARLES MASINO #2836, and that interview was tape-recorded. Please keep in mind that this was still during the missing person investigations and STYERS had claimed that he had left the apartment together with CHRISTOPHER at 11.00 a.m. The proceedings STYERS described in this interview claim that CHRISTOPHER was still with him at this time. As we have seen in the beginning, STYERS had a reason for his statements :

(...)

Charles Masino : But I'm talking about over at ROGER'S. Can you, you don't remember looking at a clock ?

James Styers : No, no.

Comment : The first futile attempt of the detective to get STYERS to tell him a positive time.

Charles Masino : Didn't eat lunch ?

James Styers : No, we went out to eat lunch at the pizza place.

Charles Masino : So it must have been around noon then ?

James Styers : Yeah.

Charles Masino : So you went directly from ROGER'S to which pizza place ?

James Styers : Went to ROGER'S to, ahh, the drugstore, Osco Drugstore.

Charles Masino : Where's that ?

James Styers : ... ah, 35th Avenue and Glendale.

Charles Masino : Okay.

James Styers : And they didn't have the stuff he went after, was some soap or something, some kind of stuff that his mother needed or wanted for either her or Christmas presents or what, I don't know.

Comment : This statement is completely consistent with witness DARYL BARKLEY, who saw SCOTT inside the Osco Drug store before 12.00 p.m. that day. MR. BARKLEY stated to police pertaining to a photograph of CHRISTOPHER that he had not seen the boy before and he wasn't sure about STYERS. STYERS' statement did not reveal whether he was inside the store himself or just repeated an account of ROGER SCOTT.

Charles Masino : Okay, okay.

James Styers : Anyway, they didn't have the stuff.

Charles Masino : Okay.

James Styers : So we left there and he had to pick up a prescription, some medicine at the drugstore over on 43rd Avenue and Glendale.

Comment : This point also matches with the report of DET. KAVANAGH pertaining the prescription he obtained from WILMA SCOTT. The receipt was dated 12/2/89, 11:52AM.

When we went there we saw Peter Piper Pizza and CHRISTOPHER was hungry. We had, we got his medications and we had pizza when we got done, took ROGER back down toward his house but I did not drop him off at the house, it was like at the parking lot of the, that country store, whatever down the street there, that's just a ways from his house and I don't know where he went after that.

Charles Masino : How come you dropped him off there ? How come you didn't bring him home ?

James Styers : Cause he really didn't want to go home yet.

Charles Masino : He said he wanted to ...

James Styers : He was going to walk to the store or something.

Charles Masino : So is it a Circle K, or ?

James Styers : Well, there's a Circle K there, like I said there's a country market there and he goes in there all the time.

Charles Masino : And what's, what's the approximate address ? 46th ? 45th ?

James Styers : I have no idea. It's after 47th, I know that.

Charles Masino : So it's after 47th.

James Styers : Yeah, it's between 47th and 51st Avenue south of Maryland and North of Bethany. The front of the apartments get to Bethany. Rose, we looked at the name of the street, it's on Rose Lane or Rose something.

Charles Masino : Yeah, Rose Lane.

James Styers : But we went over there tonight.

Charles Masino : Okay, so did you see anybody in the store ? Did you get out, did you go in the store ?

James Styers : When he went in the drugstore ?

Charles Masino : No, no, I'm talking about when you dropped him off ?

James Styers : No.

Charles Masino : You didn't get out of the car ?

James Styers : No, no, we didn't get out.

Charles Masino : Okay, so you didn't go to the Circle K or anything else ?

James Styers : No, we just went on out and went on.

Charles Masino : You said goodbye, I'll see you tomorrow or next week ?

James Styers : Yeah, and we started to head out and I know I said I'll talk to him later.

Charles Masino : Okay.

James Styers : So we headed out to the Metro Center and we went through the detours and across the road.

(...)

At approximately 2.30 p.m. on December 2, 1989 STYERS called Debra from the mall and filled her in that CHRISTOPHER was missing from the mall. During that phone call a neighbor of JIM and Debra was present in the apartment, PATRICK MURPHY :

"(...) PATRICK was at Debra's apartment when JIM called from the mall, saying CHRISTOPHER was lost. PATRICK got DEBRA a rum and coke, then went to get a photo of CHRISTOPHER from KAREN. KAREN'S son had just had a birthday party a couple of weeks prior, and photos were taken of the children at the party. These photos were the most current of Christopher. (...)"

Debra immediately became hysterical and called her father RICHARD 'SAM' SADEIK, who lived in Florence. After that she also called police and some friends, who later assisted police in searching CHRISTOPHER. At 4.20 p.m. STYERS called police himself, and the missing person investigations began.

Phoenix police detective J.A. YOST #4111 stated in his report, that "SGT. OWENS said that Christopher knew his phone number very well and that his mother had been instructed to stay home and near the telephone in case he called." Both, the sergeant and a neighbor of Debra thought it was best for CHRISTOPHER to hear the voice of his mother in case he would call home. One or two hours later Debra's mother-in-law, MAUREEN SADEIK (together with her daughter KAREN and her boyfriend) went to Phoenix to be with Debra. The group arrived at the apartment at approximately 9 p.m.

After excessive searches through the Metro Center mall JAMES STYERS eventually mentioned his acquaintance on the way to 'Peter Piper Pizza'; ROGER MARK SCOTT. The detective present in the car immediately wanted to know where SCOTT lived, and STYERS directed them to SCOTT'S apartment. Both men STYERS and SCOTT were taken to the police main station and were interrogated. It remains a riddle why STYERS mentioned SCOTT at all. Any try at replying to this question must certainly remain an assumption, but could it be STYERS expected SCOTT to give him an alibi ? Could it be STYERS expected SCOTT to take over some responsibility, after SCOTT had obviously shot the little boy ? No other reason for STYERS' statement to the police appears to be likely. In the morning hours of December 3rd, 1989 [approximately 11.30 a.m.] DET. BOB MILLS interrogated ROGER SCOTT, and MILLS' narrated about the interview :

From the police report of DET. MILLS #2781 (12/03/1989 - approx. 11.00 a.m.) :

Report of the interview of ROGER SCOTT :

"(...) I asked ROGER if he liked children and at this point in the interview he seemed to perk up. ROGER indicated that he liked all kids and there were many kids in the neighborhood that would come over to his home or would speak to him when they saw him outside. He said many of the children in the neighborhood know him by his first name and he regularly would fix bicycles for the neighborhood children. He indicated that he was currently fixing a radio controlled car for a child that lives across the street.

At this point I asked him about CHRISTOPHER. I asked him to describe CHRISTOPHER for me in terms of behavior. At this point ROGER became somewhat subdued.

He said CHRISTOPHER was a hyperactive child and difficult for DEBBIE to control. I asked him how he knew this and he said that he had observed CHRISTOPHER to be a real active child but had only been told by DEBBIE and JIM that he was hard to control. I asked ROGER if he had any information on how CHRISTOPHER was disciplined. He said that JIM occasionally had "whacked him on the butt" to get him to do what was requested of him. ROGER did comment that as far as he knew DEBBIE did all of the discipline regarding CHRISTOPHER. (...)"

It's plain to see that ROGER SCOTT was the only person who claimed that JIM STYERS had difficulties correcting or dealing with little CHRISTOPHER. In his [tape-recorded interview](#) with DET. MILLS SCOTT even stated :

(...)

Det. Mills : Who first approached you about doing away with Christopher ?

Roger Scott : Uh, Jim did.

Det. Mills : Do you remember what he said ?

Roger Scott : He said that, uh, can't remember the exact words, but more or less the kid has to go, I just can't stand him any more, uh, and he went on, I never thought this would finally happen but it did, uh Debra ...

Det. Mills : Let me interrupt you right here, so Jim coaches you and basically makes it known to you that he wants to get rid of Christopher ?

Roger Scott : Yes.

Det. Mills : Cause he just can't stand him.

Roger Scott : Right.

(...)

But as could be ascertained that can't possibly be the true reason, because Debra had already secured an apartment for little CHRISTOPHER and herself. She had an intention to move into that new apartment on January 1st, 1990. ROGER SCOTT was the only person who consistently tried to put the blame for the murder on JAMES STYERS, when in fact all indications point at ROGER SCOTT, and ROGER SCOTT alone.

Various police detectives interviewed Debra throughout that night and she willingly agreed to tell everything she possibly could. In the morning of the next day, December 3, it was decided that she would go with MAUREEN and KAREN to spend the rest of the Sunday with her family. SGT. CUSSON encouraged her to go, because a trap & trace was installed to the telephone line and there was nothing Debra could do at the time.

As a final summary, taken from all the details above, here's what I - [as the independent webmaster](#) - feel is the correct timeline in regards to the murder of CHRISTOPHER, opposing to the State's theory :

- 9.00 - 9.30 a.m. : JIM STYERS and CHRISTOPHER left the apartment.
- 9.30 - 10.00 a.m. : They arrived at ROGER SCOTT'S apartment, picked him up and drove to the desert area at Lake Pleasant Road for target practicing, or trying the new gun.
- 10.45 - 11.00 a.m. CHRISTOPHER MILKE was shot by ROGER SCOTT, unforeseeable for JAMES STYERS and without a 'reasonable, comprehensible motive'.
- 11.50 a.m. : STYERS and SCOTT arrived at the crossroads of 4343 W. Glendale where ROGER SCOTT picks up a prescription at Walgreens.
- 12.13. p.m. : Both men decide to sit down at 'Peter Piper Pizza' to talk about how to cover the crime. The plan to claim that CHRISTOPHER was missing from Metro Center was born.
- approx. 1.00 p.m. : SCOTT and STYERS leave the restaurant and separate. They agreed to meet again at Metro Center.
- 1.15 p.m. : ROGER SCOTT, presumably dropped off by STYERS, entered a Circle K store.
- 1.15 - 1.20 p.m. : ROGER SCOTT was seen by TRINI STERN at an Osco Drugs store.
- 1.30 - 2.00 p.m. : ROGER SCOTT had a Rum and Coke at the Arabian Room. In the meantime

STYERS was on his way to Metro Center.

- 2.00 - 2.30 : STYERS runs around at Metro Center and subsequently talked to THOMAS 'Buddah' LYNCH.

Later on ROGER SCOTT returned to Metro Center, obviously disposing JIM STYERS' shoes at the Metro Center parking lot prior to entering the mall; that's how he knew where the shoes could be found.

Please also read the other summary, "[Justice in Arizona](#)", a synopsis explaining the police tactics and the fraud started by police on December 3rd, 1989.

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