

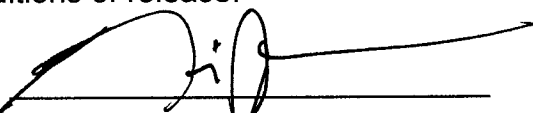


1 Deputy Adkisson, LCSO, had been out to the same residence earlier in the day  
2 in response an earlier report of someone unlawfully entering Mr. Brady's residence.  
3 The residence in question, was in the process of being rebuilt. At the earlier time, Mr.  
4 Brady informed Adkisson that someone moved various items he was storing in his  
5 garage. Mr. Brady also noticed the door to his garage was partially open, and a back  
6 window had been broken. No suspect information was obtained at that time.

7 Shortly after 2150hrs, Detective Kimsey contacted the homeowner, Mr. Brady.  
8 Mr. Brady stated he noticed several items in his garage had been moved when he had  
9 been away from his home between 1515 and 1645hrs that afternoon. Mr. Brady, who  
10 was currently living in a rental home while the 2155 SR 508 residence was being rebuilt,  
11 stated he decided to stay at the residence to see if the burglars would return. Mr. Brady  
12 stated that sometime around 2100hrs, during hours of darkness, he saw a vehicle with  
13 its headlights illuminated pull into his driveway. Mr. Brady said from where he was at  
14 inside his house, he could see straight through into the garage. Mr. Brady stated he  
15 saw the light from the vehicle's headlights emanate through the partially opened garage  
16 door. Mr. Brady said he grabbed his .22 caliber rifle and made his way toward the  
17 garage door. Mr. Brady said the lights on the vehicle were then turned off and he heard  
18 someone knocking on his door. Mr. Brady stated he tripped over something, making a  
19 noise which alerted the persons outside. Mr. Brady stated that he heard someone  
20 pound on a wall and say something to the effect that the police were coming. Mr. Brady  
21 stated he went into his garage and opened the garage door. At that point, Mr. Brady  
22 stated he saw two flashlights being shined at his face. Mr. Brady then opened fire at  
23 one of the flashlights. It was determined the person holding that flashlight was Thomas  
24 McKenzie. Mr. McKenzie had been killed and lay face down in the grass in front of Mr.  
25 Brady's house. The other participant, JOANNA MCKENZIE, when seeing her husband  
26 fall to the ground, exclaimed "you shot my husband!", before she ran from the scene.  
27 Mr. Brady stated after shooting Mr. McKenzie, he opened fire on JOANNA MCKENZIE.  
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1 Deputy Riordan, LCSO, made contact was made with JOANNA MCKENZIE, who was  
2 inside an aid vehicle. Riordan informed MCKENZIE of her Miranda warnings and asked  
3 her what had happened. MCKENZIE stated that he had been picked up by her  
4 husband in his brown truck, which was still at the scene. MCKENZIE said that a friend  
5 gave her and her husband permission to take parts off a white truck parked in his  
6 driveway. MCKENZIE stated they neared the residence (Mr. Brady's residence) and  
7 her husband missed the driveway. MCKENZIE said they turned around and went back  
8 to the residence. MCKENZIE said her husband was going to see if anyone was awake.  
9 MCKENZIE said her husband knocked on the door before he came back to the front of  
10 the house and told her he thought there were kids inside. MCKENZIE said that her  
11 husband banged on the wall and yelled, "the cops are on the way so you better get out  
12 of the house!" MCKENZIE stated she and her husband both had flashlights because  
13 the area was very dark. MCKENZIE stated the garage door was then flung open and a  
14 lone male subject began shooting at them. MCKENZIE stated she tried to get back into  
15 the truck to call 911, but stopped when the man began shooting at her. MCKENZIE  
16 stated she saw her husband try and run, but heard him yell, "Ow! Ow! Ow!" before  
17 collapsing in front of the white truck parked in the driveway. MCKENZIE stated she ran  
18 toward SR 508 and flagged down a motorist to contact 911. MCKENZIE said she  
19 managed to flag down someone and used their cell phone to contact 911. MCKENZIE  
20 stated at that time she threw the gloves and stocking cap she was wearing away.  
21 Inside Mr. McKenzie's truck were two bolt cutters, a pair of pry bars, a pipe wrench, and  
22 a drill, among other items.

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25 Based on the above, the State requests that the suspect, JOANNA DARLENE  
MCKENZIE, be detained subject to conditions of release.

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KJELL C. WERNER, WSBA # 33810  
DEPUTY PROSECUTING ATTORNEY

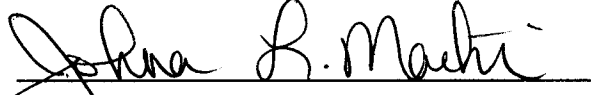
29  
30 AFFIDAVIT REGARDING  
PROBABLE CAUSE

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SUBSCRIBED and SWORN to before me July 12, 2010.



Johna Martin, NOTARY PUBLIC in  
And for the State of Washington,  
Residing at Elma.  
My commission expires: 5-31-11