

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR COOS COUNTY

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STATE OF OREGON,)
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 Plaintiff,)
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 vs.)
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 NICHOLAS JAMES MCGUFFIN,)
)
 DOB 04/25/82)
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 Defendant.)
)
 _____)

SUPPLEMENTAL
AFFIDAVIT FOR SEARCH WARRANT

STATE OF OREGON)
) ss
County of Coos)

I, Dave Hall, after being duly sworn, depose and say that:

I am a police officer with the City of Coquille, and have been so employed for the previous 7 years. I have been assigned the investigation involving the disappearance of Leah Freeman, DOB 10/29/84, that occurred on or about Wednesday, June 28, 2000.

On July 27, 2000, I applied to the Court for search warrants to search the McGuffin property, along with a Thunderbird automobile and the person of Nicholas McGuffin. The Court granted those warrants. I would ask the Court to take judicial notice of the affidavit in support of those search warrants, which is in the custody of the Court. As of the time this affidavit is being presented to the Court, those warrants have not been executed. Since I submitted that information

1 to the Court, additional information has come to my attention and I ask that the
2 Court take into account this information as additional evidence to support those
3 warrants all ready issued but not executed.

4 As the Court will recall from the previous affidavit, Mr. Brent Bartley is an
5 acquaintance of Nicholas McGuffin and was with him during the evening and
6 early morning hours of the evening that Leah Freeman disappeared. The police
7 have interviewed Mr. Bartley. At the request of the police, Mr. Bartley was
8 requested to submit to a polygraph examination. Mr. Bartley agreed to take the
9 test and it was administered the same day Nicholas McGuffin submitted to a test
10 that is out lined in the previous affidavits submitted to the Court. Detective Mark
11 Ranger of the Oregon State Police administered that test.

12 Detective Ranger has informed me: that his examination of Brent Bartley
13 was to determine if he had any direct involvement in the disappearance of Leah
14 Freeman; that while Mr. Bartley passed the questions in which he denied any
15 direct involvement in the disappearance of Leah Freeman, Detective Ranger did
16 tell me that he saw indications in the test which caused Ranger to believe, based
17 upon Ranger's experience as a polygraph examiner, that Bartley did have some
18 knowledge as to what had happened to Leah. When confronted with this
19 information, Barley denied having any knowledge as to what happened to Leah.
20 Bartley subsequently retained counsel.

21 Bartley, with counsel, agreed to talk further with investigators regarding the
22 disappearance of Leah. That occurred on Tuesday July 25, 2000. The officers who

1 conducted that interview have informed me that Bartley again denied having any
2 knowledge as to what had happened with Leah. The officers informed me they
3 specifically asked Bartley if he had any knowledge that Nick McGuffin was
4 involved in Leah's disappearance. Bartley denied any such knowledge. However,
5 Bartley did agree to submit to another polygraph examination.

6 On Thursday, July 27, 2000, Brent Bartley, with counsel, submitted to the
7 second requested polygraph examination. Detective Ranger once again performed
8 the test. Detective Ranger has informed me: that he did in fact conduct the test on
9 July 27, 2000; that he asked several questions of Bartley; that one question was
10 to the effect of "Has any one told you that they are responsible for Leah's
11 disappearance?"; that another question was to the effect of "Are you withholding
12 critical information regarding the disappearance of Leah?"; that Bartley responded
13 no to both questions; that based upon Bartley's reactions to these two questions,
14 that Ranger determined that Bartley was being deceptive; that when confronted
15 with the fact that he had failed the test on the these questions, Bartley continued
16 to deny any knowledge as to what had happened to Leah.

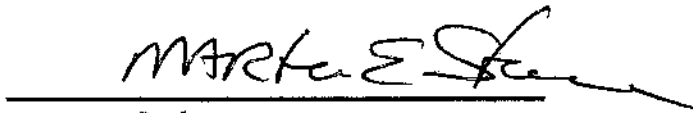
17 I have spoken with Mr. Paul Frasier, who I know to be a Deputy District
18 Attorney in Coos County and who has been assigned to work on this case on
19 behalf of the district attorney. According to Frasier: on the afternoon of July 27,
20 2000, he submitted a proposed immunity agreement to Bartley's counsel (a copy
21 of which is attached hereto and by this reference is incorporated herein); that

1 counsel indicated that he shared the agreement with Bartley; and that Bartley
2 continued to deny any knowledge as to what had happened to Leah.

3 As Bartley is an acquaintance of Nick McGuffin, and as he was with
4 McGuffin on the evening in question, I believe the above information is relevant in
5 to the probable cause determination previously made by the Court. As the
6 warrants authorized on July 27, 2000 have not been executed, I ask the Court to
7 consider this supplemental information as part of our previous request.

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11 _____
12 AFFIANT

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15 Subscribed and sworn to before me this 28th day of July, 2000.
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20 _____
21 Judge
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