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IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

EUGENE CHRISTOPHER WRIGHT, Petitioner, v. STATE OF UTAH, Respondent.	DECLARATION OF STEPHEN HOWARD Case No. Case No. 220904680 Judge Heather Brereton Underlying Criminal Case No. 081400519FS
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I, Stephen Howard, declare as follows:

1. My name is Stephen Howard. I am a resident of the State of Utah, over the age of majority, and competent in every respect to make this declaration.
2. I graduated from the with honors from the J. Reuben Clark Law School at Brigham Young University in May 1999 and was sworn into the Utah State Bar in October 1999.

3. I have been a lawyer for almost twenty-seven years.
4. I started my legal career at Salt Lake Legal Defender Association where I worked for ten years, trying misdemeanor and felony cases in the Utah State Third Judicial District Court.
5. Subsequently, I was a member of Crippen & Cline, LLC and the Canyons Law Group, LLC, focusing on criminal defense, appellate practice, estate planning, and adoption law.
6. I also served as the Interim Director of the Utah Association of Criminal Defense Lawyers.
7. Two years ago, I founded Stone River Law. At Stone River Law, I focus on criminal defense, estate planning, pardons, expungements, 402 reductions, and adoption law.
8. In 2010, while at Crippen & Cline, I was retained to pursue a Rule 23B Remand in *State v. Wright*, Appellate Case No. 20100655-CA. Linda Jones, Noella Sudbury, and Troy Booher, were handling other aspects of Wright's appeal. Wright was appealing his 2010 conviction for first-degree murder and first-degree aggravated assault.
9. I began working on Wright's appeal by meeting with my client, reviewing the trial court record and trial counsels' file. As I recall, this included listening to the CDs of relevant witness interviews the District Attorney's Office provided to trial counsel in discovery.

10. I do not believe that any of the materials I reviewed specified that Kenneth Dolezsar, the victim, was cooperating in an FBI investigation or was conducting and financing his own investigation into Tom, Tommy and Darick Mower ("the Mowers") and their illegal activities, particularly in Eastern Europe.¹
11. Although some references to the Mowers involvement with the Russian mafia may have appeared in the records I reviewed, I do not recall anything in the records indicating the State developed, pursued, or investigated those minimal references.
12. I recently reviewed the transcript of the May 20, 2008, interview of Leslie DeeAnn Mower and Bart Bailey ("Disc 11") that post-conviction counsel provided to me.² I do not recall receiving much of the information in that transcript.
13. In particular, I do not recall any of the materials I reviewed discussing the nature of the investigations outlined in the Disc 11 interview.³
14. Further, I do not recall reviewing anything in trial counsel's or the trial court files that included the following statement or reference to it:

¹ I also do not believe that any of the materials I reviewed specified that anyone else related to the case was involved in a government or private investigation of Tom, Tommy or Darick Mower.

² Transcript of Disc 11 is attached as Exhibit A.

³ Exhibit A, pp.20-22.

Bart Bailey: Ken got killed, and we just put a stop on all of it, because we couldn't tell if that was somebody trying to send us a message if they -- if that was what it was, we got the message. And we just stopped the investigation.⁴

15. I also do not recall seeing the letter from Bart Bailey to Kenneth Dolezsar dated April 7, 2007, which post-conviction counsel provided to me, and which includes additional information about the investigations.⁵
16. Had the materials I reviewed included information regarding the FBI and private investigations in which Dolezsar was involved, I believe that information would have caught my attention.
17. Had the materials I received included information about the government and private investigations, I believe I would have included it in my Rule 23B Remand filings.
18. On April 25, 2013, I filed a *Rule 23B Motion to Remand the Case to the Trial Court for Supplementation of the Record on Appeal and Findings of Fact* ("Rule 23B Motion to Remand") and a memorandum supporting that motion in the Utah Court of Appeals. I also filed nine affidavits supporting the motion.

⁴ *Id.* at 21.

⁵ Letter from Bart Bailey to Ken Dolezsar dated April 7, 2007, is attached as Exhibit B.

19. The State opposed the *Rule 23B Motion to Remand* on June 14, 2013, and I filed a reply to the State's opposition on July 29, 2013. On August 8, 2013, the Court of Appeals granted the *Rule 23B Motion to Remand* on two issues.
20. After the case was remanded to the district court, other attorneys took the lead on the case and I was no longer actively involved.
21. I withdrew from Wright's case on June 2, 2015, after the trial court denied Wright's 23B claims of ineffective assistance of trial counsel and Joanna Laudau with Salt Lake Legal Defender's Association ("LDA") filed an appearance.
22. My understanding is that one of the LDA attorneys who worked on Wright's appeal was Nathalie Skibine.
23. I have reviewed the letter dated September 6, 2017, Nathalie Skibine sent to Wright, indicating her copy of Disc 11 "stopped working" at around nineteen (19) minutes which corroborates my recollection that I did not receive all of the information on Disc 11.⁶
24. I have also reviewed Todd Gabler's Affidavit which also seems to corroborate my recollection regarding the interview on Disc 11.⁷

⁶ Ms. Skibine's letter is attached as Exhibit C.

⁷ Gabler's affidavit dated July 22, 2020, attached as Exhibit D

25. Specifically, Gabler indicates Disc 11 was clearly “altered” but he was not provided with “necessary metadata to begin to verify the lineage of this generation of the recorded interview.”⁸

Pursuant to Utah Code Ann. § 78B-5-705 (2007), I declare under penalty of perjury under the laws of the State of Utah that the foregoing is true and correct.

DATED this 30 day of March, 2026.



Stephen Howard

⁸ *Id.*