

Mitchell of the Dr. O. Mitchell Orthopedic Clinic and Dr. J. Bradley Gibson, both in the City of Colorado Springs and County of El Paso, Colorado; Dr. Larry Hull and Providence Hospital, both in the City of Centralia and County of Lewis, Washington; Dr. John Mas II and Dr. John Magill, both in the City of Lewisburg and County of Union, Pennsylvania; and Williamsport Hospital Home in the City of Williamsport and County of Lycoming, Pennsylvania (Exhibits S-12 and S-13).

k. On the basis of my comparison of the previously described information concerning both WILLIAMS and UPSHUR, and my comparison of the signatures, RAYMOND D. WILLIAMS, JR., appearing on various documents, I determined that:

(1) RAYMOND D. WILLIAMS, JR., the alleged witness to the purported October 1985 on- the- job- injury of DARYL WOODS;

(2) RAYMOND D. WILLIAMS, JR., the purported employer of VINCENTE RAFAEL PIERRE (DARYL WOODS), at the time of PIERRE's alleged October 1986 on- the- job injury;

(3) RAYMOND D. WILLIAMS, JR., the alleged employer, purportedly operating RDW Construction; and

(4) RAYMOND D. WILLIAMS, JR., the Workers' Compensation claimant, were all the same individual.

1. Between June 13, 1991 and August 14, 1991, I attempted to identify RAYMOND D. WILLIAMS, JR.'s purported business, RDW Construction, through CDLE Colorado Division of Employment and Training (CDET) records. While the Colorado Employment Security Act, administered by CDET, requires that employers having one or more employees must report their employee's gross earnings each quarter to said Division (Section 8-72-107, C.R.S.), CDET had no record of RDW Construction (see Initial Report).

m. On or about August 14, 1991, I further attempted to identify RAYMOND D. WILLIAMS, JR.'s purported business, RDW Construction, through Colorado Department of Revenue records, but found no record of RDW Construction (see Initial Report).

n. Workers' Compensation medical records show that while WILLIAMS had right knee surgery on 10-14-87 and UPSHUR had left knee surgery on 10-27-88, UPSHUR's medical history, taken by Dr. Larry Hull on 10-20-88 (seven days prior to UPSHUR's left knee surgery) made reference to UPSHUR's previous right knee surgery -- the same surgery performed on WILLIAMS (Exhibit 8).

o. I next conducted a cursory examination of the handwriting appearing in the RAYMOND D. WILLIAMS, JR. Workers' Compensation claim against the handwriting appearing in the JAMES L. UPSHUR, JR. Workers' Compensation claim. I determined many similarities, leading me to suspect that Workers' Compensation claimants RAYMOND D. WILLIAMS, JR. and JAMES L. UPSHUR, JR. were the same individual (I subsequently obtained the following independent evidence supporting my suspicions).

p. Since I had insufficient known handwriting upon which to base a handwriting comparison for the purpose of reaching a conclusive opinion, on or about September 25, 1991, I attempted to obtain WILLIAMS' and UPSHUR's known Colorado driver's license photographs and signatures from the Colorado Motor Vehicle Division Custodian of Record. While I subsequently obtained a certified copy of JAMES L. UPSHUR JR.'s Colorado driver's license, and a certified copy of RAYMOND D. WILLIAMS' JR.'s Colorado driver's license application, I found RAYMOND D. WILLIAMS, JR.'s Colorado drivers' license, containing his actual photograph, had been purged.

q. I then reviewed FBI records concerning RAYMOND D. WILLIAMS, JR. and obtained a copy of RAYMOND D. WILLIAMS, JR.'s Colorado Motor Vehicle vehicle registration No. 96096Z, containing one "WILLIAMS" signature, which I compared against the previously described three "WILLIAMS" signatures appearing on the PIERRE and WILLIAMS' Workers' Compensation records and on RDW Construction Workers' Compensation insurance coverage records, and determined, in my opinion as a court-qualified forensic document examiner, that all four "WILLIAMS" signatures were executed by the same individual.

r. In a further attempt to identify whether WILLIAMS and UPSHUR were the same individual, I again reviewed RAYMOND D. WILLIAMS, JR.'s Worker's Compensation claim, which disclosed that on or about March 23, 1987, RAYMOND D. WILLIAMS, JR. provided Colorado Department of Social Services, Division of Rehabilitation, Workers' Compensation Rehabilitation Counselor, Wayne N. Long, with historical data concerning WILLIAMS' purported past education and work history. According to Long's report, WILLIAMS had alleged to Long: "...Raymond was in the U.S. Army for three years, in an ordinance/supply (sic) company stationed at Fort Bragg, North Carolina from 1962 until 1965. He obtained the rank of PFC. He states he liked the U.S. Army, but disagreed with the situation he was in at Fort Bragg, so he decided to get out of the service...." (Exhibit S-15).

(1) On October 10, 1991, I requested FBI assistance in obtain-

"James L. UPSHUR, JR.," appearing in Colorado Motor Vehicle records and UPSHUR's Workers' Compensation claim, and determined, in my opinion as a court-qualified forensic document examiner, that all the UPSHUR signatures were executed by the same individual.

t. On the basis of the foregoing information, I concluded that WILLIAMS and UPSHUR were actually the same individual.

u. On October 25, 1991, at approximately 0830 hours, I interviewed a Widefield, Colorado employer, Mr. Donald G. Shelstad, who supported the previously-described evidence by identifying a Colorado driver's license photograph of JAMES L. UPSHUR, JR. as the sub-contractor known to Shelstad by the name RAYMOND D. WILLIAMS, JR. Mr. Shelstad described WILLIAMS' crew as being comprised of three to six Black individuals. Upon subpoena, Mr. Shelstad also provided original cancelled payroll checks paid to sub-contractor RAYMOND D. WILLIAMS, JR. for the period December 1985 through January 1986 (Exhibit S-18 through S-23).

v. Upon examination, I found that RAYMOND D. WILLIAMS, JR. (UPSHUR) had endorsed and cashed the Shelstad payroll checks through the UMB Valley Bank, located at 502 Security Boulevard in the City of Security and County of El Paso, Colorado.

w. On October 30, 1991, I contacted the State Archives Custodian of Record through CCIA and obtained certified microfilm copies of RAYMOND D. WILLIAMS, JR.'s and JAMES L. UPSHUR, JR.'s Workers' Compensation checks and some originals of UPSHUR's checks (Exhibits S-24 through S-54), which were cashed and/or deposited as follows:

(1) Approximately forty-six Workers' Compensation checks were cashed and/or deposited by RAYMOND D. WILLIAMS, JR. through Account No. 13000-48 at the UMB Valley Bank in the City of Security and County of El Paso, Colorado, between March 1986 and May 1988.

(2) Approximately eight Workers' Compensation checks were cashed and/or deposited by JAMES L. UPSHUR, JR. through Account No. 132-312 at the United Bank of Denver, City and County of Denver, Colorado, between April 1988 and August 1988.

(3) Approximately three Workers' Compensation checks were signed over by JAMES L. UPSHUR, JR. to Gregory D. Brown, who, in turn, transacted the checks through a presently unidentified account with Rainier Bank, located in either the State of Washington or the State of Oregon, between August 1988 and October 1988.

part of the period of time that UPSHUR had filed a Workers' Compensation claim under the assumed- identity of RAYMOND D. WILLIAMS, JR.; and

(4) who was witnessed to be operating a sub- contracting business known as "Ray & Ken," which is suspected to have continued operation while UPSHUR claimed loss- of- time benefits under two different identities, and obtained Workers' Compensation insurance coverage for the alleged business RDW Construction which, in turn, supported the filing of a third false claim (PIERRE), I concluded that the Workers' Compensation Act, as well as the Colorado Criminal Code, had been violated.

z. On the basis of Colorado Law, I respectfully submit that UPSHUR was not entitled to Workers' Compensation loss- of- time benefits on the grounds that:

(1) UPSHUR, under the assumed- identity of RAYMOND D. WILLIAMS, JR. filed a Workers' Compensation claim on February 7, 1986, and shortly thereafter, on March 27, 1986, obtained Workers' Compensation insurance coverage on the alleged business, RDW Construction, which UPSHUR, again under the assumed- identity of WILLIAMS, supposedly operated (I suspect that UPSHUR continued to operate the "Ray & Ken" sub- contracting crew at some presently unidentified construction sites throughout the State of Colorado);

(2) UPSHUR did not report the businesses "Ray & Ken" or RDW Construction to Workers' Compensation claim officials, but continued to file for and receive Workers' Compensation loss- of- time benefits, under the assumed- identity of WILLIAMS, on the false pretense that he was unable to work; and

(3) UPSHUR then filed a Workers' Compensation claim on March 27, 1988, under his true identity-- with the assistance of KENNETH GREEN, who under the identity CHRIS CHILDS, had obtained Workers' Compensation coverage for an alleged business known as CCC Carpentry which, according to CDET and State Revenue records, was non- existent; thereby, UPSHUR, with the assistance of GREEN, willfully falsified facts material to said claim, while at the same time UPSHUR continued to file for and receive Workers' Compensation loss- of- time benefits under the identity RAYMOND D. WILLIAMS, JR. (Exhibit S-156).


Susan Marie Fenger
Investigator