

SECOND INTERVIEW OF MARTIN ZELLER

September 13, 2001, 8:15 p.m.

Transcript of interview of Martin Zeller in connection with attempted murder of Patrice Zeller, 12 September 2001. Interview held at the Thompson County Medical Center, Room 377. Present, Officer Roy Henry, #18979, Officer Pamela Fraismuth, #1313, and Officer James Caldwell, #1202.

[Officer Roy Henry reads the Miranda warnings to Zeller.]

Martin Zeller: I don't need a lawyer. I have absolutely nothing to hide. I want to help.

Officer Henry: Well, we would appreciate your cooperation. I gave you the Miranda warnings even though you are not in custody here, but this is an interrogation.

A: I am here to help find whoever did this.

Q: First, there are some matters that we need to clear up.

A: Sure.

Q: Well, there apparently is a receipt -- a credit card receipt -- the credit card belongs to Patrice -- showing a purchase of five bottles of ByrMart aspirin, along with a few other items from Byrnes Pharmacy Number One, on September 8 -- six days ago.

A: That would have been me.

Q: Your signature is on that credit card receipt.

A: Right.

Q: You bought five bottles, fifty tablet bottles, or ByrMart aspirin on September 8?

A: Yes.

Q: Well, OK -- what did you do with them?

A: I think I gave them to Pattie. I am not sure.

Q: Did you leave them in the house?

A: Oh yes. I recall. I left the bottles, ah, I think I gave them to her in the basement. I forget.

Q: You forgot about buying five bottles of aspirin?

A: Well, it was not -- a lot of things happened the last couple of days.

Q: OK. Well, where might we find those five bottles?

A: I am not sure.

Q: Do you have any cyanide in the house?

A: No.

Q: Patrice told us about the cyanide.

A: Oh, I know what she is talking about. We have some old photographic supplies in the darkroom, in the basement. There's an old bottle of cyanide there. For making photo prints. Everything is digital now. We don't use that stuff anymore. Not with digital cameras. The cyanide ... I didn't know we still had that. I thought we threw it all out.

Q: You told me you drove your wife, Patrice, over to the store to buy aspirin on Wednesday. I assume you were not out of aspirin in your home at that time?

A: Well, we thought we were. Actually we weren't. We had some but did not know it.

Q: You had five bottles that you purchased on September 8?

A: I think so. That sounds right.

Q: What happened to those bottles?

A: They are in the house.

Q: Why buy aspirin if you have five bottles in the house?

A: Because, listen, two days ago we are watching television all day and everything is all about the terrorists' planes going into the Pentagon and the World Trade Center, and the same thing yesterday; so when Pattie says she is going out for aspirin, I don't think about what we have in the house, I am thinking about the terrorists, and so is Pattie.

Q: Did Pattie know there was aspirin in the house?

A: I don't know. If she wanted to go out to get aspirin, she must have thought we were out of aspirin.

Q: You know, this morning Pattie consented for us to get some things from the house. Officer Sullivan went there. There was nothing in the kitchen. There was no bottle, no evidence anyone had gotten sick there. It was immaculate.

A: Good grief. I cleaned up last night. I had to get that poison off the kitchen table.

Q: You cleaned up the kitchen?

A: Yes.

Q: Did you use up any of that aspirin?

A: Which aspirin?

Q: Any of the five bottles?

A: I don't think so. I gave them to Pattie.

Q: You think she used any of them? Did she use all five bottles?

A: She told me we were out of aspirin the day before yesterday.

Q: OK. Didn't you say, "Hey, Pattie, I just bought you five bottles of aspirin?"

A: No.

Q: If we go over to your house, do you think we could find those five bottles?

A: What do you mean, "If we go over to my house"? You already went.

Q: OK. Let me tell you where we are at. Fact is, Pattie gave us permission to search your house. Which Officer Sullivan did. About an hour ago he found three bottles of aspirin in your basement, and a couple of feet away he found a bottle with a label "Cyanide" written on it. Handwritten. Officer Sullivan says it smelled like almonds, which is a pretty good sign that it is cyanide. But only three bottles. Marty, let me level with you. You could do yourself a favor and

cooperate with us on this. So, let's start over. Officer Sullivan found aspirin in the basement, near the dark room.

A: Yes.

Q: There were some newspaper articles nearby, dated July 31, from the Marshall City newspaper

A: Sure. So what? I clipped them out.

Q: You left them there on that table in the basement?

A: I worked in a drug store. I did not want to have that happening at the Byrnes Pharmacy. I clipped the articles to show to Jamie Byrnes.

Q: One article is on cyanide poisoning.

A: Sure. Just in case.

Q: Is this note in your handwriting? I am showing you Item G (shows handwritten "135 Ill.App.3d 936. 1985"). Is this your handwriting?

A: No. I don't know what that is. I don't remember where that came from. Someone gave it to me. I forget what those numbers are for.

Q: There's another notation, a lot of numbers. Looks like a Web address - your handwriting?

A: No.

Q: Why did you have these things in your basement?

A: For professional reasons. I work – I worked in a pharmacy. I kept telling Jamie Byrnes we had to be extremely cautious. We did not want any of the poisonings to be due to our lack of diligence. Jamie made changes, thanks to me. I thought we could do better. Jamie did not want to hear more.

Q: Maybe Jamie wanted to do without your advice.

A: So?

Q: Maybe Pattie was dating, and you found out.

A: What are you getting at?

Q: Maybe you two were not getting along. You and Pattie had a fight when you lost your job, right?

A: What are you saying? I tried to kill Pattie?

Q: We know about the insurance.

A: What insurance?

Q: We have knowledge that you have a very large life insurance policy on Patrice's life.

A: You have no knowledge of any such thing. We have a very small insurance policy on my life and nothing on Pattie's life. Where do you get this stuff?

Q: And you recently found out about Pattie's boyfriend?

A: What?

Q: You found out about Pattie's boyfriend.

A: You are one sick person, you know? I don't want to talk to you. I want to talk to Pattie.

Q: Fact is, you are in a lot of trouble, and you might be able to help yourself by cooperating with us. You are facing attempted murder charges, along with aggravated battery. We can talk to the prosecutors, tell them you cooperated, maybe

A: Conversation's over. I want to talk to a lawyer.

Whereupon the interview ended.

I have read the above and it is a true and accurate transcript of the interview held at the Marshall City Police Department, September 12, 2001.

**Martin J. Zeller
September 18, 2001**