

December 3, 2001

**TO: State's Attorneys Epps
Thompson County Courthouse
Marshall City, IL**

Dear Attorney Epps:

When I heard you indicted Terry Gaffner for Identity Theft I could not believe it. Somebody must have told you a lie because I learned that Terry is charged with this crime and it did not happen.

I never said Terry claimed to be Diamonte. Diamonte wrecked Terry's bike and was responsible for the repairs. When Terry paid for the repairs with Diamonte's credit card it was not stealing but done with permission.

Terry never claimed to be Diamonte. Terry told Oz that the card belonged to Diamonte, and had Diamonte's OK to use the card. I remember Oz asking, whose card is this, and Terry said D.

Terry said Diamonte gave permission to use the card, and I said I knew both of them and I was sure it was OK because D Diamonte told me about wrecking the bike and paying for the damage. This was on November 1, 2001, right after D smashed it.

Diamonte is upset because of a break-in, and even claiming Terry stole things. But Terry lost things, too. Diamonte is upset because Terry moved out and stopped paying rent. And Diamonte thinks that the bill is too high, but Diamonte knew all along that the repairs would cost over a thousand from the estimate.

When Oz asked Terry, who are you, Terry said, "Terry Gaffner." When Oz asked Terry, who is Diamonte, Terry said, the person who owes for the bike repairs. I told Oz I knew both, and that Diamonte had wrecked Terry's bike and Diamonte had told me that the bike could be repaired on Diamonte's credit card. Oz took my word and the money. Terry never claimed to be Diamonte. When Diamonte stopped the credit card payment, Oz got angry and fired me and claimed Terry had lied about being Diamonte.

Please reconsider these charges against Terry. I will be a witness, if that will help. I know Terry is a good person and would not

use D's credit card without permission. Terry would not risk trouble with the law over a credit card. Terry is an honest person and is working steady. There would be no reason for Terry to risk jail. D has always been known to lie about money. D has trouble paying bills, and I have heard D lie to creditors on the telephone about not being home to avoid them. This is just another lie by D to get out of paying for the bill for repairs needed because D drove Terry's bike without permission and crashed it because D was drunk. Please don't do this to Terry.

You can now reach me during the day at the Marshall City Motorcycle Club, 5400 N. Wayne, here in Marshall City. I work there fulltime, 9-5 Monday through Friday, as a trainee bookkeeper. I'll work there at least until August.

/s/ Crocker McGrath