

ANATOMY OF A WRONGFUL CONVICTION

Michael Goodwin, creator of the sport of Supercross, was convicted in 2007 of ordering the murders of Mickey Thompson, 1960's-'70's Indy and off road racing legend, and his wife Trudy in 1988. Goodwin has always claimed his innocence and after six years of obstruction by courts and Los Angeles District Attorney, the final phase of his appeal was filed in January of this year.

Goodwin's appeal outlines only some of the reasons why Mr. Goodwin contends that he was wrongfully convicted. Detail of only four other truly stunning issues that were not included in Goodwin's direct appeal¹ are:

- **THOMPSON KILLER WAS WHITE, NOT BLACK:** Prosecutors and law enforcement alleged that Thompson's killers were Black starting in 1997, when Detective Mark Lillienfeld took over the case as lead investigator nearly 9 years after the murders. From 1997, this was widely publicized in the media as well as on flyers and posters headlining a \$1 million reward, stating, "**Black shooters on bicycles killed Mickey & Trudy Thompson.**" However, no one would ever collect the \$1 million reward since there were no Black shooters:
 - i) Evidence proves the same white shooter killed Mickey first, then Trudy; a 911 call says, "*I just saw a white guy kill Trudy*" (See EXHIBIT 1)
 - ii) Additionally, a sheriff's ballistics expert stated that the same gun that killed Trudy, shot the "kill" shot to Mickey's head, proving that the same White shooter killed them both. (See EXHIBIT 2)
 - iii) Every one of the crime scene witnesses reported a White shooter or suspect. None of them reported a Black bicyclist or Black person on Thompson's driveway where the murders occurred. No witness has ever reported a Black shooter.
 - iv) Evidence proves that four different pairs of Black bicyclists were seen the morning of the murders riding on the official county bike path that runs within feet of the Thompson driveway. They were seen one hour before and one hour after the murders. The pathway is so heavily used that it has a center line to control traffic and is frequented by Black riders.
- **GOODWIN'S "REVENGE" - TRUDY WAS KILLED WHILE MICKEY MADE TO WATCH:** When he took over the case, 9 years after the original investigation, Detective Lillienfeld spawned a fantasy that "Mickey was forced to watch his wife, Trudy, being murdered because Goodwin hated Mickey so much he wanted to torture him." This imaginary scenario was the *main* prosecutor argument to elicit passion and prejudice among the jurists. However, there is a large body of evidence that Mickey was killed first, just two are listed below; there is no evidence supporting Lillienfeld's fallacious scenario.
 - i) Time Magazine reported shortly after the murders: "*A neighbor, stirred by the gunplay [of Mickey being shot] awoke to Trudy Thompson's desperate cries of 'Don't shoot, don't shoot!' Moments later, Trudy, 41, lay dead.*" (See EXHIBIT 3)
 - ii) In an 11/7/1988 letter regarding the disposition of the Thompson estate, attorney Steven Bond says, "*...the agreement was reached among virtually all of the members of the families of Mickey and Trudy Thompson that, for purposes of disposition of the two estates, Trudy Thompson would be considered to have survived Mickey Thompson.*" (See EXHIBIT 4)

¹ Copies of the Appellant's Opening Brief (direct appeal), the Attorney General's Reply Brief and Goodwin's Response Brief are available on request.

- **GOODWIN'S PISTOL USED TO SHOOT THE THOMPSONS:** This was proven to be impossible, *by Detective Lillienfeld*, when he took over as lead investigator and *before* he used it as the his *lead* evidence. He perjured himself on this “evidence” more than 30 times in many affidavits, live testimony and official police reports. This was the primary “evidence” Lillienfeld used to establish jurisdiction to prosecute in Orange County. The O.C. District Attorney finally dropped it but not until Goodwin filed briefs with the D.A. outlining Lillienfeld’s fabrication. The case was previously turned down for lack of evidence in Los Angeles, so Thompson’s sister’s friend, former personal attorney, business associate and O.C. District Attorney, Anthony Rackauckas, had agreed to prosecute Goodwin, using Lillienfeld’s phony evidence. The case was thrown out in 2004 and Rackauckas was seriously rebuked by the court.

- I. Lillienfeld and the prosecutors could not have been innocently mistaken about this since the impossibility of Goodwin’s gun being used in the killings was proven by a 1988 ballistics test and memo that said, “...*eliminate suspect guns...*” The ballistics test and memo, which included a listing of guns and eliminated Goodwin’s, was a part of the case file that Lillienfeld said, in a sworn affidavit, he had read when he took over as lead investigator. There were other written reports by sheriff’s deputies and a police investigator’s 2001 ballistics test proving Goodwin’s gun could not have been used in the Thompson murders.
- ii. Lillienfeld interviewed, on May 9, 1997, Detective Van Horne, who had authored the 1988 ballistics report, about the murder pistols. Lillienfeld’s notes show that no Smith & Wesson guns, the make of Goodwin’s pistols, were possible murder weapons.
- iii. On the witness stand, Lillienfeld unequivocally testified that he used the incorrect information about Goodwin’s gun being used as a murder weapon in various affidavits. (See EXHIBIT 5)

- **GOODWIN REFUSED TO PAY THOMPSON & HAD HIM KILLED INSTEAD OF PAYING:**

Court and Bankruptcy records explicitly show that Goodwin had deposited \$820,000+ in the Bankruptcy trust account for the trustee to pay Thompson 3 months before the murders. Goodwin could not have recovered those funds and he had instructed the trustee to pay Thompson. A debt is not forgiven by a creditor’s death; the debt passes to the decedent’s estate/heirs.

- i. The laws governing Chapter 11 Bankruptcy do not permit, without court order, a debtor to pay a creditor directly. *Only* the trustee can pay a creditor without notifications to all creditors and a nearly impossible to get court order. Goodwin, sophisticated in business, would have to have known that his debt to Thompson would not have been reduced by \$1 by Thompson’s death.
- ii. Yet, *contradicting* this simple, well-known, principle of Chapter 11 bankruptcy law, the judge stated: “*This whole prosecution is premised on one thing and that is that the motive for the murders was because of the business dispute that existed and the lengths to which Mr. Goodwin would go to avoid having to satisfy the judgment and basically paying up.*” (See EXHIBIT 6)
- iii. If prosecutors were not familiar with bankruptcy law, a cursory perusal of the basic Chapter 11 Bankruptcy rules would have informed them that the *trustee* pays creditors, not the debtor. They were aware that Goodwin had placed sufficient funds with the trustee to pay Thompson, instructed the trustee to do so when appropriate and that debt would not have been erased by the death of a creditor, Thompson, but they succeeded in convincing the trial judge that Goodwin had Mickey Thompson and his wife murdered to avoid “...*basically paying up.*” This, despite the fact that Goodwin already *had* made payment, that was *irrevocable*, and he would accomplish nothing by having the Thompson murdered.ⁱ

ⁱ Some supporting evidence is attached. All allegations reported here are supported with evidence and will be supplied upon request. Many areas above have extensive briefs prepared detailing the facts concerning the issue.

EXHIBIT 1

ANTHONY TRIARSI, THOMPSON'S NEXT
DOOR NEIGHBOR 911 CALL

1 A Shut-up. Goddamn it --

2 V (Unint.) call the cops.

3 A I'd like to know that too. How long does it take
4 for a unit to respond for Christ sake.

5 Q It depends on how far away they are, we've got
6 units rolling right now, stay on the line.

7 A Man.

8 Q Okay, did you see the shooting?

9 A Yeah, you're goddamn right I did.

10 Q Okay, I don't know I'm just asking you --

11 A I hea -- I saw the guy point the gun at Trudy and
12 pull the goddamn trigger, but it -- I -- I don't know what
13 the hell he looks like, basically he's dressed in a black
14 jacket, black pants, black hair --

15 Q Okay, listen to me, is he a male Black or what?

16 A No, he's a -- he was a -- what I saw was a White
17 guy with black pants.

18 Q Which way did he run, do you know?

19 A I don't know if he ran.

20 Q How about -- how old is he? Give me as much a
21 discription as you can, about how old is he?

22 A Look like a younger person --

23 Q In his 20's?

24 A In his 20's, you know, and I -- I'd say about 5'7",
25 5'10", black hair, black jacket, black pants, maybe a 175
26 pounds (unint.), 165 to 175.

27 Q Black hair, did he have black pants?

28 A Yeah.

"I saw a white guy shoot Trudy."

All eyewitnesses described
the same white suspect.¹

The same white shooter also killed
Mickey. See testimony next page.

1. Triarsi changed hair description to "long, stringy, blond, in all subsequent interviews.

EXHIBIT 2

L.A.S.D. BALLISTICS EXPERT MANNY MUNOZ, L.A. TRIAL, 16 RT

6063

1 INDICATING THAT THOSE ARE THE TWO BULLETS THAT WERE
2 RECOVERED FROM TRUDY THOMPSON'S BODY (INDICATING), WHERE
3 ON THIS DIAGRAM -- WELL, LET ME ASK YOU THIS WAY:

4 WHAT WAS THE NEXT BULLET THAT YOU ANALYZED
5 THAT MATCHES THOSE TWO BULLETS?

6 A 19.

7 Q AND YOU SEE A 19 FOR A FIRED BULLET ON THE
8 RIGHT-HAND SIDE OF THE VAN AS THE DRIVER'S SITTING IN THE
9 VAN, IN OTHER WORDS, ON THE PASSENGER DOOR; CORRECT?

10 A YES, I DO.

11 Q SO IF I PLACE AN X NEXT TO NO. 19, THAT
12 WOULD INDICATE THAT THAT BULLET MATCHES THE TWO THAT WERE
13 RECOVERED FROM MS. THOMPSON; CORRECT?

14 A THAT'S CORRECT.

15 Q WHAT WAS THE NEXT BULLET IN THE COURSE OF
16 YOUR ANALYSIS THAT MATCHED THOSE THREE BULLETS?

17 A 24.

18 Q THAT WAS THE BULLET, 24, THAT WAS
19 RECOVERED FROM JUST BENEATH MICKEY THOMPSON AT THE CRIME
20 SCENE; IS THAT YOUR UNDERSTANDING?

21 A THAT IS CORRECT.

22 Q ALL RIGHT. TAKING THE Y GUN NOW, AND SO
23 WE'RE CLEAR, NOT TO BEAT A DEAD HORSE, BUT THE SAME GUN
24 FIRED BOTH BULLETS THAT WERE RECOVERED FROM TRUDY
25 THOMPSON, THE BULLET IN THE VAN AND THE BULLET THAT WAS
26 FOUND BENEATH MICKEY THOMPSON'S HEAD;¹ CORRECT?

27 A THAT IS CORRECT.

28 Q TAKING THE Y BULLETS, WHAT WAS THE FIRST

The previous page confirms, in a 911 call, an eyewitness saw
a white shooter kill Trudy Thompson.

The same gun killed both Mickey and Trudy
Thompson per the Sheriff's ballistics expert.

1. The coroner testified that this bullet came from the shot that killed Mickey. As it was described, Mickey had to be lying face down when the "through and through" shot was made that entered behind his ear, exited near his eye, and was left under his head (face). I don't want to "give away" right now how and why, but had my lawyer been sharp, this could have been used to blow the entire number one prosecution crime scene allegation. It was very prejudicial. Their provably false arguments/questioning on this saturated the trial.

EXHIBIT 3



SOUTH COUNTY FIAT
at Mission Viejo

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TIME

Monday, Mar. 28, 1988

Don't Shoot!: Death of a racing promoter Mickey Thompson

A world-renowned speed racer turned millionaire sports promoter, Mickey Thompson took a daring attitude toward trouble. Last November he remarked to friends in the Los Angeles area that some "nut" had been phoning him with death threats. "Mickey told me that some cuckoos were calling him at home," recalled Ernie Alvarado, who knew Thompson for 30 years. "He thought he knew who it was. I asked if he had called the police, and he just said it was taken care of."

Thompson was wrong. Early one morning last week, as he and his wife Trudy prepared to leave their estate in the private community of Bradbury, Calif., to drive to their office in Anaheim, they were ambushed.

Police believe that two men arrived on bicycles and killed Thompson, 59, with shots to the head and torso. A neighbor, stirred by the gunplay, awoke to Trudy Thompson's desperate cries of "Don't shoot, don't shoot!" Moments later Trudy, 41, lay dead.

The double assassination stunned the racing world. Known as the "Speed King," Thompson had established nearly 500 racing and endurance records and had set the standards for three generations of hot rodders. In 1960 he became the first American to travel over 400 m.p.h. on land when his specially designed four-engine Challenger I clocked 406.6 m.p.h. at the Bonneville Salt Flats in Utah. He started Mickey Thompson Enterprises, a custom auto-parts manufacturer, in Long Beach, Calif. Ten years ago Thompson branched into sports promotion and became the leading sponsor of motor-sports events at arenas like the Los Angeles Coliseum, the Rose Bowl and Anaheim Stadium. However, his partnership with Promoter Mike Goodwin dissolved into a bitter series of multimillion-dollar lawsuits. In May 1986, Thompson won a judgment against Goodwin ultimately totaling almost \$800,000. Goodwin declared bankruptcy later that year and failed to pay up.

Investigators apparently have not determined a motive for the crime. Just three days before the shootings, Thompson mentioned another death threat to his friend but still did not contact the police. The disregard for danger that marked Thompson's driving career may have led to his death in his own front yard.

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Trudy Thompson

GORDON GRAY (1877-1967)
W. P. CART (1882-1943)
WALTER AMES (1893-1980)
FRANK A. FRYE (1904-1970)

GRAY, CARY, AMES & FRYE

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November 7, 1988

EXHIBIT 4

BY FEDERAL EXPRESS

Ronald L. Trevithick, Esq.
Clark & Trevithick
800 Wilshire Blvd.
Los Angeles, CA 90017

Re: Estate of Mickey Thompson
Estate of Trudy Thompson

Dear Mr. Trevithick:

We have been asked by representatives of the Feller family (Trudy Thompson's extended family), to represent their interests in each of the above-referenced estates. Our representation will encompass all matters related to the Feller family's interest in the Thompson estates, including questions of general estate administration, and specific questions that have arisen concerning the manner in which the two estates should be distributed under the terms of each will.

As you probably know, one of the immediate concerns of the Feller family is their sincere belief that agreement was reached among virtually all of the members of the families of Mickey and Trudy Thompson that, for purposes of disposition of the two estates, Trudy Thompson would be considered to have survived Mickey Thompson. The effect of such an agreement, of course, would be to cause the couple's residence, together with 82% of the residue of Mickey Thompson's estate to pass to, and become distributable as part of, Trudy Thompson's estate. It is my understanding that the motivation for this agreement was a perception by all of the family present at the meeting in which these matters were discussed that Trudy's will would provide a more fair and equitable distribution of the estates than would Mickey's.

It is my understanding that the executor of each of the wills, Colleen Campbell, is presently taking the position that the deaths of Mickey and Trudy Thompson occurred in such a way

EV-10-MT died 1st-110788-3p.

EXHIBIT 5

7605

LILLIENFELD ADMITTED TO LYING UNDER OATH A CLEAR PENAL CODE 125 PERJURY² BELOW.

1 TESTED, DID YOU NOT -- WERE YOU NOT AWARE THAT THIS
2 WOULD -- FIVE LANDS WITH GROOVES WOULD APPLY TO ALL
3 THREE-DIGIT SMITH & WESSON MODELS?

4 A THAT'S CORRECT.

5 Q YOU DID NOT KNOW THAT?

6 A THAT'S CORRECT.

7 Q AND AT THAT POINT YOU HAD BEEN A HOMICIDE
8 DETECTIVE FOR HOW LONG?

9 A AT THAT POINT, ABOUT 11 YEARS, 12 YEARS.

10 Q SO, IN FACT, YOU TESTIFIED UNDER OATH THAT
11 THE THREE-DIGIT MODEL SMITH & WESSON THAT WAS LEGALLY
12 REGISTERED TO MR. GOODWIN COULD HAVE BEEN A MURDER
13 WEAPON?

14 A AT THAT HEARING, ABSOLUTELY, YES.¹

15 Q AND YOU PUT THAT IN SUBSEQUENT AFFIDAVITS?

16 A I DID.¹

17 Q AND THAT WAS INCORRECT?

18 A THAT IS CORRECT THAT THAT WAS INCORRECT, YES.²

19 Q DID YOU ATTEMPT TO VERIFY THIS BEFORE
19 TESTIFYING UNDER OATH WITH DWIGHT VAN HORN?

20 A NO.

21 Q WITH MANNY MUNOZ?

22 A NO.

23 Q DID YOU ATTEMPT TO DO ANY CHECKING OF
26 YOURSELF INTO THE FBI DATABASE OR AN ATF DATABASE
27 REGARDING THE GENERAL RIFLING CHARACTERISTICS OF THESE GUNS?

¹ At the Orange County Preliminary Hearing, 5/15/2002, pp. 219, 220, at least five affidavits at bps 025308: 1>6, 025198: 2>10 specifically, and similarly at 02539:9, 025144, 025171 (arrest affidavit) plus reports at 000391/000414.

² Penal code 125 clearly makes this a perjury even if Lillienfeld could, with more lies, persuade the court he didn't know.

Det. Lillienfeld here 100% confirms eight (8) felony perjuries. See specific cites in the footnotes.

Pages for all of these cites will be in Exhibit "O"

1 MR. GOODWIN, ISN'T IT?

2 MR. SUMMERS: IF I MAY, YOUR HONOR, HE CAN
3 TESTIFY ABOUT WHAT HE ALLEGED AND WHAT ACTIONS HE TOOK.
4 SAYING HE'S AN EXPERT DOESN'T DO AWAY WITH RELEVANCE
5 ISSUES AND 352 ISSUES. IF HE TOOK CERTAIN ACTIONS, THEN
6 AND ALLEGED CERTAIN ACTIVITIES THAT THEN HE CAN DESCRIBE
7 THAT AND WHAT THE REACTION WAS. THIS IS A SIMILAR ISSUE
8 THAT WE GOT INTO WITH MISS CORDELL. AND SHE IS JUST
9 SAYING WHAT HAPPENED, NOT WHAT HER ALLEGATIONS WERE.
10 HERE IS WHAT HAPPENED, INSTEAD OF BEING ASKED WHAT WAS
11 THE ALLEGATION.

12 MS. SARIS: HE CAN TALK ABOUT THE RELATIONSHIP.
13 IT'S JUST THE CHARACTERIZATION THAT MAKES IT

14 THE COURT: I DON'T THINK IT MAKES A CHARACTER
15 EVIDENCE, NO. 1. AND EVEN IF IT DOES MAKE IT CHARACTER
16 EVIDENCE, THIS WHOLE PROSECUTION IS PREMISED ON ONE THING
17 AND THAT IS THAT THE MOTIVE FOR THE MURDERS WAS BECAUSE
18 OF THE BUSINESS DISPUTE THAT EXISTED AND THE LENGTHS TO
19 WHICH MR. GOODWIN WOULD GO TO AVOID HAVING TO SATISFY THE
20 JUDGMENT AND BASICALLY PAYING UP. 'I DON'T SEE --

21 MS. SARIS: WE HAVE TO QUARREL WITH THE
22 DESCRIPTION OF THAT. IT'S JUST THE IDEA THAT WHAT IS
23 YOUR OPINION ABOUT THAT.

24 THE COURT: WELL, I THINK AS LONG AS THERE WAS A
25 FOUNDATION, I'M GOING TO OVERRULE THE OBJECTION.

26 MR. JACKSON: THANK YOU, YOUR HONOR.
27
28