

# 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 appeal<sup>1</sup> 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)

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<sup>1</sup> 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* a trustee can pay anything 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.<sup>i</sup>

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<sup>i</sup> 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.