

Your Honorable Governor Nixon,

I have never been what most people would call "normal," all the way back to my homebirth in a Kansas farmhouse, in 1978. My father, Dale, was born and raised in Missouri. My mother, Evelyn, came to the US from what was then West Germany when she was twenty years old. They were both believers in a "homegrown and natural" ideology, which is why they planned on my father delivering me, rather than some doctor they didn't know. You could say they were nonconformists. They were also the most loving and encouraging parents a boy like me could have been lucky enough to have.

I was a precocious little kid, forming sentences early -- in German as well as English -- and reading by age three. I had a pronounced fondness for trains, science, and classical music. When I was four, my parents took me for an IQ test that showed I was "gifted." Although they explained what the term meant, I was uncomfortable with it from the start. I didn't understand why it mattered, why everyone kept bringing it up and making a big deal of it. All I wanted to do was read my books and play with my model trains in peace. Because they thought it the best way to cultivate my budding "genius," and because it was in keeping with our lifestyle, my parents sent away for a homeschooling curriculum -- teaching guides, textbooks, and so on -- from a well-regarded source. My mother taught me while she ran the office for the family business, Shamrock Chimney Sweeps, and my father spent the days relining flues and installing chimney caps. He always came home covered in soot, like some character out of a Charles Dickens novel. He even wore a top hat out on jobs.

My father used to say, "We're not rich, but we're rich in spirit." I never wanted for anything; though, we did live simply. We grew a lot of our own food, kept bees, and my

father built a lot of our furniture from scrap wood. The family's big expense was travel. My mother has always had a chronic case of wanderlust, which meant many family vacations. Monthlong trips took the three of us through Denmark, the Netherlands, Germany, France, Switzerland, Austria, Italy, Spain, Mexico, Jamaica, and a good swath of the United States -- all before I was nine years old. We traveled cheaply, often with tents and backpacks, and stayed with friends or family when could.

My mother's nickname for me was German and meant "Little Man, So Grown Up." I was always well-behaved and self-reliant. I liked to do things on my own, or play quietly by myself for hours. It didn't matter to me that I had no real friends my own age, growing up. Kids were usually rambunctious, noisy, unpredictable, and they could be violent. I understood adults much better, and adults seemed to understand me. Where my peers made fun of me for, say, wanting to tell them about Greek history (a subject with which I was obsessed for quite awhile) instead of playing tag, grownups found my little scholarly discourses entertaining. This rejection by my peers didn't bother me at first. By all accounts, I was a happy child.

My parents divorced when I was ten, when my father came out as gay. The divorce was as amiable as any divorce can be, and I was mercifully sheltered from the worst of it. I never once saw my parents fight in the months leading up to their separation.

Mum and I left the house in which I grew up and lived about as far from Kansas City as our planet allows -- to a suburb of New South Wales, Australia. My father stayed in Kansas. Since my mother had to start working outside the home, she enrolled me in the fifth grade at Windsor South Primary. This first public school experience was initially confusing. I wasn't used to being around so many kids. But I found myself a tree that I could read under at

lunchtimes, by the edge of the schoolyard, and was content to be ignored. My excellent grades were evidence of how well I adjusted. Then things took a turn for the worse.

A middle-aged neighbor invited me on a weekend boat trip up the river that ran behind our neighborhood. Mum let me go. Even though she didn't know the man very well, he seemed friendly enough. The first night, after he had spent hours drinking, we bedded down in a little camper trailer where he forced himself on me. He was a large man -- probably two hundred pounds -- and I weighed a spindly ninety pounds, so I couldn't do much to stop him when he put his hands down the front of my pajama pants and fondled me, or when he later pulled those pants down and made me roll over.

I told Mum what happened as soon as I returned home. I'd been educated about situations of molestation and knew that telling an adult was important. Mum and her boyfriend took me right away to make a police statement. As far as I know, no investigation ever took place. I heard six years later that the man who assaulted me died of a heart attack, in his trailer, holding a can of beer.

We moved. I changed schools. I rebounded from the trauma relatively well -- I was a stoic boy -- but thereafter found it hard to trust people. I cannot say how much this had to do with the problems I began having with my fellow students then. My status as an American made me the target of ridicule, mainly due to my accent. It didn't help that I kept to myself and read "weird" books (adult science texts and novels, mostly). Even younger kids at school picked on me. One night, someone spraypainted "AMERICA RULES" on the school's walls, I guess in an effort to get me into trouble. I had an alibi, but the headmistress gave me a stern warning regardless. I was avoided like the plague after that; everyone at school thought I did it.

Then Mum's boyfriend disappeared with all of our money -- just vanished in the night. We never saw him again. With no other options, my father wired us the money for tickets back to the US. Always thinking practically, I told my mother that I would live with Pops -- that is, my father -- until she was back on her feet and could afford me living with her again.

From the start, my American public school experience was a bad one. I started at a private school in Kansas City, Missouri, where the teacher took an instant disliking to me. She criticized my work harshly and sometimes accused me of having an adult do my homework. When Pops confronted her about her unnecessarily cruel remarks, she admitted to him that she didn't like me being in her class: I acted "unnaturally."

Next, I was placed in a private school in Kansas City, Kansas. The instability of my life was taking its toll. I had trouble sleeping at night, then staying awake in class during the day. I was irritable and suffered anxiety attacks that made me physically sick. My grades slipped rapidly. A few months later, I was expelled for insulting the principal, who had been lecturing me about squandering my potential. My parents couldn't grasp how their brilliant son was having such trouble getting by, and I was at a loss to explain myself.

Enrolled finally in a Kansas City, Kansas, public school, those grades declined even further, to Cs and Ds. Bad academic performance didn't stop me being bullied and tormented by schoolmates, who called me mocking names like "Einstein" and "Brain." Socially, I withdrew almost entirely. I suddenly put on lots of weight, which got me ridiculed even more. For the first time in my life, because of the bullying and insults I incurred daily, I felt profoundly lonely, even self-conscious. I tried hiding weight in dark clothing and started growing my hair, thinking I could eventually hide my fat face, too.

Pops was a fitness buff. The summer before I started high school, he dragged me with him to the gym several times a week. I'd tested into Lincoln College Preparatory Academy, and started my freshman year in the best shape I have ever been in, physically. Unfortunately, I still had a deep social phobia. I was incapable of even starting a conversation with a stranger. So, aside from the two outcasts at school who sometimes sat with me on the bleachers, refusing to participate in gym class, I still had no friends.

I openly slept at my desk. I stopped doing homework in almost every subject. My teachers did what they could. My parents also tried to motivate me, by using all the tricks in the parenting handbook, but this only caused arguments. By then it was already too late; I had completely lost interest in life. That summer, at age fifteen, I tried to kill myself.

My overdose on antidepressants and aspirin landed me in a private mental health center, where I spent four months. Surrounded by teens with problems similar to my own, I got a sense of belonging and acceptance like I'd never known. Those troubled kids didn't care that I was weird and awkward. I could tell them anything and not worry about being made fun of it. I could act naturally and not be shunned. It felt good.

I took my GED test as soon as I was discharged, and got a retail job. I spent my free time reading in coffeeshops, where I was surrounded by the creative bohemian types I felt most comfortable around. Through a couple of acquaintances I made there, I was introduced to powder cocaine. Drugs hadn't interested me before, but I thought that snorting the coke I was offered would make me even better accepted by those people. As it happens, it did. It also made me forget my anxieties and turned me into a social creature. A daily habit rapidly developed. People I met thought I was funny, clever, and quirky. I became pretty well-known. I made friends.

About a year of addiction followed, during which time I spiraled ever deeper. When I was seventeen, some methamphetamine-addicted friends and I burglarized my aunt's home, thinking we could steal some electronics and sell them for drug money. We were arrested on the scene, and I spent three weeks in the Clay County Detention center before being released on my own recognizance. I pleaded guilty to stealing and was sentenced to five years' probation, with restitution, court costs, forty hours' community service, and the completion of an outpatient drug treatment program being imposed conditions. I apologized to my aunt, but what trust Pop's sister had for me was obviously diminished.

The drug counselor I found, Ron Lybarger, was terrific. He helped me through so much more than just my substance abuse -- he taught me to identify and overcome the underlying depression and fear that had made the cocaine appealing to me in the first place. With his counsel, I quit using and never relapsed. I continued to see him, off and on, for years -- long after the court-appointed portion of my treatment was satisfied. Ron encouraged my individuality and creative expression through the writing, painting, photography, and digital art I did, and ushered me gradually out of what he once called my "almost autistic" social detachment.

In the early days of my drug treatment, I'd stopped leaving the house for any reason but work. Ron all but ordered me to make myself socially accessible again. Justin Bruton, in a coffeeshop, was the first person to strike up a conversation in awhile. We talked about books and politics, movies and psychology. We laughed. It was the most fun with another person I'd had in almost a year. Justin and I became fast friends.

It wasn't surprising to learn he had a history of mental health problems -- mainly depression. We related too well for that not to be the case. He said he had once tried to hang

himself and alluded to other earnest suicide attempts in his past, as well. By outward appearances, though, Justin was outgoing and lighthearted. He joked all the time, about anything and everything. Sometimes it was hard to tell if he was serious about what he was saying, or just acting that way in order to turn it into a joke later in the conversation. Justin seemed to thrive on making people laugh. At times, it was like he was desperate for it.

Maybe if I had understood people better I would have recognized some of the things Justin talked about as warning signs. He came up with ideas for how one might successfully rob a bank, use a bomb threat to collect ransom money, or kidnap a celebrity -- schemes that were outrageous to the point of nonsense, involving SCUBA gear, plastic explosives, or Swiss bank accounts. They always involved money, which was odd, since Justin's parents were quite wealthy. He himself had more money than he knew what to do with. I humored him from time to time, egging him on with the occasional what-if question, because I never thought he might actually attempt one of those insane plots.

Anastasia WitbolsFeugen and I had been middle-school classmates, where we competed together on the National Academic League. Later, we had both attended Lincoln Prep. I introduced her to Justin during a chance meeting. The two of them had instant, intense chemistry and soon went on their first date. They got serious fast. Along with Anastasia's best friend, Anna Hunsicker, we four friends became practically inseparable.

Justin introduced me to Kelly Moffett that spring. He knew her from her frequent appearances in the city. The night we met, she showed up as the only girl in a group of skate-punks, dressed in an old army jacket, a short leopard-print skirt, and a dog collar. She was brazenly funny and didn't seem to care what anyone thought about her. She was intelligent, too. We conversed about sociology and behavioralism, which she and I were both

reading about at the time. I gave her a ride home that night and she gave me her phone number, saying we should hang out again. I liked her.

When we got together a few days later, Kelly made it clear she had a checkered past. She said her ex-boyfriend had been a heroin user with whom she'd once shot-up. With another ex, she said, she had often smoked meth but had since quit. She liked to drink and only occasionally used drugs anymore, she told me. She also had attempted suicide in the past. To top it off, Kelly confided that her father was an alcoholic. She bared a grapefruit-sized bruise on her leg, where she said he'd kicked her in a drunken rage. Pressed for information, she said her mother and younger sister were also victims of his frequent violent outbursts.

Kelly was adamant about not reporting the abuse to the police. Since she continued showing up with new bruises, I suggested she get out of the family home. Justin, who was by then living with Anastasia, volunteered his living room sofa. Kelly soon packed her things and ran away to stay with him. A week or so later, a private investigator came to Justin's door and took Kelly back to her family. It came out then that Kelly was only a few months from her fifteenth birthday. Nevertheless, I cared about her wellbeing, so I confronted her parents over the telephone with what Kelly had told me. Her father got flustered and wouldn't talk to me; her mother acted as though she couldn't believe the accusation. I threatened to personally report any further abuse I learned about.

I met Kelly's mother, Debbie, about a week after our phone conversation. As I more calmly explained my concerns, Debbie didn't try to dispute them. Instead, she invited me to dinner. After that, Kelly's parents granted her permission to continue seeing me.



I spent a good deal of time at the Moffetts' home. I became acquainted with the entire family, and it wasn't long before Kelly and I became romantically involved. There came a time when I felt as though the Moffetts were my family, too: I ran errands for Debbie, drove Kelly's little sister to the mall, house sat while everyone was out of town on vacation, went with them to the movies, and sat down to dinner with the whole household -- even Dan, Kelly's father -- several times a week. Debbie entrusted me with her ATM card and PIN (I'd been asked to make a withdrawal) on a couple of occasions, with her new Chrysler convertible many times, and with her eldest daughter almost daily -- all well after October of 1997.

Debbie also confided in me. One evening as I was helping her with dishes, she told me the truth about her husband's drinking. "Dan used to be a pretty heavy drinker," she said, "but he never laid a hand on the girls or me." She went on to explain that Kelly had been sexually abused by a neighbor when she was very young. Ever since, Kelly had acted out a lot, "for attention, and not always good attention." Those numerous horrible bruises Kelly had shown me, Debbie said, came from playing softball.

The lies Kelly told me were sometimes elaborate. Only rarely did I call them openly into question -- there was no point, since she would only turn the questions around on me, manipulating the situation to make me feel guilty for doubting her. Once, she tearfully told me of news that her friend, Lee had violently committed suicide. Justin, Anastasia, and I offered to accompany her to the funeral, for support. She declined, but later told us about the funeral in great detail. Afterward, she produced a suicide note from Lee. She framed it and displayed it prominently in her room. I could tell that the note was in fact Kelly's own

creation. As far as I know, she never knew anyone named Lee; the funeral and the friend were fabrications. Kelly spent weeks grieving for a person who never existed.

Grief seemed to be all around us that summer. While we were seated in Justin's living room, conversing and listening to music one evening, our friend Anna snuck off to the bathroom. We didn't notice she'd been gone long until I tried to enter the bathroom myself and found the door still locked. Removing the knob with a screwdriver, we found Anna half-conscious on the floor. She'd taken an entire bottle of Justin's prescription sleeping pills. We hurried her to the ER, where she was saved by having her stomach pumped, but, after the seemingly arbitrary suicide attempt, was sent to live with her father, in Pennsylvania. She and Anastasia kept in touch. I was initially too upset with Anna over her selfish act to communicate with her.

After the deaths of Anastasia and Justin that October, about which you have already read quite a lot, Kelly and I felt very alone. Our world had come crashing down, so we clung to one another for comfort and support. We believed that no outsider could really understand our loss. Emotionally, I felt so overloaded that I couldn't even bring myself to schedule a session with Ron. I shut down and internalized all my pain. Then, in December, not three full months after my friends left me, Pops became unexpectedly ill with pneumonia. I'd known him to be HIV-positive for at least six years, yet his ultra-healthy lifestyle of carefully regimented diet and semi-professional bodybuilding made it easy to forget he had a serious disease.

Pops spent two weeks unconscious in the hospital, a tube run down his throat to drain the fluid that wouldn't stop filling his lungs. I got to see him conscious once during that period, for what felt like seconds -- a squeeze of his big, strangely weak hand, then he was

back under. He died there, early Christmas morning. It was his fiftieth birthday. I spent the morning with Kelly's family, who were more understanding and sympathetic than my own.

As his only son, I moved to Kansas to act as executor of his estate. A couple of IRAs paid me some forty thousand dollars, which I used to hire a probate attorney and keep up the house. Complicating matters was the fact that Pops died without a will. It was a lot for a fraught nineteen-year-old to manage. The lawyer saw this and took advantage, conspiring with my paternal grandparents to grab my share of the estate: I was unwittingly tricked into ceding control of the estate to the lawyer. He sold the house for a pittance; had all the personal property destroyed, rather than sold; and threw the twenty-year-loyal customer base of Shamrock Chimney Sweeps away to make a quick buck selling the equipment. Once the creditors had been satisfied, the lawyer took out his exorbitant fees and gave the pittance that remained to my grandparents.

Kelly couldn't handle the depression into which I fell. She herself had steadily been increasing her alcohol and drug use since we met, and wanted only to lose herself in the haze of intoxication she'd always romanticized. Her psychiatrist prescribed a mood stabilizer to treat Kelly's bipolar disorder, but this made her act out even more as she tried to recapture the manic highs of which the medication robbed her. She had also become more sexually promiscuous. During the time I had known her, she frequently had sex with the so-called friends who supplied her with alcohol or drugs. After our shared misery made me emotionally unavailable, she sought even more attention elsewhere. I supplied her with condoms, imploring her to at least be safe about her indiscretions. Once, I took her to a free clinic for a hepatitis test, which she later said came back positive. I stayed with her, stupidly thinking I could somehow save her. In reality I'd become little more than her chauffeur,

errand-boy, and emotional punching bag. Debbie saw how Kelly treated me after Pop's death. At my trial, she testified, "After the holidays, I noticed that Kelly was beginning to complain about Byron -- would get irritated with him. ... Sometimes she was okay. A lot of times she would be irritated with him, would pick at him."

When I declined to get drunk with her one night, Kelly shouted at me, "You're no fucking fun anymore." I think that's all she ever wanted: to have fun, no matter the cost, no matter who she hurt.

She hurt me plenty. My counselor, Ron, when I finally went to see him again, was shocked by how I let my girlfriend treat me. "Wake up," he told me in his typically plainspoken way. "You're totally codependent with this chick." And it was true. A healthy person wouldn't drive his girlfriend to other guys' houses if he suspected the girl was going to sleep with them. A healthy person wouldn't let his drug-addicted girlfriend wheedle money out of him time after time. A healthy person wouldn't continue dating a girl who lied to him so often it became difficult to believe anything she said. I did all these things, and more, before Ron convinced me that Kelly was ruining my life and that I had to do something about it.

With some effort and lots of patience, I finally broke up with her. After that, things got better for awhile. I found a respectable job I liked. I met some good and decent people (who weren't chemical-dependent, suicidally depressed, or criminally minded). It wasn't perfect, but I was making a life for myself that was truly worth living. I even had an appointment to speak with a financial counselor at Penn Valley Community College.

Then came the murder charge -- almost certainly the most harmful effect of any of Kelly's fabrications. By lying her way through the system, she has not only made a mockery

of justice, she's earned herself a lifetime of sympathetic attention. She got to leave rehab and return several times to her parents' house, which was surely one of her goals in inventing her grisly tale, but she also now has an excuse to tell for the rest of her life, supported by scores of legal documents, that will make her endlessly pitiable to whomever she tells it. Every time Kelly goes on another drinking binge and assaults someone: "But I witnessed a murder!" Every time she relapses with another crack-smoking spree: "But I witnessed a murder!" Every time she betrays another person with lies or theft or treachery: "But I witnessed a murder!" She has an excuse for almost anything. I'm sure she's using it.

As for me, I've kept my sanity these past ten years through the letters, phone calls, and visits I receive from my many loving friends. (Photographs of me and some of these amazing people, taken in the CRCC visiting room, are enclosed with this letter.) I also get mail from supportive strangers all over the globe, urging me to keep my head up. They hear about my case and shake their heads, unable to fathom how one person's lie can fool so many people. I never know what to tell them; I myself was fooled for years. My friends are all familiar with the details of my case and believe firmly in my innocence, but no one has worked harder in the name of reclaiming my freedom than Mum. She's the only family I have left, and we remain extremely close.

Ten years of fretting over me and reaching out for someone to help her wrongfully imprisoned son have, I believe, taken their toll on Mum's health. She has developed high blood pressure and continues -- a decade after my arrest -- to wake in the middle of the night, crying over what has happened to me. She is under perpetual stress, suffers jags of dark depression, and easily forgets things. She locks her keys in the car about once a month. The hyper-organized woman she used to be now needs help remembering some of the most basic

things. I am more concerned about her than I am about myself. One of my deepest fears is that she will become sick, or grow old and infirm, without me there taking care of her the way she's taken such selfless care of me. She has no health insurance, no retirement fund, and, though she is too proud to admit it, basically lives paycheck-to-paycheck. She isn't the only one whose sleep is regularly broken by worry for another.

My friend Anna and I reconnected in 1999, after I got Kelly out of my life, and continued a long-distance friendship. When I was charged in this case, in 2001, our contact shifted from e-mail and phone calls to ink-and-paper correspondence. Anna got hold of case documents after my trial and poured over them. With another friend of mine, she designed the website FreeByronCase.com to put that information into public view and rally support. Anna flew many times from Pennsylvania to Missouri, to visit me here at Crossroads. Having read every document in my legal file, and having known all parties as well as she had, Anastasia's onetime best friend could not believe I had anything to do with the murder. She was an outspoken advocate for my release.

Her own private demons still haunted her, ten years later, though. She went to her grave believing in my innocence. A friend broke the news to me, in a June, 2008 phone call, that Anna had committed suicide by shooting herself in the head.

Losing Anna brought many terrible memories to the fore. I was in shock and heartbroken. I felt, because I could not attend her funeral or properly grieve, that there was nothing I could do to cope with my feelings. So, I did the only thing I could: I wrote. There were pages and pages of poetry and loving prose remembrances of her, by the time I started feeling any kind of happiness again.

For years, I've known writing to be my best therapy. Today, it gives me a positive, productive, meaningful way of using this time I spend imprisoned. Just in the last few years, I have published several essays and short stories in magazines, literary journals, and online. One of my autobiographical stories was anthologized in the book *Requiem for a Paper Bag*, published by an imprint of Simon & Schuster, and I recently finished writing a 312-page memoir about my life as an outcast, which I plan to publish in order to donate to a nonprofit called GRASP (the Global and Regional Asperger's Syndrome Partnership), which does outreach work and promotes public awareness of people with the neurological condition Asperger's syndrome.

It was not quite three years ago, within a few weeks of my thirtieth birthday, that I learned I am among the three million Americans with an autistic spectrum disorder -- specifically, Asperger's syndrome (or AS). I suddenly had a name for the mysterious quality that had throughout my life made me uncomfortably different from those around me: my brain simply didn't work quite like most people's.

Sometimes jokingly called "wrong planet syndrome," AS may appear to be a social disability, but it goes far deeper than that. I have a hard time interpreting nonverbal communication, focusing on more than one thing at a time, expressing emotion, processing sensory input, and a whole host of less significant impairments. AS is the reason I fidget constantly with my fingers, rarely know what others are feeling, base my mental well-being on having a predictable schedule, am easily tricked, and have momentary mental breakdowns triggered by certain smells (e.g., baby powder, bananas, many perfumes/colognes). AS was the reason I habitually ate paper as a child, and why I became obsessed with computers, to the exclusion of almost everything else, as a teenager. People with AS are often more

comfortable with machines or, often, animals than we are with other human beings. We're literal-minded, unusually logical, and are confounded by the seemingly nonsensical things "normal" people say and do -- to the point where we take it for granted that others lack any reason or sense. Think of the character Spock, from the Star Trek films and TV series, and you'll have the idea.

Prison had already forced me to be around people with whom I'd never otherwise associate. The discovery of my Asperger's gave me a better understanding of myself and my difficulty relating to people. With this knowledge, and through the constant exposure to others demanded by the prison environment, I have actually grown as a person. I'm not as uncomfortable making small talk. I am more at ease meeting new people. I'm also learning to "read" them better, which helps me to relate with others and predict who it might be best not to associate with.


I never would have thought anything good could come from someone being convicted of a crime he didn't commit. Strangely, though, it's taught me a lot about hope. People with AS tend to be incredibly negative and focus on the bad rather than the good. I certainly did; friends used to joke that I looked for the dark lining around every silver cloud. Then, a few years into my sentence, my perspective started to change. I suppose that, when all else is taken away, people's reasons for persevering become the twin beliefs that tomorrow can be better and that they can take steps today to ensure that it is. This is why I continue to pursue my freedom even after my appeals are exhausted, why I publish what I write, why I keep ties with all the fantastic people I have on the outside. I see so many inmates who have no hope. They squander their time with card games and TV and gambling and drugs, and I think: I'll never let myself be like that. I'm serving life without parole, but I don't have the time.



I want to get but of prison and continue writing. I want to realize my dream of starting my own Web development and online media company. I want to speak to audiences about Asperger's syndrome and help educate the public on its wide-reaching effects. I want to see more of the world and meet the fascinating people who inhabit it. I want to eat good food, spend quality time with close friends, and sleep again on a comfortable bed. I want to put the last ten years of my life behind me -- not to forget them but move beyond them, continuing to learn and grow as I go.

I want to live. At this point, you are the only person in the world with the courage and authority to let me do so.

Respectfully yours,

A handwritten signature in cursive script that reads "Byron Case". The signature is written in black ink and is positioned above a solid horizontal line.

Byron Case