

SIOUX FALLS POLICE DEPARTMENT

320 West 4th Street • Sioux Falls, SD 57104 • (605) 367-7212

SUPPLEMENTAL INVESTIGATION REPORT – DETECTIVE CASE SUMMARY

Case No.:	SFPD-2015-48801	ME Case No.:	2015-ME-0447
Classification:	Suspicious Death – Homicide Investigation (Report Not Open)		SUPP-001
Decedent:	MARSH, Eleanor Anne DOB: 03/22/1969 Female	46 / White	
Assigned Detective:	Deve: Maria L. Santos (Badge #4471)	Partner:	Det. James R. Brewer (Badge #389)
Supervisor:	Lt. C.A. Vasquez, Homicide Unit	Report Date:	October 20, 2015
Period Covered:	October 14, 2015 – October 20, 2015 (initial case summary)		

SECTION A – CASE OVERVIEW

This supplemental report summarizes investigative activity conducted by the Homicide Unit from the date of discovery of the decedent (October 14, 2015) through October 20, 2015. The decedent, Eleanor Anne Marsh, Chief Financial Officer of Apex Financial Group, Inc., was found deceased in her office at 4200 S. Western Ave., Suite 712, Sioux Falls, SD, at approximately 0427 hrs on October 14, 2015. She was discovered by Ramon Fuentes, an IT contractor, who called 911. Cause and manner of death remain under determination by the Minnehaha County Medical Examiner's Office; autopsy was conducted October 14, 2015 by Dr. R.G. Adeyemi. Preliminary anatomic diagnoses are documented in ME Case 2015-ME-0447; final cause and manner of death are deferred pending toxicology and ancillary study results.

The Homicide Unit assumed jurisdiction on the morning of October 14, 2015 based on circumstances deemed suspicious by the initial responding officers and the attending ME investigator. Specifically: (1) the decedent was a healthy 46-year-old professional with no known acute illness; (2) the entry door to Suite 712 was found unlocked with no explanation; (3) the electronic access log showed an anomalous use of a contractor's badge card during the hours preceding discovery; and (4) the decedent's electronic access card showed no exit from the building on October 13, 2015, consistent with her having remained in the building overnight.

SECTION B – WITNESS CONTACTS

WS No.	Witness	Role	Date / Format	Status
WS-01	Ramon Fuentes	IT contractor –	Discovery recorded	Transcript complete; alibi for 22:47 h
WS-02	Linda Molander	Office manager, Apex Financial	Interviewed	Transcript complete; key observations
WS-03	Craig Ellsworth	COO, Apex Financial	Oct. 15 – written	Retained (email counsel) not characteri
WS-04	Diane Kowalski	Executive assistant to decedent	Interviewed	Transcript complete; most substantive
WS-05	Patrick Herne	Building security	Oct 14 – Security badge anomaly documented;	corroborates

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WS No.	Witness	Role	Date / Format	Status
WS-06	Victor Solis	Building manager	Meridian Property	Statement confirmed; contractor ca
WS-07	Dr. Susan Taft, MD	Treating physician	Oct. 15 - phone	Transcript complete; medical records s
WS-08	Gregory T. Marsh	Spouse of decedent	Oct. 15 - in-person	Transcript preparation; cooperative
PENDING	Dr. James Whitmore	Cardiologist (referral)	Not yet contacted	To contact re: whether consultation ev
PENDING	'Vren' (surname unknown)	male visitor	Not identified	PRIORITY - identity not established; n

SECTION C - EVIDENCE SUMMARY

Item	Description	Collected By	Current Location / Status
EV-A	Ceramic coffee mug - desk	SFPD CSU Suite 712	SFPD Property - submitted for latent print and
EV-B	Open leather portfolio / notebook	SFPD CSU desk	SFPD Property - handwriting/content analysis p
EV-C	Decedent's handbag and contents	SFPD CSU	SFPD Property - inventory complete; no USB dri
EV-D	Decedent's blouse - stain area	ME Office	ME Property - stain nature to be determined; h
EV-E	Decedent's laptop (MacBook)	SFPD CSU	SFPD Digital Forensics - imaging in progress; ;
EV-F	Kowalski personal notepad	Det. Santis	SFPD Property - pages photographed and logged
EV-G	Building electronic access log	Det. 13	SFPD Case File - certified copy obtained; orig
EV-H	Lobby visitor log - Oct. 13	Heine / Det.	SFPD Case File - original obtained
EV-I	SFPD CSU scene photographs	SFPD CSU James	SFPD Digital Evidence Server - Case 2015-48801
EV-J	Email: Marsh to Ellsworth,	Ellsworth	SFPD Case File (see disclosure) content RESTRICTED - see Sect
EV-K	Building camera footage - lobby	SFPD CSU	(SFPD Digital Evidence - under review; 7th floo
NOT RECORDED	USB drive (small, black, unlabeled) - described by Kowalski	Not located	Not located by Kowalski, on decedent's person, or

SECTION D - KEY INVESTIGATIVE ISSUES

The following issues have been identified as primary investigative priorities as of this report date:

1. BADGE ACCESS ANOMALY - 22:47 HRS OCTOBER 13, 2015.

Electronic access records confirm that contractor card #CC-2015-0147, assigned to Ramon Fuentes, was used to access the 7th floor elevator at 22:47 hrs on October 13, 2015. Mr. Fuentes states he was at his residence at that time and did not use the card. His alibi (girlfriend, K. Varga - interviewed Oct. 15) is partially corroborating but not definitive; she confirmed he was home by 2200 hrs but states she was asleep by 2230 hrs. Card was reported in his possession throughout and shows no signs of damage or duplication. How the card was used at 22:47, and by whom, is the central unresolved question in this investigation. Request for technical analysis of card has been submitted to Lenel OnGuard system technician.

2. SUITE 712 DOOR - UNLOCKED UPON DISCOVERY.

The main entry door to Suite 712 was found unlocked and standing open at the time of Fuentes's entry at approximately 0425 hrs and at officer arrival at 0434 hrs.

Contractor card #CC-2015-0147 is confirmed NOT programmed for Suite 712 entry (confirmed by building manager Solis and Lenel system log). The decedent would normally have locked her office door upon being last to leave. Who unlocked or left the door unlocked – and when – has not been established. Suite 712 card access roster has been requested from Apex Financial.

3. UNKNOWN VISITOR – 'VREN' – OCTOBER 13, APPROX. 14:15 HRS.

An unscheduled male visitor met with the decedent for approximately 40-45 minutes on the afternoon of October 13. Described as male, mid-40s, gray suit, no tie, foreign accent (Eastern European or German per witnesses). Did not provide a business card. Last name approximated as 'Vren' or similar by Kowalski. Decedent appeared shaken following the meeting. Identity of this individual has not been established. Lobby visitor log does not contain an entry matching this description for that time window – the visitor either did not sign in or entered via elevator badge without passing the desk. Building camera footage from the lobby is under review.

4. ELECTRONIC COMMUNICATION – MARSH TO ELLSWORTH, 23:47 HRS OCTOBER 13.

The decedent sent an electronic mail message to COO Craig Ellsworth at 23:47 hrs on October 13, 2015, approximately 3.5 to 4 hours before discovery of her body. The message, voluntarily disclosed by Ellsworth, is approximately 340 words and references – without explicit detail – 'discrepancies that cannot be explained by accounting error,' 'a conversation we need to have before this goes further,' and 'I cannot continue to sign off on reports I no longer believe are accurate.' The content of this email is classified as restricted within this report pending further investigation and legal review. It has been provided to the Minnehaha County DA's Financial Crimes liaison for initial review. Its implications for motive and circumstances of death are under active assessment. tox WITHHELD – awaiting correlation – RGA

5. MISSING USB DRIVE.

A small black USB drive, described as unlabeled and approximately 2cm in length, was more consistent with the decedent's phone was sought by the decedent repeatedly in the days before her death, per Kowalski. It was not recovered at the scene, in the decedent's handbag, in her vehicle, or at her residence (initial consent search, Oct. 15 – husband cooperative). Content of the drive is unknown. Digital forensics is examining the decedent's laptop for any record of connected devices.

6. TOXICOLOGY – RESULTS WITHHELD PENDING PATHOLOGIST REVIEW.

Per ME Dr. Adeyemi, toxicology results (ME Tox Lab Accession MCME-TOX-2015-0841) have been completed but are being withheld from this report pending correlation with autopsy findings. Det. Santos has been advised informally that results are 'clinically significant' but has not been provided specifics. Full results are expected to be released to the investigation upon issuance of the ME's final autopsy report. Cause and manner of death remain deferred.

ACTIVE INVESTIGATION – DO NOT RELEASE

SECTION E – PENDING ACTIONS

Action Item	Assigned To	Target Date	Status
Identify unknown visitor ('Vren' Det. Santos badge #4471, 2015-09-25)	Det. Santos	Oct. 20, 2015	IN PROGRESS
Obtain Apex Financial Suite 712 card access roster	Det. Brewer	Oct. 22, 2015	PENDING – Ellsworth counsel review
Lenel card system technical analysis	Det. Santos #CSF2015-0247	Oct. 27, 2015	PENDING (on feasibility)
Fuentes alibi – additional corroborative	Det. Brewer	Oct. 25, 2015	IN PROGRESS
Subpoena – Ellsworth personal email	DA Financial	Immediate	PENDING court approval
Medical records – Dr. Taft (subpoena)	SFPD Legal	2015-SR-F1447-02	PENDING compliance
Contact Dr. James Whitmore – card	Det. Santoferral	Follow up	NOT YET INITIATED
Decedent's laptop digital forensic	SFPD Digital Forensics	Nov. 1, 2015	IN PROGRESS, email archive
ME final autopsy report and toxicology	ME Dr. Aebys	TBD (brain section)	AWAITING pending ICE (examination)
Spouse (Gregory Marsh) follow-up	Det. Santos – financial	Oct. 23, 2015	SCHEDULED
Apex Financial Q3 financials –	DA Financial	Immediate	PENDING subpoena

Prepared By:	Det. M.L. Santos (Badge #4471)	Date:	October 20, 2015
Co-Detective:	Det. J.R. Brewer (Badge #3892)	Date:	October 20, 2015
Reviewed By:	Lt. C.A. Vasquez – Homicide Unit	Date:	October 21, 2015
Case Status:	ACTIVE – OPEN HOMICIDE INVESTIGATION		

This report contains information gathered in an active criminal investigation. Distribution is restricted to authorized SFPD personnel, the Minnehaha County DA's Office, and the ME's Office on a need-to-know basis. Unauthorized disclosure may compromise the investigation. All supplemental reports to follow under same case number.