

49975-4Additional Statement

For the Appellate Judge

Russian language

- 1) It was supposed to be during the first and the second trial, an appeal. NGRI was not available to me because the victim, Ischenko Sergey, and I drank wine before the murder. The psychiatrist from Western State did not give me NGRI only because at the time when the crime was committed we drank wine, but I did not explain to both doctors – one on the prosecution side, the other on the defense side – that we only drank 150 ml of red wine each and we couldn't get drunk from that. This doesn't even exceed the 0.8% limit for driving a car, not to mention that even the doctor told me after the trial that it could have caused a mental disorder. I just forgot to bring this up during the evaluation before the trial and did not explain to both doctors how little we drank with Ischenko. I have proof – this open bottle was located after I was arrested, and it should be still kept in evidence. By the way, there was never any other alcohol in our family, except for this purchased 750 ml bottle of wine. Ischenko bought this wine, in the presence of his daughter. He did so in order to help me sleep, which helps me overcome the mental illness which usually happens when I have a lack of sleep, and this is exactly what was going on during the week before the murder. I slept very little, and I realized that it was aggravating my mental illness and asked Ischenko to buy the wine.
- 2) When Ischenko and I drank wine the night before the murder, about 2:30 am, it was in the car belonging to my brother Victor. Ischenko choked me 3-4 times, grabbing my leather jacket by the collar, which is by the throat, and demanding the title for the car that I sold. Then he got out of the car, dragged me out of the car by grabbing me by the sleeve of my leather

jacket. I defended myself from his assault on me, managed to knock him down by kicking him in the chin with my right leg and accidentally beating him to death in self-defense. It was self-defense and nothing else, self-defense on my property because I lived there, and Ischenko was at 140 Hometown Pl as a guest.

- 3) Sergey Ischenko, murdered in 2009 or 2010, threatened to beat me up if I did not provide him title for the car I sold to him in 2009. We both have the same family plan with the company called Sprint under his sister's, Elena Fedoruk's, name. If needed, it is possible to send a request to Sprint and ask them for the 2009-2010 phone records for the calls between the murdered, Ischenko, and me.
- 4) In the summer of 2016, I was taken to trial against my will. They took me to court, though I insisted to be taken to the hospital because I had severe back pain. When the trial started, I could not sleep at night and my mental illness flared up, and I obviously started behaving inadequately, yelling and praying in a loud voice during the trial, and the judge did not stop the trial. I really wanted to address the jury which did not happen due to my mental illness on the 3rd day after trial began.