

INCIDENT

George Hill is the owner of the Midwest Gun Shop, located at 1234 Elm Street in Minneapolis. He has owned and operated the shop for seven years. At the shop he sells and repairs all types of firearms, and also sells ammunition and hunting supplies. Mr. Hill is 59 years old, married, and has two teenaged children. His wife is a school teacher. They own their own home as well as a lake cabin. He is a college graduate and served two years in the military in Vietnam. He wears glasses for reading and for doing detail work. He was convicted two years ago of filing a false state tax return, a gross misdemeanor.

On July 7, Y-1, Mr. Hill had closed his shop and gone home for dinner. After dinner, at round 9:30 p.m., he returned to the shop to pick up a few things, as he was planning to go to his lake cabin the following day.

It was dusk out and there was only one overhead light (located towards the front display area) on in his shop. Mr. Hill entered his shop from the front door and was about to turn on all the lights when he was shot in the arm. He staggered against the wall and a young man ran past him and out the front door.

As this man ran past him and under the one light that was on, Mr. Hill got a momentary glimpse of his face. He had not seen the man at the time of the shooting, as the rest of the shop was dark. Mr. Hill was not seriously injured, and was able to call for the police and medical assistance. Both arrived quickly, and Mr. Hill was taken to the hospital, where he was treated in the emergency room and released. He returned to his store to assist the police in their investigation. Together, Mr. Hill and the police discovered that the burglar had entered the store through a heating duct that originated in an adjacent store.

Mr. Hill checked his inventory that night and discovered that ten guns were missing, including a .22 caliber revolver, serial no. AC 763B28. Ammunition for all the guns taken was also missing. At trial, if shown the revolver subsequently seized from the subject, he will testify that it is of the type and appearance of the one taken from his shop. He cannot say it is the same one.

The bullet that had struck him had gone through the fleshy part of his arm and had lodged in the door frame. The police recovered this bullet.

APPREHENSION OF JOHN KLONER

On July 14, Y-1, John Kloner was driving his car on 2nd Street when he was stopped for speeding by the Minneapolis Police. A warrant check indicated that Mr. Kloner had an unpaid fine for a Driving After Suspension conviction. Mr. Kloner was taken into custody on this warrant, and his car was towed. As part of the impounding process, his car was searched.

While searching his car, the police officers found a .22 caliber revolver under the front seat. This revolver was aluminum and the serial number had been filed off. At the jail, Mr. Kloner was given his Miranda Warnings and confronted with the revolver. He claimed that he had purchased the revolver on the 7th or 8th of July, Y-1, from a person named Bob whom he knew from a bar which he frequented. He did not know Bob's last name, and when asked to describe him, Mr. Kloner stated that "he looks a lot like me."

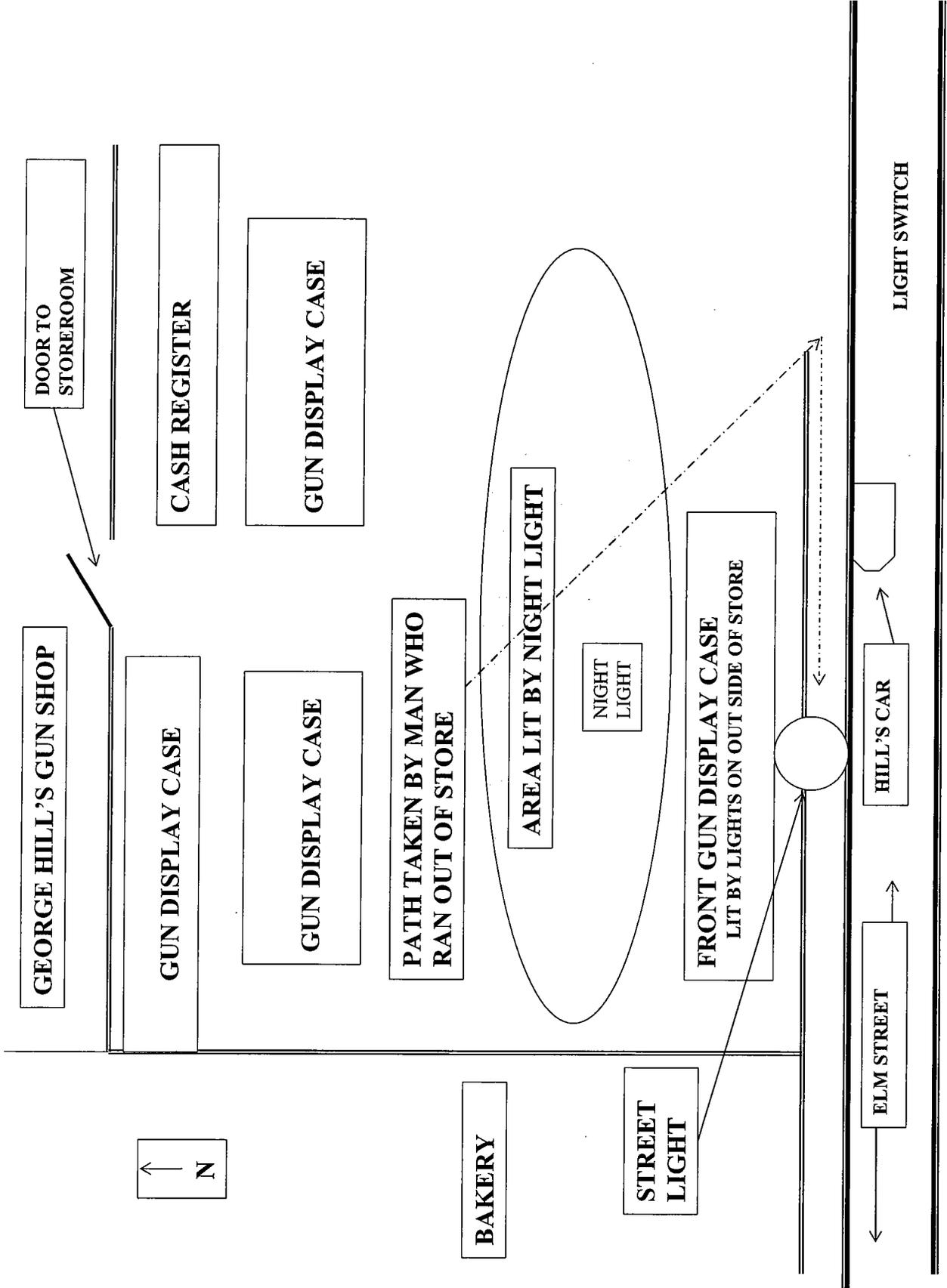
Mr. Hill attended a line-up on July 15, Y-1, and tentatively picked out Mr. Kloner as the man who had shot him and ran out of his shop on July 7, Y-1. Mr. Hill said that Mr. Kloner looked

like that man that had run past him that night. He further stated that he believed Mr. Kloner to be the perpetrator because he was of a similar height to that person.

Mr. Kloner was asked where he had been on July 7, Y-1, at 9:30 p.m. He indicated that he had been at the movie theater with his brother. Specifically, he stated that he had been watching "Spiderman" at the Centennial Lakes Theater Complex in Edina.

Mr. Kloner doesn't remember much about the movie because he was tired and slept through most of it. Mr. Kloner's brother has left town, and is not available for trial. Mr. Kloner will testify that he found the ticket stub for the movie shown on July 7, Y-1, at the Centennial Lakes Theater Complex, in his pants pocket about two weeks later.

Mr. Kloner is 23 years old. He dropped out of high school but he did obtain a G.E.D. Currently he is an auto mechanic, employed part-time. He lives at home with his mother. His father is dead. Three years ago he was convicted of credit card fraud as a gross misdemeanor, for which he was sentenced to two years of probation. Mr. Kloner successfully completed that probation. He likes to bowl and target shoot.



HILL'S HOUSE
3204 ALDRICH
AVE. S.

ALDRICH
AVE. S

W

LYNDALE
AVE. S

28TH ST.

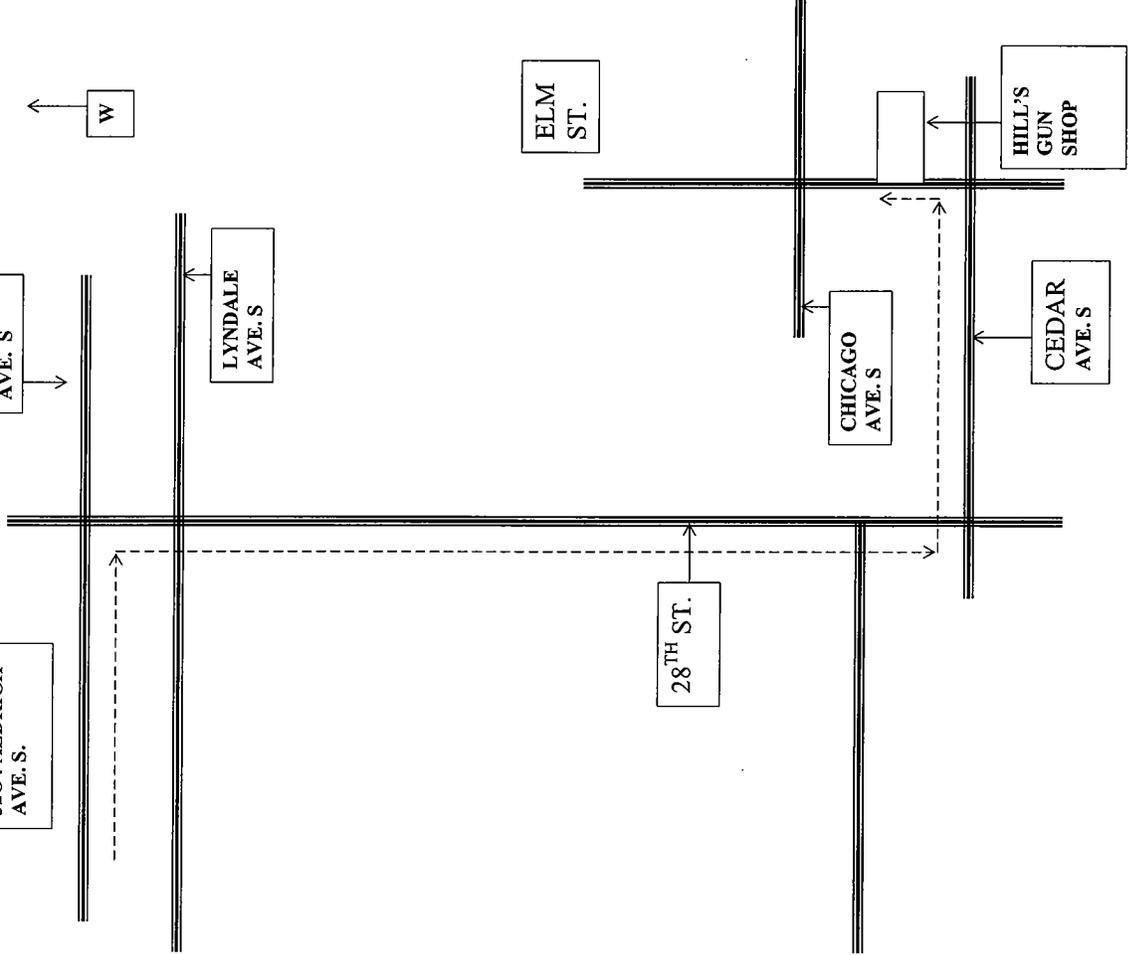
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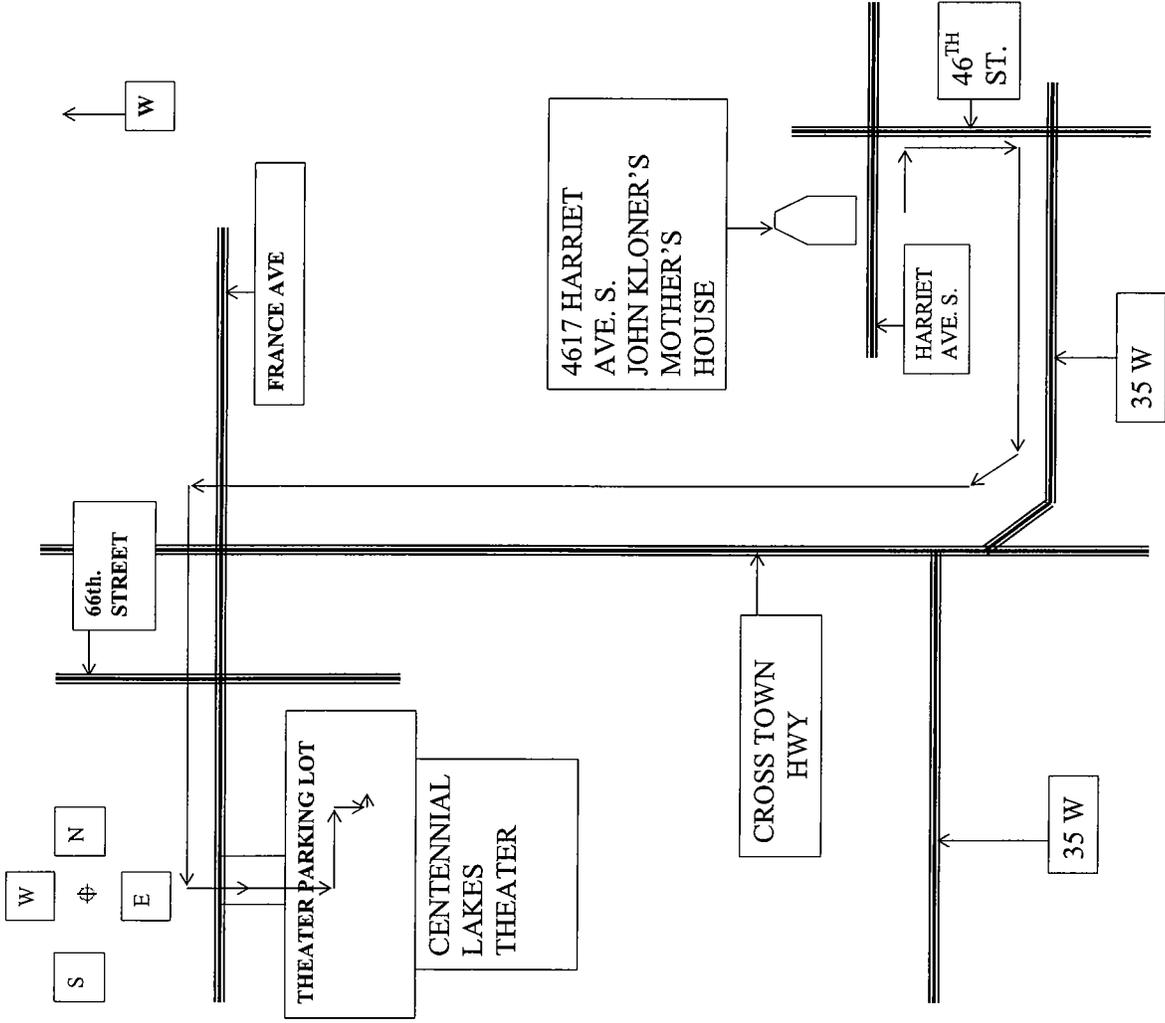
CHICAGO
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HILL'S
GUN
SHOP

CEDAR
AVE. S

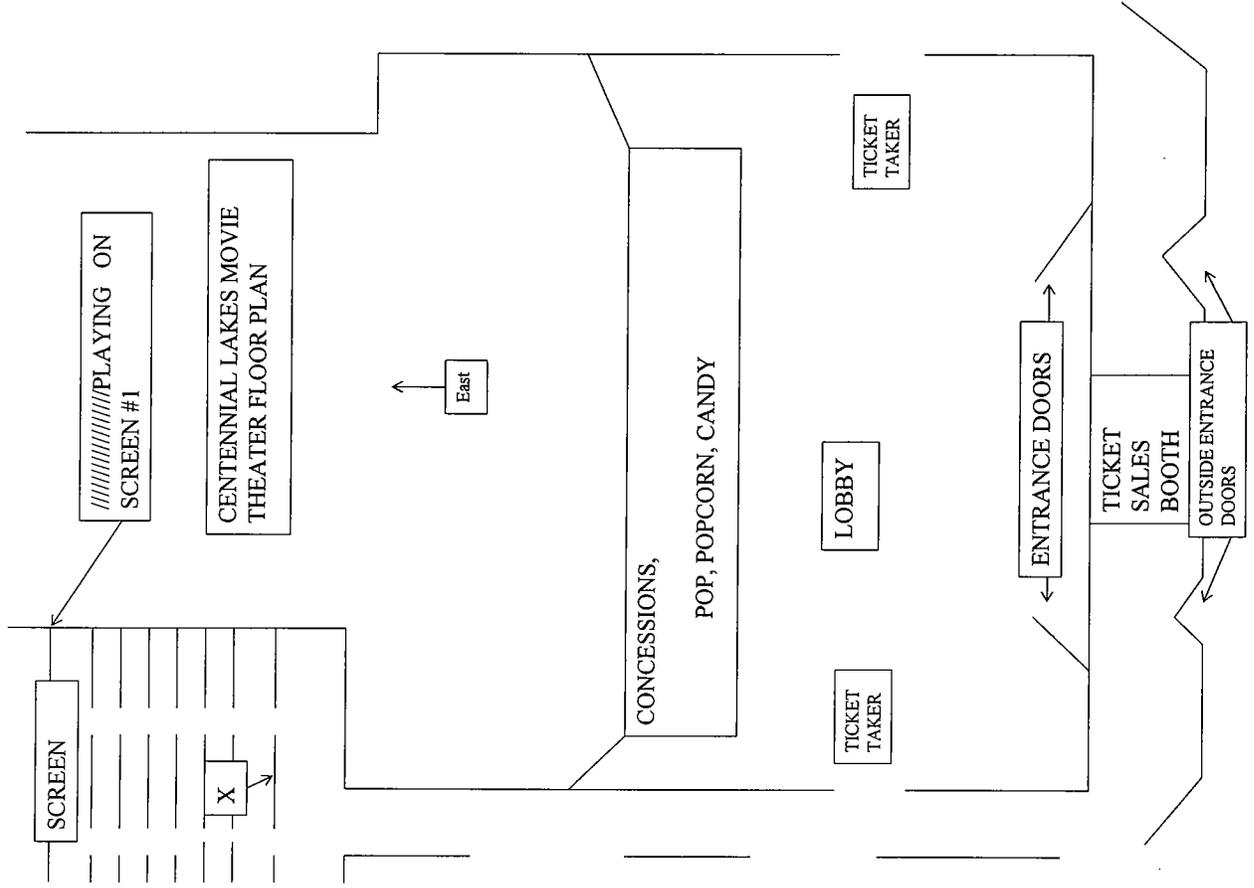
ROUTE HILL TOOK FROM
HOME TO GUN SHOP
JULY 7, Y-1





ROUTE JOHN KLONER
TOOK TO CENTENNIAL
LAKES THEATER JULY 7

CENTENNIAL LAKES THEATER



**STAR TRIBUNE
MOVIE SECTION**

JULY 7 Y-1

**CENTENNIAL LAKES
THEATER COMPLEX**

SCREEN 2
SPIDERMAN (R)
7:00 & 9:15 PM

**CENTENNIAL
LAKES THEATER
COMPLEX**

**JULY 7, Y-1
SPIDERMAN**

9:15 PM

\$6.50

SCREEN 2

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