Article 6 of a Series—Prelude to a Shootout!! SPD Officer Tim Brackeen v. Irving Fenner Jr. First Contact to Pre-shootout!!—7 years in the making!!! Recently Discovered Evidence!!! Gossip, source reports, Court Records, arguendo by Robert A. Williams

Editor's Note: News media articles back in 2016 regarding the so-called "MURDER of SPD K-(Officer Tim Brackeen included long, but minor criminal records of the alleged cop-killer Irving Lucien Fenner, Jr. that included a reference-but no information-that Fenner had been previously been charged and convicted by the Shelby Police Department for assaulting a police officer. Many, including myself, thought this indicated Fenner was a "bad dude" at an early age. That is until I pulled the record down at the Courthouse—at the urging of several of my "sources." And read the actual laws themselves. I did not like what I found. I am particularly offended when I am lied to. I am even more offended when ALL of the PUBLIC is lied to in what was clearly becoming a discovery of a major cover-up.

Of particular note in this reprint of my previous article,

please pay attention to the assault on a police officer reports and the actual truth of the matter. I believe that YOU, as I did, will change your mind about the truthfulness of the City of Shelby, The Shelby Police Department and the entire Cleveland County District Attorney's Office. And the obvious collusion with the Shelby Star and their various "News Partners."

The lead-in to this Article 6 of a Series is as shown below:

"Shelby Police Department K-9 Officer Tim Brackeen*, according to the Shelby Star Reports and public testimony from the white community, was beloved by all. A devoted family man and Hero to all. Even Assistant District Attorney Sally Kirby-Turner stated her everlasting love for Brackeen as she tearfully told the Judge at Brackeen's alleged Cop-Killer Plea Bargain hearing. A feeling of love also proclaimed by law enforcement everywhere as well as the Governor of North Carolina at the service held at the Shelby High School Baseball Field Honoring Officer Brackeen. I was there and saw it all. I believed the narrative too, as that was all the information that I had at that time. I believed that narrative for almost three years as I didn't know any better.*

I believed that narrative totally until that fateful phone call from a trusted source in August 2019. A phone call that, with lots of "critical" thinking, Sherlock Holmes type "deductive reasoning" and research of the news accounts of that time-back in September 2016-when Brackeen was fatally shot. That research included visits to the alleged murder scene and discussions with "informed" individuals in the black

community that told me that the black community leaders were skeptical of the SPD narrative to begin with. And were (the black "Leaders") approached by Shelby Officials right after the incident, were shown the body cam video (that didn't show anything convincing), heard the narrative and went away thinking that the going narrative was questionable at best; right from the git-go. With all this "new" (to me) information, I changed my mind.

***Irving Lucien Fenner Jr.**, the alleged Cop-Killer, has been called many things. A close family member called him a "Goofball" because he makes jokes all the time. He is called a father because he has three children by two women. His Murder Trial defense lawyer, Victoria Jayne, basically called him a mental "Retard;" a moron with an IQ of 60. A legal defense tactic bound to fail under cross-examination as he went to the 10th Grade in School and his "baby mamas" wives are not dummies. Poor maybe (according to Country Club standards), but not dummies.*

Fenner's criminal record, upon close examination, is telling. The record shows Fenner was a low level "punk-kid" growing up-slowly escalating to more serious encounters with law enforcement. A frequent occurrence for young black boys in Shelby as well as the USA. Fenner's more serious criminal charge prior to this shootout incident says he assaulted a police officer. This assault on a police officer demands closer attention as none of the party-line narrative prior to this very minute tells the truth about an obviously intentional failure to report about this aspect of this incident.

However, as sources reported to me, Fenner, as a young teenager living on Grice Street, was in some small-time trouble, on probation and wearing an ankle monitor that would alarm if he left his residence by a certain distance. Fenner and family member were in their yard playing. Fenner was jumping on a trampoline when a Shelby Police Department K-9 unit drives up to a nearby residence. The dog is barking at the kids playing in the Fenner residence yard. The "Goofball in Fenner makes him call out to answer the barking dog, "Woof, Woof, Woof," Fenner calls out to the dog.

This "mocking" of the dog angers the SPD K-9 Officer and he grabs the young Irvin Fenner, jerks him off the trampoline and drags him far enough away to make the ankle monitor go into alarm. Then the Officer arrests young Irving Fenner and charges him with probation violation and assaulting a police officer. That SPD K-9 Officer was identified to me as Officer Tim Brackeen.

So, using that Sherlock Holmes type "deductive reasoning" you have to conclude that SPD K-9 Officer Tim Brackeen and Irving Fenner were NOT strangers on that fateful night in September, 2016 when the shootout incident took place. They knew each other for years had each had a long-term distaste, a contempt, a HATE for each other."

Now, let's look at the new evidence.

Remember my trip to the Courthouse this past Tuesday to court watch the Willie Green lawsuit hearing regarding Shelby City Manager Rick Howell's Motion to Dismiss. Although Howell's

Attorney offered no evidence that Howell denied any of his major wrongdoings, but that Howell had “immunity” to do as he pleased-no matter how many laws he broke.

And then I went to the Clerk of Court’s Office to look up some records regarding the Irving Fenner murder trial for the shooting of SPD Officer Tim Brackeen. And how I found out that full record (a Police Report) had somehow been **“purged(?).”** And how I had just gotten a one-page summary of just a few details of that case?

Also, remember the narrative the City of Shelby and the Police Chief Jeff Ledford was putting out that Irving Fenner was a dangerous man and had previously assaulted a police officer. Later alleged to be SPD Officer Tim Brackeen? Remember all of that from over three years ago?

Now, let’s consider my source’ story about the barking police dog from another article. How sources told me that all Fenner had done was go “Woof, Woof, Woof” at the barking dog inside the Police vehicle. And got arrested and charged with assaulting a police officer.

That was the court record I was looking for. I was looking for the full record describing in the arrest record just exactly what happened and with whom and what Fenner was actually charged with and all. But, now, that full record had been “purged” (maybe purged by the DA) from the court files and likely lost forever. Remember all of that?

Now, remember that I had been given a one-page computer summary this past Tuesday that pretty much gave me “zero” in actual details of the event that remained in the Courthouse files. I have attached that one page for all to see. All it really shows is the actual charge and the law the charge was based on. I thought I had nothing.

But I put on my reading glasses anyway and took a closer look at the fine print. Something I have learned to do. Check the fine print and the details.

The charge was “Assaulting a law enforcement ANIMAL.” **Animal**?? Nobody in their right mind would assault a fully trained Police Dog-Animal!!! The real charge that all the news was talking about was NOT assaulting a Police **Officer** as the false narrative said. Not a real Person Police Officer. The charge was for assaulting a law enforcement ANIMAL. A Police DOG!

Of course, then, I had to look up that law as quickly as possible. I smelt a rat!!!

North Carolina General Statute 14-163(d) says in part that any person… “**who willfully taunts, teases, harasses, delays, obstructs, or attempts to delay or obstruct the animal in the performance of its duty as a law enforcement agency animal, an assistance animal, or a search and rescue animal is guilty of a Class 2 misdemeanor.”** But don’t believe me. I have also attached this law in its entirety at the end of this article for all to see.

So, it looks like the Shelby Police Department did indeed charge Irving Fenner, Jr. with assaulting a law enforcement ANIMAL, NOT a law enforcement OFFICER-not a person- as the local news media was putting out.

. They, Shelby and SPD Chief Jeff Ledford are caught red-handed telling a lie about Irving Fenner, Jr being such a dangerous person who goes around assaulting police officers. This also validates my sources who told me this “Woof. Woof, Woof” version of the story in the first place.

The lesson here is the Shelby Police Department, apparently to harass a young black man, twisted and turned the law in such a way to cook-up a false charge on Irving Fenner, Jr. and arrested him on July 14, 2009. The court date on this charge was December 3, 2009. Likely meaning that Fenner spent six months in jail awaiting trial on this cooked up charge. Is it any wonder why the black community, especially young black men, don’t trust Police Officers?

And why should they? The SPD and Shelby Mayor and Council have been caught in a lie in the Fenner narrative-making up stories about his criminal record. What else would they lie about? Everything apparently. Especially After I just sat through Shelby City Manager Rick Howell’s many lies in his Motion to Dismiss Willie Green’s lawsuit against him.

Stay tuned folks. The story doesn’t get any better for Shelby’s “finest,” Shelby’s Mayor and everybody in between.

Also, Part V of this sad saga is on the way. Make sure your blood pressure medication prescription is up to date and filled. You will need it. And soon!

Editor's Note Part II: Also, a question for today-July 9,2020. Where are all those protesters who want to take down the Confederate Soldiers Memorial on the Shelby Court Square regarding this issue of the Shelby Police, as well as the DA's Office, on the harassment of a young black man??? They are totally silent on this issue, much less on the holding in jail five people of color for three years without a trial or conviction. So, what can give credibility to the sincerity or justification or justice of these "fair weather protesters" cause?? None that I can see.

Here is the Proof!!

Fenner-Assaulting police dog charge record

GS_14-163.1 Assaulting A Law Enforcing Animal