

Letters in Support of David Hicks

Attachment to Sentencing Memorandum of April 12, 2007, item # 233 in federal court docket, USA v. Hicks, Case # 2:05-cr-00040-1 (downloaded via "PACER" on December 24, 2007 and this cover page added)

Contents

1. Katie Hicks, daughter
2. Kristen Hicks, daughter
 "The only bad pictures that were EVER on his camera were the pictures I took of Ashley or my sister in the bathtub."
3. Shirley Hicks, mother
4. Professor John Linton, Department of Psychiatry, West Virginia University, mother's employer
5. Debra Ball, next-door neighbor to Hicks family when David growing up
 "... if Melissa knew of these issues, why were they not brought up in the divorce hearing. It wasn't until she didn't get her way (with full custody) that the phone calls were made, with the subsequent arrest of David."
 "These children have been bullied into believing what the prosecution has drilled into their heads."
6. Bonnie Oldham, family friend
7. Carrie Wright, niece, 9 years old
8. Zoe Lawrence, niece, 9 years old
 "We would stay the night and no girls would say David did anything to them."
9. Linda Lester, aunt
10. Olivia Lester, niece
11. Christian Harper, friend
 "... evidence of David not even being at home when files were downloaded to his computer wasn't even taken into consideration."
12. Jerry Ball, Vice President of Operations, Southern Tank Transport, Inc., friend
 "If [his ex-wife] was aware, as she claims of all of these charges, why was the judge in the divorce hearing not told about this?"
13. Dennis McQuain, Viet Nam veteran and friend
14. Kimberly McQuain, family friend
15. Dee Wright, sister
16. Melissa Bass, friend

Dear Judge Goodwin,

My name is Katie Hicks and I am David Hicks' daughter. I'm going to tell you why my dad, David, should not be in jail.

My dad never ever did anything to anyone, but give his care. Dave is very loving and hasn't done anything. I love him very much and miss him more than you or anyone could imagine. Sadly enough, It's like he died, meaning I don't see him, or talk to him, it's like he never existed. I need him, he's the only person who's EVER understood me.

My dad did everything for us to keep us safe.

I want him back, I hate life right now, it's tearing me apart. All this and typical middle school! Please I need your help.

-Katie Hicks

Dear Judge,

My dad is not guilty. He did not ever do anything to me or my sister's friends. I love him very, very, very, very, very, very, very, very, very, very much! He should not be in jail and the only bad pictures that were EVER on his camera were the pictures I took of Ashley on my sister in the bath tub. I miss my daddy A LOT, and I want to see him again and eat ice cream every night and eat popcorn and watch movies. I really would like to at least say hi to my dad

from
Kristen Jessica Hicks

**Shirley Hicks
178-B Rutledge Road
Charleston, WV 25311**

March 13, 2007

RE: DAVID HICKS

To whom it may concern:

I come before you to beg for leniency for my son. I am certain I am in the best position to know his faults and good qualities, and can guarantee justice would not be served by a lengthy incarceration.

Before you can understand my son, you should probably learn a few facts about his family. David comes from a long line of decent people. My grandfather came to America from Germany, and worked hard all his life to provide for his family, losing his wife to cancer while their five children were young. When he died a few years ago, he left a multitude of descendants who have continued his legacy of kindness and generosity. Grampa Emmett always thought of others before himself. As testimony to his goodness, all five of his children wanted him to come live with him when he finally decided he could no longer live alone. He continued helping others until the day he died. In his last days, you could often find him helping his children and grandchildren with projects you would have thought beyond his abilities, but so long as he had breath, he was helping.

My mother was only 18 when her mother died, missing her graduation ceremonies to attend her funeral. She had two younger sisters and a brother still at home, and she spent the next several years taking care of their needs. When she married and had children of her own, she continued to look after her younger siblings and we often had other people staying with us who needed help. I can remember my father's nephew spending a whole summer with us at the age of 15. After spending several months with us, he joined the Air Force and went on to become a top military aide in government service. He often thanked my mother for teaching him honesty and responsibility.

My mother was the type person you wanted to emulate. She never raised her voice or her hand to us, but you definitely learned truthfulness, integrity, morality, and principles of the highest standards. My two older brothers, younger sister, and I knew better than to even try lying to Mom – she had an uncanny knack for detecting dishonesty and you could never fool her. We learned early that honesty was the best policy. We were taught to be responsible people and to give a hand to those who were struggling. We were trained to stand up for what was right, not what was popular. We were raised to honor our country and fellow man, and trusted in truth and justice.

Until the day she died, Mom believed justice would prevail and David would be exonerated. She had spent countless hours with him and his daughters, and knew him to be an exceptional parent. She could not understand how anyone could make up lies about him without being caught and

Page 2 of 4

punished. I'm frankly grateful she did not live to see him erroneously found guilty. It broke her heart to see him suffer the false accusations, and I'm sure that contributed to her early demise.

Mom had been slowly failing physically over the past few years, and David had been an invaluable aid to her. He visited with her daily until he was incarcerated. He helped her with any chores she couldn't do alone, spending hours working in her elaborate flower gardens – trimming, weeding, raking, transplanting, etc., despite the fact that he couldn't tell the difference between a dandelion and a dahlia. He mowed her grass, changed her light bulbs, drove her to the store and doctors' appointments, helped with her laundry, set up her TV, VCR, and other electronic devices which remained a puzzle to her. David, his daughters, and any other children who happened to be with them spent many an afternoon with Mom, helping with the chores, playing cards, or simply listening to her many stories of the "old days".

My mother was a truly remarkable person. She never had a bad word to say about anyone, and you'll not find a single person who could truthfully say anything bad about her. She was as close to a saint as you'll find on earth, and spent her whole life being an example of virtue and kindness. Although my father was mostly absent while we were growing up, my siblings and I could not have asked for better guidance than we got from Mom.

When David was growing up, I tried my best to follow my mother's parenting model. Tommy (my ex-husband) and I divorced before David was six, but I managed to raise my children with the same values I had learned, partly because Mom was a huge influence in their lives. During my first several years as a single parent, David and his sister, Dee, spent many evenings, weekends, and summer vacations with Mom because I often worked two or more jobs to support us. Before they were teenagers, both my children had developed into kind, caring people.

Despite our limited resources, I never failed to help friends and relatives who were less fortunate. I have one girlfriend I met when Tommy and I dated. She was married to Tommy's best friend, and even after we divorced, Barbara and I remained close. Her husband was killed in his 30s, and Barbara became disabled in her 40s. I almost totally supported her until she was finally awarded disability. She and her young sons spent many months at our home, often celebrating Christmas, other holidays, and summer vacation with us. If she couldn't afford presents at Christmas, we all made sure she and her sons had gifts under our tree. For years I spent almost every vacation at her house, repairing and rebuilding her run-down home so it would be livable.

There were many other friends and family members who lived with us during times of crisis – whether through divorce, illness, relocations, loss of income, etc. Both my children often had their friends staying with us. One girl stayed nearly a year because her parents moved out of town and she wanted to finish high school here.

That was just the way we were raised, and we never thought twice about helping someone. I guess we were horribly naïve and extremely lucky to have continued this practice for so long without someone hurting us.

When David had children of his own, he taught them the same set of values he had learned from me and his grandmother. One of my nieces has a life problem. She has two daughters who are close to his daughters' ages. David tried to help their mother get her life together, but when that proved impossible, he took in her children and became a father figure to them. Olivia, the older child, grieves for David as deeply as his own children.

Page 3 of 4

Both of David's daughters, Kate and Kristen, were raised almost totally by him because his ex-wife has some profound psychiatric problems which caused her to turn to drugs and sex with underage children. For years she was not involved in the girls' lives because she was too strung-out to remember she had children. When she did finally take an interest, David often had to call CPS or her family to force her to clean her home enough so the girls could visit her without fear of illness.

David took parental duties seriously, and patiently taught his girls the difference between right and wrong. They learned the same principles he possessed – honesty, integrity, and humanitarianism. They quickly became champions of the underdog and often invited children to their home because they felt sorry for them and wanted to share their good fortune with these waifs. Kate and Kris never realized they were far from wealthy – they only knew they were rich in love and safe in their father's keeping – a luxury they recognized not all children had.

David made learning fun and taught his girls you didn't have to spend a lot of money to enjoy life. He did without so the kids could take dance lessons and participate in other activities, but mostly they spent time together doing simple things – going for walks or bike rides, spending the day at the park, visiting friends and family, cooking together, playing games, watching TV. He gave of himself to these children, and they adored him for it. His daughters miss him so desperately now that it breaks your heart.

Not only do these children miss David, but his friends and other family long to be reunited with him. Even after David had his own family, we spent quite a bit of time together. Several times we traveled together, and I was always invited to any activities he and the kids enjoyed locally. Wednesday evenings were a standing date for years. We visited on the phone regularly, and helped each other with chores.

David also spent a lot of time with his sister. Dee has three kids and they often got together for play dates, trips, and other activities. David would help her with her computer problems, and she would pitch in at spring cleaning time. They constantly called each other, asking advice, comparing notes on child rearing, or just reminiscing. They baby-sat each other's children whenever needed, and their three girls spent the night together frequently. Dee's daughter, Carrie Beth, is having a difficult time understanding why she can't be with her favorite uncle and cousins.

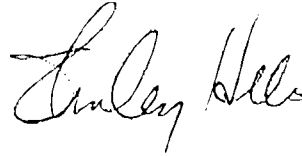
In addition to family, David's friends and neighbors miss him too. He was the one they always called when they needed anything. They all knew he would pitch in and help – whether it was putting a coat of tar on the roof or helping to build a deck. He's probably loaned (or given) more money to friends than you could imagine, given his small resources. He always took time to visit and talk, offering encouragement and assistance as needed. I don't remember him ever turning a friend away or refusing to help someone in need. He has even sent money to one of his friends since he has been in jail, because the friend's mother died and she had to take off work without pay to arrange her mother's funeral and settle her affairs, and was unable to pay her rent. He has had me buy his children and "adopted" children birthday and Christmas gifts from him. He still worries about them all constantly, asks about them, and sends his love whenever we speak.

David is a good person and a productive member of society. I cannot see how justice could be served by keeping David in prison. The world needs more people like David, not less. His children need him desperately – their lives have been pure hell since their father was taken from them. He does not deserve to be punished further, and neither do they. I realize he has been judged guilty by this

Page 4 of 4

court, but I have seen all the evidence and continue to firmly believe in his innocence. He has been naïve and trusting, and in his desire to help others has created a scenario which could be misinterpreted as sinister when viewed through the stigma of the accusations. He unwittingly set himself up to be victimized by the very people he sought to help. He has been wrongfully attributed characteristics which are simply not true, and if the court could learn the whole truth it would not fear his release. As his mother, I can guarantee he would never knowingly harm a child.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shirley Hicks". The ink is dark and the handwriting is fluid.

Shirley Hicks



West Virginia University
SCHOOL OF MEDICINE
CHARLESTON DIVISION

March 27, 2007

The Honorable Joseph R. Goodwin
United States District Judge
PO Box 2546
Charleston, West Virginia 25329

Dear Judge Goodwin,

I am writing directly to you in reference to Mr. David Hicks, who will come before you for sentencing this week. I have had the pleasure of working with David's mother, Shirley Hicks, in the WVU Department of Behavioral Medicine and Psychiatry for the past twenty years. During that time it has been possible to come to know Ms. Hicks and her family well, and I have met with her son on a number of occasions. I have found Ms. Hicks and her family members to be people of the highest moral and civic sensibility.

While the veracity of the charges against Mr. Hicks are not at issue at this point, I have to admit remaining somewhat unconvinced given what I know of the circumstances.

Please add my sincerest appeal to those of others who request the most lenient sentence available for you to impose on Mr. Hicks. I find it quite unlikely that this young man will represent a danger to any member of his family, or the community at large. Needless to say, given the issues involved, this appeal is not made without substantial deliberation.

Thank you for your kind consideration of this petition.

Most sincerely,

A handwritten signature in cursive script that reads "John C. Linton".

John C. Linton, PhD, ABPP
Professor and Vice Chair

Department of Behavioral Medicine & Psychiatry
501 Morris Street
CAMC General Division - 4 West
P.O. Box 1547
Charleston, WV 25326

Phone: 304-341-1500
Fax: 304-341-1508

Debra L. Ball
1113 Beresford Run
Charleston, SC 29492
843-216-1785

April 1, 2007

To Whom It May Concern:

I am writing this letter to you on behalf of David Hicks, who you will be sentencing on April 19, 2007.

I have known David and his family since 1982. My husband and I moved next door to the Hicks family and became the closest of friends and are still very close to them today. We now live in Charleston, South Carolina and don't see them as often as we would like, but stay in constant contact.

David and his older sister, Diana (Dee) were teenagers when we first met them. They were both very nice kids. All of the neighborhood kids would congregate at their house. There was always one or more of their friends at the house. Shirley, David's mother would always have nice meals for everyone and their house was dubbed "Hicks Hotel". There were many occasions that one of their friends would be having problems at their own home and would stay with the Hicks family for some time until their issues at home were worked out. I believe there was one of the kids' friends that stayed at their house for months after their family moved out-of-town, so they could finish the school year at Poca High School. Their home was always very loving and caring and there is not one person in that family that wouldn't give you the shirt off of their back or their last dime.

Even when Shirley had lost her job at Putnam Fabricating, she still was taking in "strays" or troubled children and would try to help them work on making their family situation better. Their house was always a great place to be. I spent more time at their house than at my own. It was such a fun place to be.

David and Dee even had helped my father in his business at one time and drove with me to Augusta, Georgia to help my father at The Masters with his souvenir business. My father and stepmother thought David and Dee were the best teenagers they had ever been around. They thought they were so polite to customers and very trustworthy with the large amount of money they dealt with during the week that they were working.

Dee has married and has a wonderful husband and three beautiful and well-rounded children. David doted on those children when he became an Uncle.

-2-

David has always had a soft heart. He is certainly being portrayed as a monster and that is so far from the truth that it is sickening to me. When I got the telephone call from Shirley telling me of David's arrest, I was so shocked. Since this all came to head immediately following David and his ex-wife's divorce, we knew she must have had this done. The threats that she had made during the divorce had finally been followed through. My question has always been...if Melissa knew of these issues, why were they not brought up in the divorce hearing. It wasn't until she didn't get her way (with full custody) that the phone calls were made, with the subsequent arrest of David. I am no legal expert, but I cannot understand why the same charges against Melissa's first husband could not have been brought up in court. This looks like a pattern to me! I also understand that Melissa's ex-boyfriend was a computer expert...could they have hacked into David's computer and put these images on it??? I believe that could have happened, especially since she was wanting to move to Alabama with her boyfriend and take the kids...an easy way to get David out of the picture.

David adores his children. They adore him. He would never hurt or endanger any child. He took children in out of the goodness of his heart and they loved David. They always enjoyed going to stay with David and his girls. They would run up to David and jump in his arms when they came in the door. Does this sound like something a child would do if they are frightened of someone or if that person had hurt them? Why would they continue to want to go back to David's if they were afraid of him? It's because they weren't afraid of him. He'd done nothing wrong. These children have been bullied into believing what the prosecution has drilled into their heads. This has got to be tearing David's children up inside, seeing their father going through this. Knowing that they will rarely see their father again, especially if their mother has anything to do with it. I still cannot believe this has happened to this family. Those children need their father. They also love their grandmother and she loves them. She was always calling to tell me what Kris and Kate had done the prior weekend at grandma's house. David didn't make a lot of money and Shirley would buy the girls clothes and anything else they needed, even if she really couldn't afford it, herself. That's just the way she is and that is the same kind of goodness she had taught her own children when they were growing up. It is tearing Shirley up inside that she is not able to see the girls. That someone could ruin the lives of many people who are totally innocent, is a travesty. There is no way David Hicks committed these crimes. I would stake my life on it.

I hope that when you are deciding David's fate, you will take into consideration some of the things that I have written about. These are good people and have been unjustly portrayed as criminals. I know that we are supposed to believe in the justice system, but this time it has failed! My thoughts and prayers will be with you as you deliver this man and his family's fate.

Sincerely,



Debra L. Ball

**Bonnie Oldham
631 Thorncliff Dr.
York, SC 29745
803-628-5839**

April 8, 2007

To Whom It May Concern:

I have known David Hicks for most of his life, having met the Hicks family in 1975. But most recently, I have watched David be both a loving mother and father figure to his beautiful daughters.

I recall visiting the hospital (along with David's Mother) when David and his wife had their first child. You could just sense his joy in being a father and while I was there, he was very attentive and loving to his wife.

When I would come to Charleston for visits I would stay at David's Mom's house and during most of my visits, grandchildren surrounded us. David was always the nurturing parent who brought his girls to family functions and I watched him as he encouraged his children to participate in activities (they were much younger than some of the kids) and I admired him for that.

While I was working for the Putnam County Development Authority, Hurricane, WV, David was hired to take care of our computer system. He was always professional and courteous to all who came in contact with him. Over the years I have seen a transformation from a wonderful young man into an adult with hopes and dreams for a better life for himself and his children and I hope that some day he will have that opportunity to make it happen.

My hopes and prayers are with David and his family and I would like you to know that David Hicks is a kind, decent and loving person.

Sincerely,

Bonnie Oldham

March 24, 2007

Dear Judge,

My name is Carrie Beth and David Hicks is my favorite uncle. He's very nice and I love to play with him. I love to play video games with him and he helps ~~me~~ me get better. I love to jump with him on the trampoline because he'll bounce me to the clouds. I loved spending the night because we always had fun. Me Kate and Kris would always swim, dance, jump on the trampoline, sing, finger-paint, play with dolls, play school, ride bikes, pick-flowers & watch tv, play pool, go to the park and play-video games.

David was always nice to every body and would never hurt ~~every body~~ anybody. The ~~only~~ only way he would make us cry is from his silliness. He was so goofy and funny we would laugh until we'd cry. He taught us to be nice and friendly. We helped him cook and clean the house. He explained how things worked. He was very smart and always helped us with our homework.

I'm ~~only~~ only 9 ~~years~~ years old and I miss him very much. I also miss Kate and Kris and want to see them all together again. Please, ~~please~~ please, please don't keep him in jail!

from
Carrie Beth ~~Wright~~ Wright

Dear Judge,
My name is Zoe I am 9 years
old David Hicks is my uncle
and he has never done nothing
to me or any one else we
would stay the night and no
girls would say David did
any thing to them
me and my sister Olivia
trust David and David would
never ever take those
pictures and I know he
did not do it. We always
had fun went swimming
to the Grand Prix and
nothing ever happend

Thank you,
Zoe Lawrence

Dear Judge

April 3, 2007

My name is Linda Foster,
I am David's sickle aunt.

I have never seen David do
anything out of line with my grand-
daughters or any other child.

He always seemed to have time
to play with them. He'd jump on
the trampoline, go swimming, Chase
them around the yard.

He took his time to teach my
grand daughter how to play the
guitar, gave her a guitar to practice
with.

I hope you will take this into

~~consideration in your decision.~~

Thanks,
Linda Foster

Dear Judge Goodwin,

My name is Olivia Lester and I am writing to tell you how good of a person my uncle David is and the good times the girls and I shared with him. The days and nights I had spent with David were very enjoyable. We did joyous things such as swim, watch movies, paint and much more. David taught us a lot of things and how to be a better person.

One thing he taught me, which I am grateful for, was how to play the guitar. Even though I'm not good at it I still appreciated it. David never hurt anyone and never would. He is a very kind and caring person.

~~But~~ I have lost a ^{few} ~~lot~~ people I care for in these past few months and it would hurt terribly to lose another one. Surely everyone knows how badly it hurts to lose someone they love and care for. And if not then, the pain is too hard to imagine. These are only some of the reasons my uncle should not go to jail and you should let him come home ~~to~~ to people who care for him.

-Olivia Lester

April 2, 2007

To whom it may concern,

My name is Christian Harper and I've known David Hicks for almost 15 years. There is not a shadow of a doubt that David is innocent of the crimes he has been convicted of. My letter is a testament to that.

David has always been a caring man, putting his own wants and needs on hold for his children. These vile lies that have been said about David are completely untrue. I would have no problems with David taking care of my children. I know David and would trust him with my life.

David and his mother are two of the most giving and benevolent people I have ever had the pleasure of knowing. They would literally give you their last dollar if they knew you needed it. From my first-hand accounts, David is a tremendous father. Kate and Kris need their father and grandmother now more than ever.

All David has ever done is help others. Unfortunately, it's his caring personality and selfless actions that have helped his devious ex-wife craft her revenge.

I have always believed in our justice system. I told David during his incarceration that since he was innocent, the truth would come out and justice would be served. I couldn't have been more wrong. I am reminded of a witch hunt when I think about the prosecutor's case. Was the fact that David's ex-wife has cried wolf her entire life even looked at? The fact that she is a lying, deceitful human being with a shady past even taken into consideration? She has accused her first husband, stepfather and an underage ex-boyfriend of similar crimes. I find the fact that she openly bragged about "David will be in jail before it was all over with" just a little telling. I would ask, what happened to the credibility of an accuser? I personally, even caught her having an affair while still married to David. The truly ironic twist is that this sick and depraved woman has been sexually involved with underage boys herself! David's only true crime was being married to this manipulative woman.

I find it disconcerting that evidence of David not even being at home when files were downloaded to his computer wasn't even taken into consideration. David was running an outdated version of Windows 98, with no firewall or protection scheme. To say it would be simple to compromise his computer is an understatement.

In conclusion, I can't restate enough that I believe David Hicks is innocent of all these crimes he has been convicted of. It's sad to think that his reputation and that he and his children's lives are ruined forever. Please take into consideration all the facts in regards to this absurd case before sentencing an innocent man to an unfair amount of jail time.

Thank You,

Christian Harper



Southern Tank Transport, Inc.

P.O. Box 327

Harleyville, South Carolina 29448 (843) 462-2444 Fax (843) 462-2564

April 1, 2007

To Whom It May Concern:

As the sentencing phase of David Hicks' trial is drawing near, I would like to take this opportunity to tell you some things about David. My wife and I have known David and the Hicks family for over 25 years. They are one of the most compassionate and loving families I have ever known. We became very good friends with the Hicks family shortly after moving next door to them. David and his sister, Diana were the type of teenagers that any parent would love to have. My wife and I did not have any children, so David and Diana were like our own children. Both kids would do anything for us and were always very polite and generous.

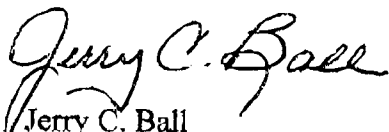
I am appalled by what has happened to David and his family. These acts that David has been accused and convicted of could never have happened. I, in my heart, know that David has been framed and most likely by his vindictive ex-wife. She had been threatening David during their entire divorce and told him that she would ruin him and that she had friends with the FBI. Evidently she did. She was not awarded full custody of her children and that set the ball rolling. If she was aware, as she claims of all of these charges, why was the judge in the divorce hearing not told about this? It seems that when things did not turn out as she wanted, it was time to ruin David and his family's life. This also includes his own children, who I am certain have been scarred for the rest of their lives.

David is a sweet, caring and loving person. He was always willing to help others who were down on their luck as he understood their circumstances. David is a hard worker who did all he could do to provide for his children. He worked weekends so he could keep his children while his now ex-wife could work during the week. He would also care for other people's children while they were at work as well and they all loved David.

I was so shocked when all of this started several years ago and have kept in touch with Shirley, David's mother during this long process. David was not represented properly by his attorneys. They would not listen to him, did not try hard enough to prove his innocence. Maybe public defenders are so used to defending real "criminals" that they felt that they didn't have to give it their all. In today's world, the words "child molester", "pedophile" and other like words in the same category bring such disgust to everyone, that it is no wonder that juries convict innocent people as well as guilty persons. I think they believe if you are charged with one of these crimes, you must be guilty. I am certain that David is innocent and was unjustly convicted. I know that the real truth has not come out and when and if it ever does, someone should pay dearly for it. This has been so unfair to David and his entire family and even his friends. I know that a jury of David's peers was responsible for the conviction, but you are ultimately responsible for deciding David's sentencing. I hope that you will listen to what others have to say about David's character and remember that at sentencing.

Thank you for taking the time to read this letter.

Sincerely,



Jerry C. Ball

Vice President of Operations
Southern Tank Transport, Inc.

DENNIS L MCQUAIN

April 4, 2007

Dear Sir or Madam:

Allow me to introduce myself, I am Dennis L. McQuain. I am a nine year veteran of the Military, including one year of service in Vietnam. I hold two college degrees and have done extensive counseling. I am currently a business owner.

I have known David Hicks for twelve years. I have observed him to go through many changes in life. I have observed his interaction with his own children, as well as other children. His conduct was never inappropriate or unmannerly. At no time have I ever observed any signs of fear, reservation, intimidation or coercion on the part of the children or David.

After his ex-wife deserted he and his two daughters, David successfully maintained a fulltime job and raised his daughters alone. I have not observed at any time any indication that this man is guilty of the crimes with which he was charged. I have always known David to be an honorable man and respectful of human rights and dignity in every situation in this twelve year period. I have never seen David use drugs, alcohol or tobacco at any time. I have spent untold hours in a family setting with David's entire family present. In all these varied situations his conduct has always been impeccable.

It is my belief David was mentally stable until he was incarcerated.

Sincerely,

A handwritten signature in black ink that reads "Dennis L. McQuain". The signature is written in a cursive, flowing style with a small flourish at the end.

Dennis L. McQuain

Kimberly J. McQuain
722 Loch Lomond Circle
Concord, NC 28025
704-262-7674

March 26, 2007

To Whom It May Concern:

I send this letter to you as a testament to the Hicks family. I have known Shirley Hicks for over 10 years and she has become an extremely close friend of mine as well as my family's.

On two different occasions over these years my brother has hit hard times and Shirley has allowed him to stay in her home until he got back on his feet. She also took my nephew in when he found himself with no place to go. She did for him and treated him as her own son. There was no time limit placed on their stay. Her attitude was, as long as they needed, she was there to help.

Although I have not lived in WV since I have known Shirley, she has traveled to both San Antonio, TX and Charlotte, NC to help me during various different moves. She not only helped me move but helped me decorate my homes by bringing the things to complete the decorating and expected nothing in return but a smile and a hug. When I visit WV (which I did quite frequently from 2001 to 2005) her home is open to me to stay for the duration of my visit. Even now we still speak to each other on a weekly basis.

I am sure you are getting the idea of the kind, giving and loving heart of this woman. This is the same atmosphere that her children were raised in and her grandchildren are now being blessed by as well.

I have met both of Shirley's children and all of her grandchildren over the years and have gotten to know them. They carry on the family tradition of helping those in need. Be it a lost puppy, a child, an adult or the elderly, one of the main forces that drives this family is to help when help is needed. They know it is just part of their purpose for being on this earth.

Of the time spent around Shirley's children, most has been with David. I have found him to be a kind, gentle man with a merry sense of humor and a laugh that is contagious. He, like Shirley, is always there to help those in need. From family to friends to total strangers, if they need something and he can help, he does not hesitate. As a single father, he is a very loving Daddy. He was always kind to his girls and saw to it that they had what they needed and as much of the extras as he saw fit. He has always shown them respectful attention in my presence and their wants and needs have always come before his own. I have witnessed him playing or watching movies with them and he has always taken time to listen to them and answer any questions they may have. He is not the type of parent to brush them off and/or leave them believing that they are not

Page 2

Hicks Letter from Kimberly McQuain
March 26, 2007

important. David gave up having all the material things of the world and worked weekends so he could be there when they got home from school and raise them with morals, values and love. He does not define wealth in money and materials but in time spent, love, respect and consideration for others. His desire is that he could raise his girls and instill in them the moral and ethical values that would serve them well throughout their lives. He baby sat for a mother that did not have money enough to pay a sitter so her young children would not have to go home alone to an empty house. He even helped one child that has a learning disability with homework in an effort to get him a 'leg up' in his education. Payment was not an issue with David. The satisfaction of knowing that he could help make a positive difference in a young life was all the payment he looked for.

As for David's current situation, I do not believe for one minute that he is guilty of the crimes for which he has been convicted. His heart is too big and too caring of others to ever have done the things he was accused of. Katie and Kristen and their well being are the reason for him living. He has never exhibited any inappropriate looks, behaviors or words when I have been around him. I view him as the type of person that would find such things as disgusting as the rest of us would.

Due to the fact that his accuser was a woman that has accused her first husband of the same things, I cannot help but feel that she is on a mission to get a man that has fathered one or more of her children, convicted of sex crimes with a child. Her attempts with her first husband failed and it appears she learned from her mistakes. Even the timing seems ironic since this whole chain of events started the day after her divorce from David was final. From what I know of the events that have taken place since that time, I have to wonder if her statements and accusations were ever even questioned. I believe this plan was crafted over a long period of time and set into motion at the exact moment she had planned. I do not believe that his accuser has any conscience when it comes to destroying a life. As long as she wins (in her eyes) in the end, it makes no difference to her the cost to others. Even destroying the life of her own child/children is not important to her as long as she can succeed in her quest to put an innocent man behind bars.

My hope is that you will take time to review all aspects of this conviction prior to sentencing an innocent man to prison time. His life has already been virtually ruined and I hope you can see fit to show mercy in a case that should have never taken the court's time or the tax payer's money.

Respectfully submitted,



Kimberly McQuain

Dee Wright

*112 Westland Estates
Winfield, WV 25213*

March 29, 2007

Dear Judge Goodwin:

I am writing on behalf of my brother, David Hicks. He has lost everything that meant anything to him...his freedom, access to his family, his good name, and most importantly, his daughters, who are his whole world.

My brother is a kind and gentle man. His heart is the biggest thing about him and he has spent most of his life taking care of other people. He never did this with any ulterior motive in mind...not for money, recognition, or personal satisfaction. We were raised to care for those in need and to put the needs of others ahead of our own. My brother has always been the most kind and generous person I've known.

As a mother, I have often been envious of my brother's parenting skills. He raised his daughters with the highest emphasis on honesty, kindness, and decency. It doesn't matter if he is tired or stressed out...he always makes time for his children. Following in their father's footsteps, Kate and Kristen are also kind, self-disciplined, socially conscious young ladies. They often bring home other children who are suffering or downtrodden so they can help "save" them from their situation.

My heart is broken that he could be convicted based on lies and innuendo, when he is possibly the most honest person I have ever known in my life. He would not even tell a white lie to gain someone's favor. He's the kind of person who would do anything to help another person, but would not hesitate to berate that person if he thought they were not doing their best. He is brutally honest and has strong opinions, and though we often did not agree, I have always admired his strength of conviction and his straightforwardness. This extreme honesty has been ingrained in us since childhood...we learned that the truth was the best route even when it hurt. I wish I knew our mother's secrets in dealing with my own children...we almost always confessed to our wrongdoings even as kids.

I cannot even wrap my mind around David harming a child in any way or engaging in any type of sexually deviant behavior. He treasures children and they adore him. I was often in his home and my own children spent a generous amount of time with him. He was always the hero of all of the kids, including my own. He is the dad who jumped in the pool to play with them or sat and read a book with them. He is the dad who made them an ice cream cone, but made them eat a nutritious meal first. He has always treated every child in his presence as if they were a member of his own family. Kate and Kristen's playmates seemed to feel the same way about David. They constantly begged for his attention and asked him to join in their activities. His home was always filled with giggling children, none of whom ever seemed to want to go home. Many times I witnessed a parent "trying" to pick up their child from his home and the child was

begging to stay. Often they would call and ask to come over to play. My own daughter loves visiting her cousins and her Uncle Dave. She has never shown any sign of being uncomfortable in his presence. In fact, she talks about how much she misses him. I have questioned her since all of this started and she said she has never seen or heard about anything "weird" or "scary" or "bad" at his house.

This whole thing has plunged our family into a world we never knew existed. We were raised to trust in people, and to believe in truth, justice and our government. When it all started, we naively believed that the truth would shine through and everything would be sorted out.

Now my mother has put her life on hold, my husband and I live in constant fear that someone will mention the case in front of our children (they are not fully aware of the magnitude of the accusations), our grandmother, whom David helped care for, died before the resolution of this mess, and most of all, my poor nieces are suffering every day without their beloved father.

There seems to be an interest in making an example of him to people who have committed crimes like the one of which he was convicted. I do believe that anyone who commits such a crime should be punished. However, I am concerned that the example will be torn down when David is exonerated of these charges, and that the real criminals will use his case to get themselves out of punishments that they do deserve.

Please restore our faith that doing the right thing will result in a happy outcome. We are in fear that he will continue to suffer for the crime of believing in honesty. Because he refused to tell a lie and confess to something he did not do, he faces a hideous journey that he does not deserve. I believe in my brother and we will not stop until the truth has been done its justice.

Thank you for your time, attention, and understanding.

Sincerely,

Dee Wright

3-27-07

-1-

To Whom It May Concern:

I have known David Hicks for seventeen years. We have been great friends. In these seventeen years we have spent lots of time together. He was in the waiting room for the birth of my first child as I was there for his first born too. We met through my ex-husband as they both worked at Pizza Hut & when they would get off work the three of us would spend the rest of the day and most of the time half the night just hanging out playing cards & listening to music. There has never been any kind of sexual or emotional relationship between Dave and I, it's always been a good friend thing between us, like a brother-sister kind of relationship. Dave has always been there for me and my kids any time we have ever needed him.

-2-

all three of my children love Dave to pieces, they called him their "Jungle Gym". Dave has always put kids first from the first time I ever seen him around kids.

It's really hard for me to see how our justice system works. He is one of the most honest, gentle, warm & loving people I have ever met in my life, at no time have I nor my children felt uncomfortable around him, we always looked forward to seeing him come. That's why I just don't understand how any one could ever think he was capable of any of these charges. With me knowing him and his wife Melissa is what's making this so hard to

understand! She has been the one doing what Dave is charged with and her saying he didn't make it so. I'm lost!! He is convicted & she is still walking the streets molesting little boys.

-3-

I'm sorry, I don't see how that
wasn't relevant to the case that
I'm physically hearing her threaten
to do all this to him with my own
ears. I still don't understand why
I didn't get the chance to get on
the stand and let this be known.
Again just another failure of
the legal system. I'm sorry, it
just didn't seem from the beginning
of all of this that anyone represented
him at all like he was "Guilty"
until proven innocent & no one wanted
to ever hear the truth, any time
any truth was mentioned we
were always shut down with
the words "That's not relevant to
this case!". I strongly feel if some-
one had listened Melissa would
be the one reading these letters &
not Darrel!!! I can only pray
along with Darrel that he gets
a new trial with better representation
someone who is a go getter & not

-4-

afraid to go for the truth. I honestly believe if the right people were called to the stand you would go through an eye opening experience of a life time, and put the real child predator behind bars, & let the descent one out so he can finish raising his daughters in a loving home & teach them respect & the way life really is. Instead of them being locked in a bedroom raising themselves & being grounded for every day they breathe for believing in their father, & not doing their own laundry.

I want to thank you for your time & I hope with all my heart you listen to this & want to ask me a ton of questions because I have tons of answers for you & in the mean time start believing in Dave & make him ^{the} free man he deserves to be!

Thank you,

Melissa Bass

Melissa P. Bass 708-2272