

UNDISCLOSED, The State v. Greg Lance
Episode 6 - A Wanted Man
October 14th, 2019

Rabia Chaudry: Hi Undisclosed Listeners, Rabia here. Thank you so much for tuning into our fall season and thank you for listening to all of our series and supporting us all of these years. I want to ask that you please support our sponsors, because our sponsors support us, and a big thank you to them. Without them, we couldn't continue to do the work to help the wrongfully convicted. The second thing I want to say before we dive into today's episode is this: whether it's this case or any other case that we've worked on, we've actually got a tipline, so if anybody out there has some information they think could help us in our investigation into this case, The State vs. Greg Lance, or any of the cases we've worked on, please give us a call. The tipline is (410)-205-5563.

[1:00] On August 5th, 1998, the day that Victor and Alla Kolesnikow were murdered, investigators collected all the physical evidence they could from Greg Lance: his shoes and his socks, his truck, some of his guns, they shaved his hands and they swabbed them for a GSR test. All of these items, along with crime scene evidence, was immediately submitted to the TBI crime lab for testing.

In the meantime, as they awaited lab results, investigators continued to collect evidence in the form of witness statements, phone records, and green rope from Greg's property, all of which managed to incriminate him.

Despite having forensic tests and witness statements in hand, and a motive they were banking on, the authorities didn't charge Greg with the murders until April 5th, 1999 -- eight months after the murders.

And by the time they finally did arrest him, Greg was on the Tennessee Bureau of Investigation's Most wanted fugitive list for two counts of first degree murder.

[2:30] Rabia Chaudry: Hi and welcome to Undisclosed. This is episode 6 in our series on the State v. Greg Lance: A Wanted Man. My name is Rabia Chaudry. I'm an attorney and author of The New York Times best seller: *Adnan's Story*. I'm here with my colleagues, Susan Simpson and Colin Miller

Susan Simpson: Hi, I'm Susan Simpson. I'm an attorney in Washington, D.C., and I blog at TheViewFromLL2.

Colin Miller: Hi, this is Colin Miller. I'm an Associate Dean and Professor at the University of South Carolina School of Law, and I blog at EvidenceProf Blog.

Rabia Chaudry: By and large, while Greg realized he was a suspect in the murders, he wasn't aware that investigators were making the rounds of his friends and acquaintances to seek evidence against him. In fact, he had little reason to know what was going on because shortly after the murders, he left town.

Now, the State would have you believe that Greg took off scared, fleeing to Arizona to protect himself from the investigation because he was guilty. That is, in fact, what they argued at trial. Here is what the prosecutor David Patterson said in his closing arguments:

"The defendant says maybe (Keith) Herbstreith is the one that did it...it if was him, if it was Herbstreith, and the defendant didn't do it, why would the defendant leave and go to Arizona at the end of August and leave Herbstreith with his trailer park and leave Herbstreith with his wife."

But, according to Mike Heron, the owner of Heron's farm and Greg's construction partner, Greg leaving for Arizona had nothing to do with the Kolesnikow murders:

[4:10] Mike Heron:

They were trying to get me to say he just came out, showed up, and I was like, "No!" I called him out because we'd had a big contract with Foodmaker, I did, which is Jack in the Box, rebuilding stuff, and I called him out for his knowledge and skills to come out and give me a hand, cause we were doing multiple restaurants. Short time frames. His management skills were great, and I knew his quality of work and, you know, I just knew he was a good person. So it was like, "Come on out," you know, he was gonna stay with me, and it wasn't him calling me and saying, "Hey, I'm coming out," you know? I approached him to come out there and go to work for me, and it was prior to the shootings.

And, for the record, the State knew all about this.

[5:05] Susan Simpson: When Mike Heron spoke to TBI agent Winkler, after the second search of his farm on August 27th, Mike told the agent that Greg would be coming to join him in Arizona. According to the transcript of the call, Mike said, “we’re trying to get him here next week, so I hope this ain’t gonna slow him down, cause I really need him. And...and this is where he’ll be, you know? Let him come out here and work. This is where he’ll be.”

Winkler responded that, well, “At this point, you know, there is nothing that is preventing him from going.”

So, Greg left for Arizona on September 4th, as he had planned to for a number of months, and his new bride Becky joined him a couple of weeks later. They had gotten married on August 8, 1998, three days after the murders, a fact that shocked most of the people they knew apparently.

According to statements taken by investigators, none of Greg or Becky’s friends knew they were planning on getting married, so this sudden union raised suspicions, and in fact became more evidence of Greg’s guilt. Again, in closing arguments, Patterson said, “Do you think it is just a coincidence...that the defendant has married his girlfriend within three days of the murders; his girlfriend who says she could testify to his activities, preparation, concealment, and his animosity toward the Kolesnikows?”

To be fair, it doesn’t look good for Greg. Entering into a quick courthouse wedding a few days after a horrific crime that you say you’re innocent of, and that your spouse could potentially provide evidence for, just...doesn’t look good.

[6:30] Rabia Chaudry: So look, because it did look bad, it looked pretty suspicious, I asked Greg about this a number of times. And every time, he pretty much gave me the same response.

He said that they were in love, they had talked about marriage before, they had gotten pregnant before, he wanted a kid, and after what happened with the Kolesnikows, he realized how easily you could lose everything you have. And so he thought, there’s no point in waiting any longer. He wanted to get married and he wanted to have a family, and so did Becky. And so, they just went for it.

It's also interesting to note, that Greg's first marriage to his first wife, Elizabeth, happened even more abruptly. They had a conversation about it one day while they were driving in his truck, and two hours later they were married. They had a quick, military wedding, because they were both part of the National Guard. Neither of them had any family or friends there. So, it seems like this is kind of how Greg operates.

And when she was questioned about it, almost 20 years ago, Becky pretty much said the same thing.

[8:38] Colin Miller: In interviews taken with defense investigators as they prepared for trial, Becky said that they had spoken about marriage before, and Greg wanted to have a baby - which is what they did. Becky had her norplant removed as soon as they got married, and soon thereafter became pregnant.

Was it just a rush of love that came over them that led to a wedding no one even knew about? Maybe. Did it help Greg that spousal privilege exists in the law? Sure, why not.

What you think about this marriage may depend on what you think about Greg's innocence or guilt though, because while it wasn't a good look, there are two things that counter the idea that this was a legally convenient marriage - first, they really were a couple in love. Greg and Becky stayed together for years, and even had a baby girl together, a baby that was born after his arrest. There are years and years of letters between them, and years of photographs from Becky's visits to Greg in prison.

Second, well if they thought getting married would prevent Becky from testifying at trial, which is not exactly how spousal privilege works, then Becky might not have taken the stand. But she did testify - for the defense. She wasn't called by the State, which could mean one of two things: either the State didn't feel she helped their case, or the State thought she could assert the privilege so they wouldn't be helped anyway.

In Tennessee though, the spousal relationship doesn't automatically make all spousal communications privileged - there are a number of factors that have to be met. And then, if it's determined that those factors are met and the communication was privileged, one of the two spouses has to actually object to it being entered into evidence and a judge has to rule on it.

The point being, there is no automatic protection that getting married affords a defendant vis a vis a spouse's testimony, and the State could still have put Becky on the

stand if they had wanted to. This doesn't, of course, mean that Becky or Greg knew any of this.

But for now, mark the concern around their sudden marriage resolved like this - they may have married thinking it could protect Greg, but it doesn't mean their marriage wasn't legitimate, nor does it indicate guilt any more than a defendant asking for a lawyer does. Having said that, at least three different people who knew Becky and Greg gave statements that Becky had stated to them that a wife couldn't testify against her husband. Maybe she had, or maybe it was the result of a game of telephone. It's hard to know.

Back to Greg leaving the state -- he stayed in Arizona, working on Mike Heron's project until he got that call from Keith Herbstreith, the call that Keith recorded for the TBI, in which Keith told Greg he was out, he couldn't deal with it all anymore, and that he had packed up and was ready to leave for Florida.

[11:43] Rabia Chaudry: We now know however that he didn't leave for Florida. After last week's episode, Kay, Keith's girlfriend at the time, and later his wife, reached out to us to let us know that they had actually moved to South Carolina, and not Florida. In fact, they never had plans to go to Florida.

So Keith may have lied to Greg to protect himself and so he couldn't be tracked.

Regardless, Greg was forced to return to Cookeville in early October to look after the trailer park, until he finally walked away from it on November 20, 1998, having abandoned his bankruptcy proceedings and turning the property back over to the Kolesnikow estate.

Before he left though, a new manager arrived to learn the ropes, a woman by the name of Sherry Wilkins.

Sherry was actually no stranger to Greg, they knew each other from before.

After Keith told him he was bailing, Greg had reached out to Sherry to ask her to help with the trailer park, so Sherry and her husband Jim had moved into the house on the trailer park in October of 1998, and the Kolesnikow children agreed to let her stay on after the property reverted back to the estate.

The following year, in May of 1999, defense investigator Ronald Lax interviewed Sherry in what is perhaps the most colorful interview in the entire case file.

Sherry's husband Jim was present throughout Lax's interview. Lax's notes read:

"Sherry's husband, Jim, who is in a wheelchair, was seated on the couch when I arrived. He appears to be paralyzed from the waist down, and during the time I was present, he sat with his legs stretched out on a recliner part of the couch and he was bent forward from the waist, with his head lying on his knees. He did not join in the conversation, but only made occasional grunting noises. At one time, he indicated to Sherry that he needed to go to the restroom and she assisted him in doing so. It was at this point that he made his only comment, and that was to look at me and ask if I wasn't hot in my "monkey suit."

Sherry told Lax that her and Jim had been good friends of Keith and Greg for a while, and once they had attended a wild party they threw at the trailer park, a common occurrence according to her. They left early though she said, and told Lax that "She had heard stories of homosexual activity, as well as couple swapping."

Now, for the record, there isn't a single other witness, friendly or unfriendly to Greg, who has ever said anything about such parties, but anyway, getting back to Sherry...

She also said to Lax, "she has a hard time believing that Greg Lance could be responsible for the murders and that if he did, she thinks it's because he was taking care of too many people, had too much pressure, and simply "*snapped*." She went on to state that Greg actually seemed to care for people, but he was not emotional. He was not violent type person and she had never seen him get upset. The only thing she could say about him was simply the fact that he was a hard worker, and was under a great deal of pressure.

[14:32] Susan Simpson: Sherry had never seen Greg with a gun, but had seen him get mad once, when she had found notes about him meeting another woman in the office computer and word had gotten back to Becky.

Sherry had heard a lot of rumors about the crime and Greg's involvement, and volunteered that while Keith and his new wife Kay had moved out of state, that he was in regular, monthly contact with TBI agent Kroffsik.

But while Sherry had a lot to say, Lax was most interested in something she had found at the trailer park, and turned over to the police six months earlier.

Fire Marshall Phillip Gentry had visited Sherry twice in November of 1998 - once on November 16, and then again on November 23rd.

There is a handwritten statement by Sherry that she provided to Gentry during the first visit on the 16th, and it's rather full suspicious innuendo about Greg. Sherry says that she found documents in the office related to the case, including "a police report that spoke of evidence against Greg...something to do with a house that burned in the 90's, and a copy of an interrogation or interview with Katrina."

Katrina, you may recall from last week's episode, is the woman that Keith offered would take over the trailer park once he decided to leave town. Katrina and Greg had both a personal and professional history, having dated in the past and also having worked as business partners on construction projects.

Sherry also said that Katrina had once dated Keith, and Greg had once dated Keith's girlfriend Kay, and that they never seemed to ever be faithful to anyone, which was a fact that Sherry said she found terribly distasteful.

Sherry went on to say she got frightened by the documents so she snuck them back into the filing cabinet. Greg, she wrote, had been burning paperwork, and computer disks, and even a briefcase, nervously tearing up and burning anything having to do with his Army Reserve service.

And she said he was getting a lot of calls from a man named Rocky, but Greg wouldn't return the calls.

By that time it may have become clear to Greg that Rocky could be calling at the behest of law enforcement, or there may have been other reasons that Greg had for avoiding the calls, which we'll get into in a future episode.

But Sherry's son had also overheard Greg says he might be going to Mexico, and she knew Greg had gotten married out of the blue, even though "still had a relationship with Katrina".

So how did Sherry know Greg and Katrina have a relationship still? Because, she told Gentry, "Greg and Katrina kept in contact over the computer". Sherry said Greg and Katrina had several rendezvous since she took over the trailer park and that these

rendezvous were calendarized with reminders on the computer, which she personally saw, and told others about, which Becky had then learned about.

[19:18] Colin Miller: Now, it's unlikely that Greg scheduled sexual flings on his computer calendar that read "reminder: meet Katrina at hotel for good times", but whatever they were, it was enough to upset Becky and get Greg mad, the only time that Sherry had seen him get mad.

Anyhow, Sherry's November 16 statement to Gentry was basically a collection of every remotely suspicious thing about Greg she could come up with. This could be because she was encouraged by investigators to jog her memory for anything questionable she could remember. And she may have been keen to do so because they likely told her they already had solid evidence against Greg, not an uncommon law enforcement tactic to convince witnesses they would be helping convict a clearly guilty suspect.

That was, in fact, something they had already told other witnesses.

Attorney notes from the defense file dated October 2, 2000, right before the trial, state that Kroffsik told several witnesses that Greg's fingerprints were found on the murder weapon.

And back in 1998 investigators were so sure that Greg's close friends were either in on the crime or had direct information connecting him to the murders, they had all kinds of people wearing wires and taping phone conversations to get something on him. And they were able to get his friends to do so by convincing them of the overwhelming evidence they already had.

Here's a pro-tip though: if authorities are desperately trying to get conversations secretly recorded with the hopes of capturing something incriminating, it's probably because they don't have overwhelming evidence.

Anyway, one of the people investigators apparently convinced of the severity of the evidence was Steve Shoenman, Kay's ex-husband. At the time, their divorce was still in process.

According to the records, the police visited him on August 27th, a few weeks after the murders.

Not long after, on September 8th, Keith called Kay as investigators recorded the conversation. Numerous times during their conversation Steve mentioned that the police, who he said had visited him to talk about the murders, had solid evidence.

At one point he stated to Kay, "They told me that they had all kinds of evidence...that they had enough to put you both in prison for murder."

"For something I had nothing to do with?" Kay responded.

Another time Steve says, "well they said something about you being a farm when they were shooting", which Kay took to mean the time Keith shot Greg, so she responded that no, she was at work when that all went down.

"Well they said that was the Sunday before the murders," said Steve.

"No! God that was a long time ago. I was here at work when they...he called me and told me they had done it and it was in Livingston" replied Kay.

[21:46] Rabia Chaudry: Steve spends a lot of time telling Kay how worried he is that she will get caught up in all this, telling her "I sure don't want to see you go to jail", and she spends a lot of time repeating that she hopes whoever did it gets caught, and if she knew who did it, she would turn them in, and also that she was home with Keith the night of the murders but she has no idea where Greg was all night.

They then began speaking about their divorce and splitting attorney costs, and then Steve awkwardly turns the conversation by saying, "Hey, you know they said something about, uh, that there was two red cars that Greg could have used".

Now, Keith's Pontiac Sunbird was a red convertible, but Kay had no idea what other red car he could be referring to. She didn't know anyone else who had a red car.

But the second red car was likely the one Joe Brown had told the police he saw on the Heron farm the day of the shooting, which didn't match Keith's car because the car on the Heron farm allegedly had Humphrey county plates and a hard top, while Keith's car was a convertible, and it had Putnam county plates.

Well that's where the second visit to Sherry at the Ford mobile home park came in handy. Because it's during that visit that she turned over what seemed to be a very

important document to the investigators, the same document defense investigator Lax was asking about the following year.

Sherry had found a murderous poem hand written by one of the suspects in the case. And that suspect was the owner of a small red car registered in Humphrey county.

We've said repeatedly now that Keith Herbstreith was suspect number 2 after Greg, but that didn't mean he was the only other suspect than Greg. In fact, investigators were suspicious of a lot of Greg's associates - they didn't seem to think that Greg pulled the murders off by himself. So they kept searching for his accomplice, and one prime candidate was Dave Anderson, one of the few men who bunked with Becky and in their house on the trailer park.

21 year-old David Anderson first appears in the investigative files in early October, 1998 when investigators pulled his criminal record. Anderson, who was one of Greg's construction workers, had a number of charges on his record at the time: for public intoxication, drug possession and delivery, and breaking and entering. No violent crimes, and perhaps nothing that made him a likely perp in a brutal double homicide, but they still had a reason to be suspicious of him.

That's because Anderson owned a 1994 squat red 4-door Nissan Sentra with Humphrey County tags - a car that seemed to match the exact description of the vehicle Joe Brown saw on August 2nd at the Heron farm, the day he discovered those gas cans.

When investigators returned to the Ford Mobile Home park to speak to Sherry a second time, they got permission from the estate's executors to search it. There is an official, typed report by Fire Marshall Gentry which notes that there was an abandoned car on the property and Sherry asked if they would have it towed.

The official report, which was written many months after the day of this visit, doesn't say whose car it was, but the record also contains separate handwritten notes dated the same day.

And those handwritten notes read: "Vehicle, David M. Anderson, Abandoned at Chestnut Village, Office Owner requested us to move it".

[25:05] Susan Simpson: Dave had wrecked his car sometime in August and he left it under a tarp at the Ford Mobile Home Park, which had once also been known as Chestnut Village.

The official, typed report also states that they seized various pieces of potential evidence, including green cord hanging from a tree, an army smoke grenade (which, by the way, doesn't appear at all in the handwritten inventory taken that same day), and a variety of notebooks.

And on that same day, the day they towed away David Anderson's car from the trailer park, Sherry also gave them some documents she had found on the property.

The report states, "The manager gave me some papers she found inside the house they live in now. She said the papers belong to Dave Anderson, a friend of Lance. Anderson had a notebook he was keeping. And inside the notebook was a short story of a murder that he was trying to write."

It read:

The killer came through the door

He had his hat at threw it on the floor

The room was silent

He was too big and violent.

He was packing a gun

Beside him venting

The clock kept ticking. He found himself thinking.

He saw his war and stability

He knew no one would dare try or test him so he ran the show

So he called the cops because of his invincibility

And because he knew

When the cops arrived he took no hostages.

He found his way there like a phantom, right before his death

He thought, life is not about living or dying.

He said it was what you did, and how high you were flying

Thinking about what violence, sanity, insanity and before he pulled his trigger he restrained thinking do I really want to do this.

And as he pushed, a hero followed through with an attempt to overthrow his reign of terror.

*But the gun holder kept his, looked at him as a fool, and right before he pulled the trigger he thought, what if I hadn't had the gun?
What if I had been got and was buried alive and my body had rotted
When would I be in the greater heaven, hell, or in between?
Maybe a multi-millionaire on the movie screen
And when he stopped thinking he pulled the trigger.
The hero after him never, never, and never figured he would do it but he did and the man that was there
He got rid
When he found no more heroes were in the crowd
He found his power, strength, and invisibility*

The killer came through the door
 He had his hat and threw it on
 the floor

The room was silent

They knew their _____

He was too big and violent

He was packing a gun

beside him venting

The clock kept
 ticking. He found himself
 thinking

He saw his war and stability

He knew no one would dare

try or test him so he ran

the show so he called

the cops because of

his invensibility and because
 he knew his _____

When the cops arrived

he took no hostages he took

no _____ he found his way

there like a phantom

Right before his death

He thought life is not about

living or dying He said it was

what you did and how high

you were flying

Thinking about what

violence _____ sanity

insanity and before

he pulled his trigger he

restrained thinking do I really

want to do this and as he
 pushed _____ a hero followed
 through with an attempt to over
 throw his rein of terror but
 the gun holder kept his _____
 looked at him as a fool
 and right before he pulled
 the trigger he thought what
 if I hadn't had the gun
 what if I had been got and
 was buried alive and my body
 had rotted
 when would I be in the
 greater heaven, hell or in between
~~and hell~~
 maybe a multi millionaire
 on the movie screen
 And when he stopped thinking
 he pulled the trigger. The
 hero after him never
 never and never figured
 he would do it but he did
 and the man that was there
 He got rid
 when he found no more
 heroes were in the crowd
~~and~~
 he found his power, strength
 and invisibility

[27:44] Colin Miller: Whether this piece of creative writing is poetry or prose is debatable, but it was certainly alarming to Sherry and the investigators.

And so, Anderson's car was seized and inventoried, and you would think it would be processed by the crime lab but...there isn't any evidence suggesting that it was. Now, there are missing lab reports, dozens of them in fact, from the files that, so maybe the car was processed but we're just missing a record of it.

But even if it was processed and those records are with the TBI, which refuses to turn anything over without a court order as we discussed in the last episode, there was likely nothing of evidentiary value found inside Anderson's car. If there had been, it would have been presented at trial, and it wasn't.

The car itself, however, was the big evidentiary find. Not only because it matched Joe Brown's description of the car that he saw at the Heron farm on August 2nd, but also because it just so happened that on that day Greg was, with a stroke of terrible luck, driving Dave Anderson's little red car.

[30:47] The weekend of August 1st and 2nd, Greg had National Guard duty on both that Saturday and Sunday. But he wasn't in the Guard alone. Eric Tanner and Dave Anderson were also enrolled in the Guard, and in fact that was how Greg had met them and then began working with them.

On the day in question, August 2nd, they left from the Ford Mobile Home Park in two cars - Greg drove his green truck and Eric and Dave were in the red Nissan.

This, according to the September 28th interview that Keith Herbstreith gave to Agent Kroffsik. Just to refresh your memory, this is one of his many interviews we discussed in last week's episode, the one he gave after meeting Kroffsik at a Waffle House earlier.

In this interview he says that while Greg left that morning in his green truck, when he returned he was driving Dave's car.

"They had swapped vehicles, cause Greg was driving the red car and the boys were driving the green truck," said Keith.

He didn't see Eric and Dave return to the trailer park with the truck until the next day, Monday August 3rd. But Kroffsik presses him that maybe it was Sunday that he saw them, and he relents, saying yes, maybe it was Sunday evening.

Whenever it was they returned, there was a small trailer attached to the truck.

Greg, he said, returned to the house alone in Dave's red car on Sunday afternoon, around 1:00 pm.

"Did Greg leave again?" asked Kroffsik.

Yes, said Keith. But didn't know how long he was gone after he left again because Keith went fishing with Kay.

"When did Eric and Dave show up again?" asked Kroffsik.

The next time he saw them was when he returned from fishing that evening, Keith responds, now fully committing to having seen the men return on Sunday night and not on Monday.

The trailer, Keith states in his interview, was full of Eric's personal possessions.

Greg had told Keith earlier in the week that they would be swapping cars so Eric could borrow Greg's truck to move some of his belongings.

Keith rambles for a bit, trying to either get the sequence of events straight, or maybe trying to give Kroffsik what he was asking, but importantly, when he's asked when he left to go fishing, he says, "probably shortly after Kay got off of work".

According to Kay's timecards for work that day, she had clocked out at 2:03pm. Unless she stopped somewhere, she would have arrived at the trailer park within five minutes.

Keith had asked Greg if he was going to be around that afternoon, and Greg responded that he had somewhere to go, without telling him where he was going or what he was going to be doing.

Keith repeats a number of times that Greg left the trailer park after he departed for fishing and he didn't see Greg for the rest of the day.

[33:12] Susan Simpson: Of course, Keith, having left to go fishing, couldn't have possibly witnessed Greg leaving the trailer park at all, and he probably didn't see Greg for the rest of the day because he didn't actually return that same day - he gets mixed up again on whether he saw Eric and Dave with Greg's truck the same evening or the

next day, but the mix up seems more in response to Kroffsik wanting him to have come back the same day, leaving Keith's responses confused.

Now remember, Keith's girlfriend Kay was with him the day he gave this statement, they had met Kroffsik together at the Waffle House and then gone together to the police station.

When Kay is interviewed after Keith, she corroborates what he recalled of August 2nd. That she had gotten off of work and gone to the trailer park in order to go fishing with Keith.

When she arrived there she saw Dave's red car and noticed Becky putting a plastic bag on a rear window because it wouldn't close properly. Greg was outside as well.

Kroffsik asks Kay, "were they getting ready to leave or something" and she responds yes but, like Keith, says she doesn't know where or when they left.

According to Kay, they returned the same day, before it got dark, and that's when she saw Eric and Dave there with Greg's truck. But she contradicts herself a bit. She says Keith and her went "home" but her home wasn't at the Ford trailer park, it was at another trailer park about ten minutes away. So it's not clear where she saw Dave and Eric with the truck, or when.

Regardless, there's pretty much no question that Greg did in fact have Dave's red Nissan on the day that the red car was allegedly seen at the Heron farm, not only because Keith and Kay agree on it, but also because there are notes in Greg's attorney's files that state the same thing.

The handwritten notes are dated May 3rd, 2000, five months before the trial, and start at the top by stating the attorney saw the defendant in jail.

[35:07] Rabia Chaudry: Beneath that are details Greg gives the lawyer for his actions on the weekend of August 1st and 2nd of 1998.

On Sunday, August 2nd, according to Greg, he left for National Guard duty at 6:15am, arriving on duty around 7am. He drove his Ford Ranger truck with a trailer attached, with the comment "Eric and David to move." They were let out of guard duty at 10:30am to attend an annual Guard picnic, and that was attended by everyone, including Dave and Eric.

He left the picnic at around noon in Dave's car, noting he made a call from his cell phone at 12:08, and returned to the trailer park. That call, according to the records, was actually made at 12:05 and just lasted a few minutes.

Greg saw Keith and Kay at the trailer park and at some point they left to go fishing. He may have then gone to Lowes to do some shopping, and Eric and Dave returned after picking up Eric's things from Waverly, TN around 5:00pm. Greg then helped them unload the trailer of Eric's belongings, and the chronology of the day ends at 6pm.

Of course there's no mention of visiting the Heron farm that day but still, on the day Joe Brown saw a red car at the Heron farm after hearing gunfire and discovering mysterious gas cans - three days before the Kolesnikows were murdered- Greg Lance himself admitted that he was driving around alone in red car with Humphrey county tags, with much of his afternoon unaccounted for.

[36:37] Colin Miller: Investigators were working hard in the weeks and months after the murders trying to track all of Greg's movements in the relevant time period; from Sunday, August 2nd to at least the following weekend. They subpoenaed his cell and home phone records, checked his National Guard attendance, interviewed as many witnesses as they could find, and then they got a phone call that helped fill in some more blanks regarding where Greg was and what he was up to that week.

Mary Hopson was the office manager of the Store-N-Lock Mini Warehouse storage facility at East 15th St in Cookeville, minutes from the Ford Mobile Home Park. Previously, Hopson had worked as a police department communications officer and was a certified jailer, having passed the county certifications.

Having a background in law enforcement, her radar went off when, late in the afternoon of August 3rd, 1998, a young man came in to lease a storage unit. She asked him the standard series of questions, like his name, date of birth, driver's license information, whether he was employed, and other mundane details necessary to lease one of their units.

The young man was Greg Lance, and something about the way he responded bothered her. When she testified at Greg's trial, she was asked what bothered her, and she responded that he was evasive in his answers.

"What questions were you asking him that he was evasive to?" asked the prosecutor.

"If he was employed. He at the time told us no, he was not. But then when he asked how he would pay for the unit, he said that he was self-employed."

It's noted in defense files that she also was suspicious that Greg seemed to carry a lot of cash, and paid in cash that day, which he did.

Greg applied for a month to month lease, and paid a \$24 deposit, \$46.40 prorated rent for the month of August, and \$10 for a lock, dishing out a total of \$80.40 in cash. Maybe he had a bunch of small bills making it look like he was carrying wads of cash, but certainly paying 80 bucks in cash shouldn't have seemed unusual.

Greg gave Mary Becky's name and phone number as an alternate contact, but made it clear that no one else, including his employees, were authorized to access the unit.

The unit was small, only 58 square feet according to the lease agreement, but big enough to store the kinds of things the investigators were concerned with - gas cans and guns.

After finishing up the paperwork, Mary took Greg out to his unit, unit #58, right by the road, and showed him how to operate the controlled access pad. Greg had to enter a unique code to access his unit and to get out and every time he did, it would log the entry and exit in a computer system.

After Greg left, Mary was still bothered by the interaction. And then a few days later, around 8:45pm on Sunday August 9th, one of the facility employees noticed the door to storage unit #58 was wide open, with no lock on it. The unit was empty. She closed the unit and placed one of their own locks on it, then suspended Greg's code to enter and leave.

It's not clear when they called the police but at some point in that week they did, and Detectives Burgess and Roach arrived on August 10, 1998 to take Mary Hopson's statement as well as a printout of the times Greg had accessed his unit for those six days.

The night before the murders, Greg had accessed the storage unit from 8:13 to 8:20pm. Then, the next morning, hours after the murders, Greg had attempted to enter at 5:47am but the facility didn't allow access until 6am. So Greg waited and entered his unit at exactly 6am, and left at 6:06am, six minutes later.

The very last time Greg had accessed the unit was the night before at 7:55pm. He was there for all of five minutes, and when the Store N Lock employee saw the unit door unlocked and open about an hour later, there was nothing in it. It seemed to them that Greg had taken whatever he was storing there, along with his personal lock, and left the unit open because he was done with it.

This was all highly suspicious. Moreso because if Greg needed to store something, he had plenty of empty storage units at the trailer park, units he himself had built. Plus no one else knew about this unit, not even his right hand man Keith, which is what he told investigators in a September 30th interview.

But what made it most suspicious was undoubtedly the timing - Greg had rented the unit days before the murders, emptied it out days after, and accessed it at times when he may have been wanting to hide something related to the crime.

Things were looking very bad for Greg Lance, but very good for the investigators.

[41:05] Rabia Chaudry: Greg wasn't arrested then however. Not in August, not in September, not in October, not even in November when they found the murder poem written by his potential accomplice. Investigators were still trying to piece together their case, and likely trying to decide on their theory of the murder.

Did Greg hire someone to do it? Did he do it himself? Did he use a timed bomb device to ignite the Kolesnikow house? Did he light a match and run away? Did he use two military style gallons of gasoline to commit the arson and then throw them into the fire? Did he store the gas at the Heron farm, then transfer it to the Store N Lock? How did he get that gun? Where did that gun go from Sheppard's Auto store?

They still had a lot of unanswered questions but by February, they felt like they had enough to get their indictment.

A secret grand jury was called, one that Greg was unaware of, in February of 1999. By that time he and Becky, married and pregnant, had left Tennessee and moved to Florida to be close to his mother Joyce.

It's not clear who testified at the grand jury, because records related to it are sealed, but maybe they exist in the TBI files we can't get a hold of.

Greg seems to believe TBI agent Kroffsik was the only one to testify, at least that's a rumor he's heard. But remember that colorful defense interview of Sherry Wilkins? In it she says that Keith told her he was present and testified for the grand jury. He also told her there were many other people with information incriminating Greg. This could be true, or it could be something Keith made up, or something Sherry herself embellished.

Regardless, on February 22, 1999, a Putnam county grand jury indicted Greg on two counts of first degree murder.

The next day, agent Krofssik requested Putnam County Sheriff Dispatcher enter Greg Lance into the FBI's National Crime Information Center- the NCIC. On March 25th, 1999 Greg was added to the TBI's most wanted list as a fugitive from justice.

On April 6 an Arrest Warrant for Fugitive From Justice was issued by the County of Okeechobee in the state of Florida. It was no ordinary arrest however. At 9am the law showed up, surrounding Greg with a swarm of cars in a most dramatic fashion.

At 10:10pm the same evening of April 6, 1999, Greg Lance was finally charged with murdering Victor and Alla Kolesnikow. That would be his last day of freedom - he would never go home again.

Next time, on Undisclosed.

Greg Lance has been in prison since 1999. If you'd like to drop him a note of support, or a card, or anything to let him know you are following his story and thinking about him, address your letters to:

Gregory Paul Lance
ID# 00325463
Bledsoe County Correctional Complex
1045 Horsehead Rd
Pikeville, TN 37367

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Thank you to our Wizard of Oz who keeps everything running like clockwork behind the scenes, Executive Producer Mital Telhan. Thank you to our audio producer extraordinaire, Rebecca LaVoie, host of one of my favorite podcasts, *Crime Writers On*. Thank you Baluki for our logo, Patrick Cortez for our theme song. Thank you to Linda Bozeman and the family of Greg Lance for working with us in order for us to do an investigation into this case. And a huge thank you to my legal intern for this entire series, Usrah Qureshi, who has just put in days and days and weeks and weeks of going through documents and organizing things and just making my life easier. And finally, thank you to all of our listeners for staying with us case after case, year after year, Follow us on social media. We're on Twitter at the handle @UndisclosedPod, and remember to tweet us your questions for the Undisclosed Addendum using the hashtag #UDAddendum. We're also on Facebook and Instagram and our website is www.undisclosed-podcast.com.

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