

# **ATTACHMENT O**

**THE SUPREME COURT  
OF THE STATE OF WASHINGTON**

In re personal restraint of:	)	No. 66565-6
	)	
DAROLD J. STENSON,	)	DECLARATION OF
	)	WENDY CYNKAR
	)	
	)	
_____	)	

I, Wendy Cynkar declare as follows: My birth date is 7-3-54. I currently reside in Issaquah, WA. If I had been called to testify at the trial of Darold J. Stenson, I would have testified to the following:

1. Darold is my brother; he is the oldest child in a family of four children. I am 2 years younger than he and the second oldest.
2. I have been close to my brother my whole life. I know him to be a strong silent type, as was my dad. The men in my family held their emotions in check.
3. On March 25, 1993, the day of the incident, I met Darold at the hospital around 11:00 p.m. At that time the Doctor's were talking about taking his wife off of life support. When Darold saw me, we just sort of clung to each other and cried. Darold was very emotional. At times he couldn't speak until he was able to get his emotions under control.
4. When I first saw Denise in the hospital bed she was uncovered. Darold's first instinct was to go to her and cover her up; he started to rub her arms so that she

would not be cold. The nurse came in and told us that she was running a fever and that she needed to remain uncovered.

5. When the nurse was talking to us about Denise's condition, she told us that it was time to give up because Denise was no longer responding in any way not even to pain. Once again Darold got very upset. He wanted to know why, if they truly believed she could feel no pain, did they have her on so much morphine. It was clear to me that Darold was not ready to give up.
6. Through out the first few days after the incident and through the trial. I often saw Darold respond emotionally to what was transpiring. To me it was obvious that Darold was deeply affected by his wife's death.
7. Darold and Denise had a normal loving relationship. Their fights were small and normal as with any relationship. They often teased and joked with each other. Darold cared deeply about Denise and this was apparent to me by the way he would vehemently defend her if anyone spoke badly of her.
8. Darold started complaining about his attorney Fred Leatherman three or four months prior to the trial. He said that Mr. Leatherman was not doing his job. He was not going to defend Darold in the guilt phase of the trial. Darold complained that Mr. Leatherman was not investigating issues that Darold felt were important.
9. On December 2, 1993, I had a meeting with Mr. Leatherman. At that meeting he was only interested in what sort of abuse may have occurred in our childhood. There was none. My sister and I tried to talk to Mr. Leatherman about Darold's demeanor at the time of the incident and how we felt that he was emotional even though others were claiming he was not. In addition we tried to discuss the

relationship between Darold and Denise and explain to Mr. Leatherman, how much Darold loved Denise. Mr. Leatherman did not want to discuss any of these things with us. I was very confused by the meeting, and afterwards I felt compelled to write a letter to Mr. Leatherman outlining my concerns. I never received a response to that letter.

10. Darold's Ostrich business was only three years old. As with most new businesses Darold knew the first few years he would not see a lot of return. However, he was making ends meet and was finally started to see how prosperous his business was going to be. I personally am aware of many different people from all over the United States who were willing investors and buyers. I also tried to get this information to Mr. Leatherman but he never pursued it with me.
11. I declare under the penalties of perjury of the laws of the State of Washington that the foregoing is true and correct.

4-4-99 <sup>1306-2384th Ave SE</sup>  
Issaquah Wa  
Date - Place

Wendy Cynkar  
Wendy Cynkar