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February 19, 2016

SENT VIA FAX & USPS: (702) 828-3191

ATTN: Charlotte Bible, Esq.
Las Vegas Metropolitan Police Department
400 S. Martin L. King Boulevard
Las Vegas, Nevada 89106

Re: LVMPD Power Point/ AB 386 Presentation / Anti-Squatter Legislation

Dear Ms. Bible:

It has recently come to my law firm's attention, that my client, Bayzle Morgan, has been utilized and exploited in LVMPD materials as the "face" of squatting in Clark County in an effort to both pass legislation and impact community awareness on the societal concerns revolving around so-called squatters. I currently, along with attorney Daniel M. Bunin, Esq., represent Mr. Morgan in two matters pending before the Eighth Judicial District Court – one of which is a capital offense. It is clear from the record that neither of these offenses are directly related to "squatting" or the societal ills associated with "squatting."

Indeed, squatting is an immense problem in our community. Homes are the subject of arson by squatters; methamphetamine laboratories are erected in squatter homes; property is destroyed; services like electrical and water are pilfered; the foul smells of human waste; children are at risk. Indeed, this is only a short list of the most serious and real problems associated with habitual squatters living in abandoned homes.

And despite the clear ability for Metro to select from what must literally be hundreds of documented "squatters" who have regularly committed the above-referenced sort of offenses, the LVMPD and specifically LVMPD Northwest Area Command and Sgt. Phil Merges and Officer Malcolm Napier chose to place Bayzle Morgan on the cover of promotional materials advocating the passage of AB386 in the most recent Nevada legislative session. I have a copy of the power point that reflects the same. Cutting to the chase, there is little to no evidence that Mr. Morgan was a squatter in the sense the statute at issue contemplates and certainly no connection whatsoever between Mr. Morgan's alleged offenses and the address attributed to his "squatting" to wit: 7709 Wedlock Lane. Certainly, Mr. Morgan has never been charged with or convicted of any of the sort of squatting-related offenses that AB386 revolves around.

Whether or not Mr. Morgan was squatting at the listed address, and frankly, at worst he was only observed casually connected to that address for a short time according to police reports; his status at that residence is in no way connected to the homicide of Jean Main who lived approximately 2 miles away. That said, there appears to be no reason to pick Mr. Morgan from the multitude of actual squatters who commit actual squatting related offenses but for an attempt to portray Mr. Morgan as a “boogeyman” in our community and as a result to taint the potential jury pool of both his pending robbery and capital murder cases. Metro knows Mr. Morgan has visible tattoos which are arguably “scary” and knows that the use of his face on their materials will draw attention. It is of note that the only other face depicted on the power point at issue is blurred out.

Unsurprisingly, and obviously based on Metro’s desire to false cast Mr. Morgan as the “face” of the evils of squatting, counsel for Mr. Morgan were recently contacted by a reporter for the Las Vegas Sun who indicated that he was doing a story on squatting problems and anti-squatting legislation advocated by Metro and that Mr. Morgan was the ONLY actual face offered by Metro as an example of the community problems associated with squatters. The reporter indicated a story surrounding Mr. Morgan was imminent as a squatter committing squatter-related offenses; conveniently it is just in time for Mr. Morgan’s jury panels to see.

It the position of the defense that LVMPD has deliberately, misleadingly and/or falsely exploited Mr. Morgan’s case and image in an inappropriate, prejudicial and unfair manner. Plainly stated, squatting IS a real problem facing our community, but Bayzle Morgan is NOT the face of that problem. Indeed, it appears the only reason to use Mr. Morgan’s image for its likely use in press accounts of Metro’s efforts is to prejudice Mr. Morgan. Further, Mr. Morgan does not give LVMPD or any other government entity permission to use, exploit or depict his name or visual image in any materials which are likely to be distributed to the press, available to the press or presented in association with the societal impact of squatting.

On the FRONT PAGE of the power point and presumably other materials distributed by LVMPD, Mr. Morgan is depicted by his mug shot with words surrounding him. It indicates that the 7709 Wedlock House was a “squatter house.”

It also indicates the following:

- There were 15 calls for service in a 6 month period.
- 4 (calls) from neighbors reporting squatters.
- 3 stolen vehicles recovered in front of the residence.
- Morgan was squatting at the property.

First, there is no evidence that Morgan was residing at the property with the requisite knowledge that he had no lawful ability to be there for any significant period of time. Metro knows as well as I do that individuals are often scammed into believing they have the permission of the rightful owners and that doesn’t make them squatters, if that was even the case here. Second, there is no evidence that Mr. Morgan was ever associated with that residence during the

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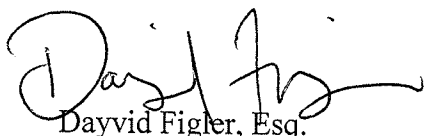
unidentified 6-month period when calls for service were allegedly made (nor is a patently misleading way is it revealed what type of service calls were made). Third, Mr. Morgan is accused but not convicted of having a single stolen motorcycle, which was located at that residence – there is no allegation that the other 2 alleged stolen vehicles were connected to Mr. Morgan. Finally, the power point accurately indicates that Mr. Morgan was accused of the murder of Jean Main, but inaccurate suggests it was “nearby” (approximately 2 miles away).

The bottom line however is that Metro must immediately cease and desist using Mr. Morgan’s image or the narrative about his cases as an example of a societal ill related to “squatting.” Shame on Metro. The Department clearly can identify actual squatters with actual convictions for real squatting-related offense and this would make their case without challenge or question for the benefit of the community. How sad and reckless for Metro to have to stretch Mr. Morgan’s ALLEGED actions beyond reality into the anti-squatting narrative. The result is that it throws into question the entire Metro narrative on this very important and serious matter. There is clearly an ulterior motive at work here and as such, we must also insist Metro straighten the record with the Las Vegas Sun and any other media outlets and admit that Mr. Morgan has not been determined to be squatting at the 7709 Wedlock house and certainly not for any specific period of time. Metro must also make clear that his alleged offenses committed by Mr. Morgan are not directly related to the very serious societal problem of squatting. Finally, that there is no proof that Mr. Morgan is connected to the numerous service calls or at least 2 of the stolen vehicles purported found at that address.

Metro has an opportunity here to correct a mistake that has the great potential of causing further prejudicial and irreversible harm in a capital murder case by cutting-off negative and unfounded publicity that surrounds its decision to inject Mr. Morgan into an unrelated conversation. Moreover, Metro can take advantage of this opportunity to give actual concrete examples of person involved in squatting who have committed the exact type of squatting offense that AB 386 was intended to address. From what we understand, the story is being written and Mr. Morgan is currently at the center of that story – Metro has an ethical and legal obligation to not slander Mr. Morgan or present him in a false light by correcting the record immediately.

This letter is hereby a demand to do the same. If I don’t hear from you in Seven (7) days by close of business, Friday, February 26, 2016, I will assume your client, LVMPD, agrees with my assessment and I will represent the same to anyone who inquires. Thank you for your attention to this matter. Please feel free to call me at (702) 222-0007 may you have any questions or concerns.

Best regards,



Dayvid Figler, Esq.
Attorneys for Bayzle Morgan



Daniel M. Bunin, Esq.

cc: Chief Deputy District Attorney Robert Turner, Esq.