

Office of the Boone County Prosecuting Attorney

KEVIN M.J. CRANE, Prosecutor

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November 4, 2004

RE: State of Missouri v. CHARLES ERICKSON
Case No. 04CR165372-01

STATE'S AGREEMENT WITH CHARLES ERICKSON

In return for the truthful and complete testimony of Charles Erickson at the trial of Ryan Ferguson, and other considerations more particularly described later in this letter, the State will recommend Charles Erickson receive a total sentence of 25 years in the Missouri Department of Corrections. It is understood that the defendant will enter pleas of guilty to Murder in the Second Degree, Robbery in the First Degree and Armed Criminal Action prior to the trial of Ryan Ferguson. Final disposition as to the charges against Charles Erickson will be reserved until after the trial of Ryan Ferguson has been completed. If Charles Erickson has fully complied with this agreement, at final disposition the State will recommend 15 years served on Count I, Murder in the Second Degree and 15 years on Count II, Robbery in the First Degree, to be served concurrently and 10 years on Count III, Armed Criminal Action to be served consecutively to Counts I and II, for a total of 25 years in the Missouri Department of Corrections. If at any time Charles Erickson fails to abide by the terms of this agreement, same will become null and void and the State may recommend a different punishment on the charges he pled guilty to or proceed to trial against him. Upon any such breach by Charles Erickson, the State will decide between the above options.

In order to avail himself of this offer, Mr. Erickson must fully cooperate with law enforcement officers by being truthful, honest and complete as to all matters within his knowledge as they relate to the murder of Kent Heitholt.

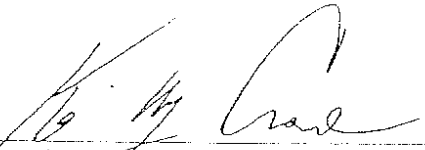
This includes:

- A. Speaking with the prosecuting attorney, his investigators and assistants, and law enforcement officers upon request; and
- B. Testifying truthfully and completely in state proceedings, including depositions, as necessary, and specifically in the trial of Ryan Ferguson for the murder of Kent Heitholt; and

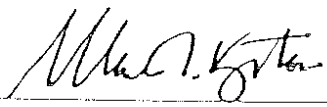
EXHIBIT

- C Submitting to any examinations as requested by the prosecuting attorney or investigating officers.


It must be understood by Charles Erickson that should it become apparent, from whatever source, that he for whatever reason, has not fully cooperated as required by this agreement, this agreement will become null and void. For this purpose, it will be part of this agreement that any charges against Charles Erickson will remain pending until after the trial of Ryan Ferguson. It is also part of this agreement that Charles Erickson be bound by the terms of this agreement even in the event a retrial of Ryan Ferguson is necessitated due to remand of any charges on appeal. It is further understood that in the event this agreement becomes null and void for any reason, Charles Erickson's post-agreement statements to the prosecuting attorney or law enforcement officers are only available for use by the prosecution as impeachment or rebuttal at the trial of Charles Erickson.



Kevin M. J. Crane
Prosecuting Attorney



Mark Kempton
Attorney for Charles Erickson



Charles Erickson

SO AGREED, this 4th day of November, 2004.