

**Proof: A True Crime Podcast**  
**Season 1: Russian Roulette**  
**Episode 1 - A Dangerous Game**  
**Monday, March 7, 2022**

**Susan Simpson:** It's a story that, at least in the United States, you've heard a hundred times before. Two teenage boys are playing with a gun that's been stolen from their father's nightstand. The gun goes off, and one of the boys is killed. A tragedy, but an all-too-common one, and at first that's what was believed to have happened to 15-year-old Brian Bowling.

It was October of 1996. Brian and his best friend were hanging out in his bedroom, when, as the friend would tell police later that night, the boys got the idea to play Russian Roulette. The police heard how Brian had loaded a single round into a .38 revolver, spun the cylinder, held the gun to his head, and pulled the trigger.

This particular revolver had five chambers, which meant there would have been an 80% chance that Brian would win the game and nothing would happen. But something did happen. A bullet was fired, Brian was shot in the head, and he died the next day.

What seemed at first to have been a tragic self-inflicted accident soon became something much more complicated, though. Within a few days, that accident had become instead, a reckless homicide and then within a few months that reckless homicide had become a murder conspiracy.

Two teenagers, Cain Joshua Storey and Darrell Lee Clark were sentenced to life in prison for their role in the death of Brian Bowling; they're still there today.

According to the investigators and the prosecutors who brought the case to trial, this is the story about a group of teenagers who plotted to murder their friend, and almost got away with it. But according to the teenagers accused of this crime, this is a story about how investigators who are determined to get a conviction were able to conjure up evidence that transformed an accident into a conspiracy.

So what really happened to Brian Bowling 25 years ago? And, if it wasn't an accident, who was really responsible for his death?

This season. On *Proof*.

...

*"Dallas Battle wanted both of these guys. He wanted both of these boys. He's just a dirty, dirty cop. He put two boys and ruined their life and put them in prison. That's rough right there."*

...

*"They dug his casket up to get this picture out of there that one of Cain's buddies had put in there."*

...

*"...and it said if a brother is caught narking on another brother, then the punishment is death."*

...

*"They were scared to death of Lee."  
"He thought Lee was going to come and kill him."*

...

*"The whole house is empty. You can see through the front window. I'll go knock, it can't hurt to knock, right?" ... "Famous last words."*

...

*"When I Found out that they were accusing Cain and Lee of it, I realized... I thought, "Well, how did Lee do it? Lee couldn't have did it. He was with us."*

...

*"I don't feel like Josh had the malice in him to just cold-blooded kill him."*

...

*"Do you ever wonder if it was an accident?"  
"There's a part of me that wants to believe that it was an accident."*

...

*"It's just, it's been controversial."  
"What do you mean?"  
"Well, they still want to say it's Russian Roulette. I guess It's whatever side you want to believe."*

...

**Susan Simpson:** Hi. My name is Susan Simpson. I'm an attorney, and also a podcaster. I previously hosted the *Undisclosed* podcast where, along with my co-hosts, we covered wrongful convictions around the United States and re-investigated cases to uncover new evidence and find out how and why the criminal justice system had gotten things wrong.

**Jacinda Davis:** Hi my name is Jacinda Davis, and I'm a true crime TV Producer. If you watch *ID*, you've probably seen some of my work on shows like *Evil Lives Here*, *Shattered*, and *Killer in Question*.

Usually, I stay invisible behind the camera. So, this is new, but exciting territory for me. On this season of *Proof*, you'll also hear from Kevin Fitzpatrick, President of Red Marble Media, who joined us on the road from time to time. And Dan, the cameraman, who followed us around as we crisscrossed the foothills of Northern Georgia.

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**Jacinda Davis:** Susan and I began working together in 2020, on the Jeff Titus case out of Kalamazoo, Michigan. Titus was convicted of shooting and killing two hunters on opening day of deer season back in 1990. If you don't know that story, you can listen to it on the *Undisclosed* podcast or watch *Killer in Question: The Hunted*, Streaming on *Discovery+*.

While we were working together on the Titus case, we started talking about the Brian Bowling case, a case from Floyd County, Georgia, and we decided to team up to try something new: A show that is a collaboration between a podcaster and a TV producer.

You can listen to this show like you would any podcast, and you can follow us everywhere, with the handle @proofcrimepod, and on our website, proofcrimepod.com.

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**[05:25] Susan Simpson:** In Season 2 of the *Undisclosed* podcast, we covered the case of Joey Watkins. He was another teenager who was convicted of murder in Floyd County, Georgia. It was Joey who first told me about the Brian Bowling case, and introduced me to Darrell Lee Clark.

*Telephone Recording: This is a prepaid collect call from:*

**Lee Clark:** Lee.

*Telephone Recording:*

*To accept charges, press "1". ... Thank you for using Securus.*

**Lee Clark:** Hello?

**Susan Simpson:** Hi, Lee?

**Lee Clark:** Hey, Susan.

**Susan Simpson:** Lee Clark told me about his friend Brian, about the investigation into Brian's death, and how he and his co-defendant Cain Joshua Storey had ended up in prison serving life sentences for conspiracy to commit murder.

**Lee Clark:**

How In the hell did I wind up in here? What did I do? I ask myself that all the

time, Susan. I say, "What did I ever do in this life that was so bad that I wound up in here for something I didn't do?"

**Jacinda Davis:** When Susan and I first started digging into this case, one of the first things that we did was request the trial transcripts from the Floyd County Courthouse.

The initial response from the Court Clerk was not encouraging. "Sorry," we were told, "We can't find the transcripts for that case."

Eventually, we would start to get records. Some of them anyway. But at the beginning, the only way that we had of learning more about what had happened to Brian Bowling was by talking to the people whose lives had been impacted by his death. That's why last year, we traveled down to the tiny, rural community of Silver Creek, in Floyd County, Georgia.

[07:07] **Jacinda Davis:** So, we're here with Amanda.

**Susan Simpson:** Do you go by Mandy or Amanda?

**Amanda:** My family calls me Mandy, so either or. Amanda, Mandy... either or.

**Jacinda Davis:** And you are Brian's sister.

**Amanda:** I'm his sister.

**Susan Simpson:** How old were you...

**Amanda:** I was 17. Just turned 17 in August.

**Susan Simpson:**

So you and Brian were pretty close in age. You were a little older, but--

**Amanda:** 21 months apart.

**Susan Simpson:** So you were almost peers.

**Amanda:**

We were very, very close. Very close. It was like whenever he died, there was a part of me that died.

**Jacinda Davis:** Brian's sister Amanda, still lives in Silver Creek today. Actually, she lives just next door to the trailer where her brother died all those years ago. In the years since, Amanda has done her best to keep her brother's memory alive. Every year on the anniversary of his death, she posts heartfelt tributes on social media reminding people in the community about her family's loss.

**Susan Simpson:** Do you talk about Brian a lot?

**Amanda:**

I do. I do. I feel like I have to, because I don't want to forget about him. Which I know I never will. I have forgotten what his voice sounded like. I have forgotten that.

**Susan Simpson:**

It seems like a lot of people have not wanted to talk about this case over the years.

**Amanda:**

A lot of people, a lot of people were real hush-hush about it. Yeah, people ask me, what do you want to know? I'll tell you everything I know. I don't mind sharing the story. I like to. It helps me.

**[10:22] Jacinda Davis:** For the most part, this is a case that Floyd County has forgotten. Although, even back in 1996 when Brian died and in 1998 when the trial occurred, it didn't get much attention then, either.

**Susan Simpson:** I was surprised, but there hasn't really been any coverage.

**Amanda:**

Nope, not really. Channel 2 come and covered just a little story of it, but that was it.

**Jacinda Davis:** Back at the time?

**Amanda:** Yeah.

**Jacinda Davis:** We showed The News segment from Channel 2 to Amanda. It was the first time that she had seen it in 25 years.

*Audio from news footage:*

*Debra Bowling: Josh is free on bond.*

*Reporter: The mother of the victim.*

*Debra Bowling:*

*Josh was screaming, "I didn't mean to kill him," and then he said, "He shot himself."*

*Reporter:*

*These two best friends, teenagers, listening to ear-splitting music in the back bedroom of this home. The victim's mother and other family members in their Rome home, they hear a pop. The mother thinks the stereo speakers had burst. She goes to see what's happened.*

*Debra Bowling:*

*And when I got in there, instead of speakers being burst, my son was dead.*

**Susan Simpson:** Is that what you remember seeing?

**Amanda:** Yeah, that's the only one, I think, that was ever...

**Jacinda Davis:** Oh, are you ok?

**Amanda:**

Yeah, I'm good. It just brings back memories, you know. Probably some that I had tucked away.

**Susan Simpson:** Who was there in the video that we saw?

**Amanda:**

That was my mom and my dad, and my husband, who was my boyfriend at the time. He is my husband. We've been married for 25 years now.

**[11:56] Jacinda Davis:** Initially, everyone thought that Brian's death had been a tragic but self-inflicted accident. That all changed two days after the shooting.

***Male VO:***

*Shot in the head, 15 year old Brian Bowling. His best friend, 17 year-old Josh Storey first told police they were playing Russian Roulette, and that Brian had shot himself. Then Josh changed his tale. He said that he, Josh, held the gun and it went off accidentally.*

***Debra Bowling:***

*This was his friend. He trusted him with his life. And he took his life.*

**Susan Simpson:** You may have noticed, but Darrell Lee Clark is not mentioned at all in this new segment. That's because at first there was only one teenager arrested in this case, Brian's friend Josh, who everyone agrees was with Brian in his bedroom when Brian was shot.

**Jacinda Davis:** Josh's full name is Cain Joshua Storey. To make things just a little more confusing in this case, you're going to hear him referred to by both his first and middle names. To Brian Bowling and his family, Josh was Josh. But to his parents and some of his other friends, he was known as Cain, which is why Susan and I go back and forth between calling him Cain or Josh, depending on who we were talking to. Just remember, whenever you hear someone talking about Josh or Cain, they're talking about the same person.

**[13:20] Susan Simpson:** So, how long had Josh and Brian been friends?

**Amanda:** At least ten plus...

**Susan Simpson:** So, their whole life, basically.

**Amanda:** Yeah, basically their whole life.

**Susan Simpson:** The Bowling family lived in a double-wide off of Creighton Road, just behind an old Cemetery connected to Pleasant Hope Church. Josh / Cain lived with his family on the other side of the cemetery, just a short walk away from where Brian lived.

The boys were always going back and forth between each other's houses, and at times, Josh would even live with the Bowlings. Brian's Aunt Melody recalls how close Josh had been with Brian's entire family.

**Aunt Melody:**

His parents I think would kick him out when he got in a little bit of trouble and he would stay at my sister's house. I mean, he would stay there weeks on end. So they loved him. And he loved them.

**Jacinda Davis:** So, he was like family?

**Aunt Melody:** Yeah. Yeah.

[14:20] **Jacinda Davis:** We asked Brian sister Amanda and her husband Kenneth, to walk us through what happened that day, on October 18<sup>th</sup>, 1996.

They both remember Brian getting back home around 8 or 9 p.m. that night, after spending the day doing odd jobs with family friends Wayne and Charlie Childers.

**Amanda:**

Wayne and Charlie, their family, they cut all the cemeteries around this area. They lived across the street from the store, Silver Creek Mini-Mart. And my Nana and Papa lived beside the store. So they had known us our whole entire lives.

**Susan Simpson:**

So he's out, cutting grass somewhere around here with the Childers, and then all three of them come back to your place?

**Amanda:**

Yes, all three of them come in and sat down. We was watching *Harry and the Hendersons*, I'll never forget that, on TV. The telephone rung, and it was this little girl named Caprice, which was supposed to have been his girlfriend at the time. Called him, got him on the phone, he went to his bedroom.

**Jacinda Davis:** So, that night, at the Bowling residence, there were seven people. There was Rocky and Debra Bowling, that's Brian's mom and dad. His sister, Amanda and her then-boyfriend now-husband, Kenneth, and Wayne and Charlie Childers, the family friends of the Bowlings who Brian had been working with that day.

They were all in the living room watching TV, except for Brian, who had grabbed the cordless phone and had gone back to his bedroom to talk to his girlfriend, 15-year-old Caprice Hyatt.

It was a little later on that night around 9:30 when Josh / Cain showed up at the Bowling's house, and he did something that Amanda and Kenneth found to be very strange.

He knocked on the front door.

**Amanda:**

We've lived here forever. Ten years. They've been best friends forever. He's never once knocked on our door. He knocked on our door that night. And he never knocked on the door. He knocked on the door, and Mama said, "Come on in, son."

So, he said, "Is Brian here? Is Brian in his room?"

My mama said, "Yeah."

So, he walked on around, through the kitchen, through the dining room, and went to Brian's room. I looked at my husband, my boyfriend / husband – I say husband, because he is my husband now.

**Kenneth:**

Josh knew that he was welcome there. He never knocked. He knocked that night, and then asked, where is Brian? He never, never done any of that.

**Susan Simpson:** There was a lot about Josh's behavior that night that at least in hindsight, Kenneth and Amanda had found to be suspicious.

**Amanda:**

Something just wasn't right. We knew him, you know? Because he usually just comes in oh, because he was tall, you know. Just being his goofy self. Talking to Mama. Messing with Daddy, messing with us. It was nothing like that that night. Come in, head down. Run into his room.

**Susan Simpson:** Josh headed back to Brian's bedroom, and Brian's family assumed that the two of them were just hanging out and listening to music, like usual.

**Amanda:**

He had a radio playing. It was playing Bone Thugs-N-Harmony. That's what we all listened to back then. It was the 90s.

**Susan Simpson:** The song playing in Brian's bedroom that night Bone Thugs-N-Harmony's 1996 hit single, *Tha Crossroads*. Brian's aunt and uncle recall Brian's mother, Deborah Bowling telling them about it.

**Uncle Mikel:**

That's what she had told me at the time. When Josh came in, as soon as he went to the bedroom, they turned the Bone Thugs-N-Harmony on.

**Aunt Melody:**

That song was Brian's song and all of them, I guess that was just their little anthem thing. I don't know. I even had to dig up the words to the song for the investigators.

**[18:26] Susan Simpson:** A few minutes after Josh arrived, a loud noise reverberated through the trailer. It was loud enough to be heard over the sound of *Tha Crossroads* playing through Brian's speakers.



**Amanda:** And we heard a real loud thud. I don't think it was the gunshot that we heard. I think that what we heard was him hitting the floor. Because it was just a loud thud.

So I opened up the door and me and Kenneth were the first ones in the room. And Brian was laying in the floor, and I reached down, and I said, "Brian. Get up."

I thought he was playing, and then I reached down, and I saw the blood and everything. And I knew. And then Kenneth, he just pushed me out of the way. That's basically what he did and grab the towel.

**Susan Simpson:** Brian's family quickly realized that Brian had been shot in the head.

**Amanda:**

The gun was between Brian's feet. Josh was backed up in the corner. He was laying on his right side. He was sitting on his bed like he had just fell off of his bed. He had the phone in his right hand. Mama had to break his fingers to get the phone to call 911.

Josh kept trying to get out. He first said, "We was just playing Russian Roulette, and the gun went off."

And then he said, "He accidentally shot himself," and then he said, "I didn't mean to kill him."

And he just kept saying, "I didn't mean to kill him. I didn't mean to kill him."

**Jacinda Davis:** You said that you consoled Josh?

**Amanda:**

I did. He said it was an accident. And I hugged him. I said, "It's okay Josh, we'll figure this out." And I hugged him.

**Jacinda Davis:** And you believed that?

**Amanda:**

I did. I believed it. Oh, yeah. Yeah. I mean, I never thought that anything like that could ever happen to us.

**Jacinda Davis:** Kenneth and Amanda say that 25 years later, their memories are sometimes fuzzy. Some of it they still remember clear as day. They can still see it, like it was yesterday. But other parts of that night, they struggle to recall. They both wish that there were better records for the night of the shooting.

**Kenneth:**

It's been so long. I wish, you know, I wish the police would have gotten an interview of us that night. And not later that week.

**Amanda:** I wish they would have done their jobs.

**Kenneth:**

Because if we could have been interviewed then, you could have gotten all your answers. But now, 25 years later, it's like...

**Amanda:**

We all should have been taken to the police station, taken into rooms, interviewed by ourselves to get all of our stories and go from there.

**Kenneth:**

There's no telling what I blocked out from then until now that I could have told them that night.

**Susan Simpson:**

No one's memory of it is going to be accurate now compared to what it would have been. That's just not ever going to happen.

**[21:23] Susan Simpson:** As far as we can tell, the very first time that Amanda and Kenneth ever gave a statement in this case wasn't until 14 months after the shooting, during their testimony at Josh and Lee's trial in 1998.

Amanda suggested that we try speaking to her Uncle Mikel, her mom's brother. She said he had a good memory and thought that there might be a lot that he would be able to remember.

**Jacinda Davis:** Mikel's name was new to us, it doesn't appear in the case file. Before talking to Amanda, Susan and I had no reason to think that he might be someone who had any relevant information about what happened that night.

**Uncle Mikel:**

I was actually at home, it was a Friday night to the best of my knowledge. It was around 8:35 p.m. I got a call, and it was my mother screaming, "Brian shot himself."

"Go down there, Brian shot himself. Go down there."

I was saying, "How bad?"

And she just said, "Go down there."

We lived two houses away, so I just took off down there. I was the first one there before any paramedics or anything. I headed toward the door. Actually, Josh, as we call him, instead of Cain, met me at the door saying, "I didn't mean to kill him, Mikel. I didn't mean to kill him."

And that kind of like, dumbfounded me because I was thinking that he probably shot himself in the foot, or in the hand, or something like that. So I just kind of pushed around him, and went straight to the bedroom.

Josh was kind of behind me. Wayne and Charlie Childers were in the house. They were kind of staying back in the dining room area, just watching what was going on.

While I was in there, Debra was trying to do CPR.

**Susan Simpson:** So they were trying to stop the bleeding?

**Uncle Mikel:** She had his head laying on a pillow, trying to stop the bleeding.

**Susan Simpson:** Oh, she had them on a pillow?

**Uncle Mikel:**

Yes. Josh did come to the door. He told me, "They need the gun, they need the gun."

The gun was laying at the feet of Brian at that time. And I turned around, and I was like, "Who is they? Who is they?"

Because the EMTs were not even there yet, or policemen. He said, "They need the gun. They need the gun, give me the gun."

And I'm like, "No. You're not getting the gun."

**[23:29] Jacinda Davis:** Like several other witnesses who were there at the trailer that night, Brian's Uncle Mikel recalls hearing Josh make a series of confusing statements that, at least later on, after Josh's arrest they find to be potentially incriminating.

**Susan Simpson:**

So, at this time, you're not sure what's happening. You're suspicious of Josh, but you're not really...

**Uncle Mikel:**

Right. I'm not really for sure, because like I said, he was telling the police afterwards that the Russian Roulette... and that he felt like he was responsible for it because it was his gun.

**Susan Simpson:**

So he tells them right away that "It was my gun. I brought it."

Well, not his gun.

**Uncle Mikel:** Yeah. That he brought the gun.

**[24:16] Jacinda Davis:** There are no records of any witness interviews the police conducted at the trailer that night. Assuming that they conducted any at all. But later on, at the trial witnesses will testify to hearing Josh say things like, "I didn't mean to kill him." And, "I didn't mean for my best friend to die." As well as things like, "He shouldn't have shot himself." And, "Oh, we were playing Russian Roulette."

Josh does admit right away that he brought the gun. He had taken it from his dad's safe. But any suspicions about what Josh may have meant by the statement that he made that night would come later.

In the moment, everyone's concern was focused on getting Brian help. When the paramedics arrived, Brian was still breathing. And he was transferred to the hospital, with his family following close behind.

**Amanda:**

All I could think about was, "Oh my God. We gotta get him out of here. We gotta get him to the hospital. Please don't let him die."

Because I was thinking that everything is going to be okay.

**Susan Simpson:** Once he was at the hospital, a CAT scan revealed how serious Brian's injury had been. In the scans, the one track shows up as a vivid white slash through his head, starting just above his right temple, then traveling all the way through his brain, to exit just above his right ear.

**Amanda:**

All I remember is when I walked in the hospital room. That wasn't my brother laying there. They had his head all wrapped up. His eyes were black, they swelled, you know. And I couldn't even go up to him. All I could do was just stand at his feet and just rub his feet.

It's haunted me for years. Years and years.

**Jacinda Davis:** On Saturday, October 19, 1996, Brian Bowling was pronounced dead. The next day, a story about the shooting runs in the *Rome News Tribune*, under the headline, "*Russian Roulette proves fatal for high school Student.*"

The Floyd County Police Department is quoted in the article as stating that they consider the shooting to be accidental, and that no charges will be filed. But Brian's Aunt Melody thinks investigators are too quick to call it a closed case.

**Susan Simpson:**

So at the very beginning, you get the sense that they just jumped to a conclusion--

**Aunt Melody:**

They just took Josh's word for it. Poor kid played Russian Roulette and he lost.

**Susan Simpson:**

I was going to ask, what did they- did they tell you why they thought that it was Russian Roulette?

**Aunt Melody:** Because that's what Josh said.

**[26:52] Jacinda Davis:** At first, police don't think there's anything more to investigate. But in the days after Brian's death, Brian's family has more time to think back on what happened. And to them, things don't quite add up.

Brian's sister, Amanda, said that she never believed the Russian Roulette story.

**Susan Simpson:**

So Josh says that they were playing Russian Roulette, and you believe him?

**Amanda:** Hm-mm [negative].

**Susan Simpson:** You don't?

**Amanda:** Hm-mm [negative].

**Susan Simpson:** OK. So you're not...

**Amanda:**

Because I knew my brother. And Brian wouldn't never put a gun to his head and pull the trigger.

**Susan Simpson:** So he says he played Russian Roulette.

**Amanda:** And I say, no. That's not true.

**Susan Simpson:** So why do you think Josh would tell you that?

**Amanda:**

I don't know. Because he said a lot of things that night. But I knew something just wasn't right. We were like, "Russian Roulette? No."

**[27:40] Susan Simpson:** Brian's family doubted the Russian Roulette story because they did not believe that Brian would have ever done something so reckless. But, there's another reason, too, that Kenneth and Amanda say the Russian Roulette story didn't make sense to them.

**Amanda:** Josh wasn't in there long enough to be playing Russian Roulette.

**Kenneth:**

He went from him walking in the door, to going straight to the room, to us getting up and going in there. It wasn't even five minutes, so. I mean, what are you going to do? Just walk in and say, "Hey! Let's play Russian Roulette!"

**[28:12] Jacinda Davis:** Even though, one way or another, it was because Josh brought the gun to the trailer that night that Brian ended up dead, Brian's family isn't blaming Josh for what happened. From all appearances, Josh was deeply grieving his friend's death.

Brian's Aunt Melody remembers that Josh even joined Brian's family in helping to plan for Brian's funeral.

**Aunt Melody:** And then it was the next day, and he was there at the house.

**Susan Simpson:** Josh is at the house?

**Aunt Melody:**

Oh yeah, he was at my mom's house. Where everybody was gathering, because Debra's house was a wreck. And he was there, and he wanted to play his guitar and sing at the funeral and all this stuff. And Debra was just so glad.

**Jacinda Davis:** Because the Floyd County Police Department believes Brian's death is an accident, their initial investigation was routine at best. On the night of the shooting, police take Josh from the Bowling's trailer to the Floyd County Police Department.

There, they swab his hands to test for the presence of gunshot residue and question him about what happened to Brian. He tells them that Brian was playing Russian Roulette when he died.

We don't know what, exactly, Josh tells them about whose idea it was to play Russian Roulette. This interview was not recorded and there's no formal report or any record made to document it. The only reason we know this interview took place is because both Josh and the investigating officer say it did. But, whatever it is he tells them, they police accept it.

**[29:48] Susan Simpson:** Brian's Aunt Melody is unimpressed by the way the Floyd County Police Department is handling the case. She makes sure that the two investigators assigned to it take her concerns seriously.

**Susan Simpson:**

So your first impression of the investigators - You remember who it was by any chance?

**Aunt Melody:**

David Stewart and Dallas Battle. We all became good friends. They worked hard after they realized that it was not going to be open and shut.

**Susan Simpson:** But then... after...

**Aunt Melody:**

They met me. They met me. And I was just like, "That's not gonna good enough."

I was asking them questions. And so then they knew... we got to go back and do a little more.

**Jacinda Davis:** They knew you were thinking something different.

**Aunt Melody:** David, I know, is oh, I know he's alive. Dallas is not.

**Susan Simpson:** Yeah... We talked to David. But, Dallas obviously we can't.

**Aunt Melody:** Right. Right. He passed away. I think... March?

**Jacinda Davis:** March. Back in March.

**Aunt Melody:**

But, I mean oh, they worked hard on it after they realized that this was not your typical... Russian... Open and shut case.

**[30:55] Susan Simpson:** Aunt Melody says that there was a crucial detail about the crime scene investigators Dallas Battle and David Stewart had overlooked. Although the police don't document any witness interviews in the first 48 hours after the shooting, we know that there was at least one member of Brian's family who the police talked to at the hospital shortly after the shooting. That's Brian's mother, Debra Bowling.

According to Melody, when the police speak to her sister, she points out a detail that complicates what the police have been treating as an open-and-shut case.

**Aunt Melody:**

Brian was on the phone with his girlfriend, my sister pretty much broke his fingers to get the phone out of his hand to call 911. So, if you got a phone in your hand, why would you play Russian Roulette and do this? And come out here?

**Jacinda Davis:** When we spoke to Melody, she demonstrated the problem to us, pointing out where Brian had been shot in the right side of his head. According to his mother, Debra Bowling, when she had found him lying on the floor of his bedroom he had been gripping a cordless telephone in his right hand.

If Brian had been clutching the phone and his right hand when he had been shot, there's no possible way that he could have fired the revolver into the right side of his head, too.

**Aunt Melody:**

And the detectives, they were just like, "Oh, it's Russian Roulette, that's what they said."

And I'm like, "No. Let's go back to the drawing board." So they talked to Josh again.

**Jacinda Davis:** At trial, Sergeant Dallas Battle testified that two days after the shooting, he'd made a trip to the funeral home with the County Coroner to inspect Brian's body. And something about what he saw there at the funeral home, what exactly it is he doesn't say, caused him to change his mind about how Brian was killed.

He no longer believes that the gunshot had been self-inflicted.

**Susan Simpson:** And that's when he makes the decision to bring Joshua Cain Storey in for a second interview. It's during the second interview that Josh said something that changes the course of the entire investigation.

During Josh's second interview, Sergeant Dallas Battle tells him that he knows Josh is the one that shot Brian.

"I know you didn't shoot Brian on purpose," Sergeant Battle assured him.

"It was an accident, wasn't it? Nobody said you done anything on purpose."

And, at first, Josh continues to insist that Brian had shot himself. That Brian had been the one to hold the revolver to his head and fire it. Eventually, Josh changes his story.

Josh still insists that Brian had been the one who had been playing Russian Roulette, but at Sergeant Battle's urging, he acknowledges that he had gotten the revolver back from Brian. It went off, and accidentally hit him, Josh says.

"I saw Brian hit the floor. The gun fell out of my hand." Josh was charged with involuntary manslaughter and booked into the county jail.

Brian's Uncle Mikel remembers when Brian's mother received the news that Josh had been arrested for killing her son.

**Uncle Mikel:**

She was screaming. Breaking down. Like I said, she had called the funeral home and told them to hold off on everything. She didn't want his name in the paper as being a pallbearer or anything like that. Because she was even going to let Josh sing at Brian's funeral. And be a pallbearer and so forth.

**Jacinda Davis:**

So, at that time, when they tell her that Josh has said that he did it, are they saying that he said it was an accident at that point?

**Uncle Mikel:**

They said that they had charged Josh, and the evidence showed that he did it. I don't know if they told her exactly that she had admitted it...

**Jacinda Davis:** And were you surprised when you heard that?

**Uncle Mikel:** We were completely surprised.

**Susan Simpson:**

Was there any- at that point, did any other names come up, or was it just Josh?

**Uncle Mikel:** At that time, it was just Josh.

[34:40] The day after his arrest for involuntary manslaughter Josh / Cain is released on bond. He remains free for the next 7 months. Then, 7 months later in May of 1997, he is arrested again. This time the charges are upgraded to 1st degree murder and conspiracy to commit murder.

And Josh is not the only one charged in Brian's death. Another teenager is arrested as well, 17-year-old Darrell Lee Clark.

**Darrell Lee Clark:**



Me and Brian were best friends. I mean, we weren't *best* friends, but we were friends. I hated what happened to him. I hated to hear about it. It hurt me when I heard about it. Him and Cain were a lot closer than we were, but I had some good times with him.

On the afternoon of May 3, 1997 more than 7 months after Brian's death, Lee had been preparing to go to the lake with some friends. Just before heading out though, he stopped by his mom's house.

**Darrell Lee Clark:**

And that's when my mama calls and tells me that the police had been by there with a warrant for my arrest for conspiracy to commit murder and murder.

"Ain't no mistake," she said, "They went by your daddy's place, too."

Lee's parents drove him down to the Floyd County Police Department to try and figure out what was going on.

**Darrell Lee Clark:**

When I even got down to the county jail down there and went in there to tell the lady, I told her. I said, "Look. There's clearly been some kind of mistake made. There's a warrant been issued for my arrest for conspiracy to commit murder," I said, "I know I haven't done anything like this."

I said, "I don't even know anybody that's dead."

[36:20] **Jacinda Davis:** By the time a warrant was issued for his arrest, Brian's death was not even on Lee's mind. It did not occur to him that he was being accused of murdering Brian. In fact, he says, he didn't think he was really being charged with murder at all. He assumed the whole thing must have been some kind of huge mistake.

**Darrell Lee Clark:**

I said, "I would really like to get this straightened out."

Well, ain't nothin' been straightened out. I got drug to the back and handcuffed, and Dallas Battle come in there trying to get me to talk to him, acting like I know what's going on.

I told him, I said, "Look. I don't know why y'all got me down here. Y'all sitting there talking to me like I automatically know what's going on," I said.

"Why don't you tell me what's going on, and then I'll know. Because I ain't got a clue what you're talking about. Why am I down here? Why are these charges on me?"

And that's when he hit me with it. Talking about, "Well, we know that you and Cain Storey, we know you all conspired. We know you all had something to do with Brian Bowling's death."

I told him, I said, "Woah. Hold up, man." I said, "I can't even believe you're

playing this card right here.”

I said, “Look. I didn’t have nothing to do with any of that. I wasn’t even there when Brian killed himself.” And to my knowledge, that’s exactly what happened. With everything I’ve been told, Brian Bowling killed himself that night.

**Susan Simpson:** In January of 1998, both Cain Storey and Lee Clark went on trial for the murder of Brian Bowling. The prosecutor, Steve Cox, presented the theory that Brian’s death had been a gang-related Revenge killing. He told the jury that Brian, Cain, and Lee had all been members of a gang called “The Free Birds.”

The Free Birds, he said, had a very specific code of conduct that members were required to obey. One of the gang’s rules was that any gang member that spoke to the police had to die. And Brian, the prosecutor said, had broken that rule. Which is why his fellow gang members had been required to kill him.

Prosecutor Steve Cox told the jury that there had ever been a game of Russian Roulette. All of that was just a cover story that Lee Clark and Cain Storey had made up in an effort to hide the fact that one of the two boys, either Cain or Lee, had intentionally shot and killed their friend.

**Susan Simpson:**

I was curious, did Steve Cox commit to a theory... did he say what he thought had happened?

**Aunt Melody:**

I don’t know if- I don’t think Steve ever said whether one or the other did it, because only one of them could do it. So I don’t think that he was trying to settle on getting one prosecuted and one not. Or one found guilty and one not.

**Susan Simpson:** But he didn’t say which one definitely did the shooting?

**Aunt Melody:** I don’t think so, no.

**Susan Simpson:** Brian’s family got the verdict they’d been hoping for. But there was a lot about the case that had been left unanswered.

We called Kevin back at the office to tell him what we had learned.

**Jacinda Davis:**

They were both ultimately convicted of conspiracy to commit murder.

**Kevin Fitzpatrick:**

Which means that the jury did not have to determine if one of them had pulled the trigger.

**Susan Simpson:** Yep.

**Kevin Fitzpatrick:**

Just that they had plans to murder and seen that it was carried out, basically.

**Susan Simpson:** Because the investigation never came up with an answer about how exactly Brian had been killed, Brian's family has been left to fill in the gaps with their own theories. All of which involve Lee being outside of Brian's window the night that he had been shot.

**Aunt Melody:**

My thoughts were, Lee probably shot him. And then Josh had to lure him to sit in the bedroom. But I think the shooter was Lee.

Brian had a window, and Brian's window it flopped in and out, so I think he would leave home and come back through the window. But that night, that window was... some kind of wood or something was off.

So, the kicker is - why I believe Lee shot him - Brian had been cutting grass with two of our neighbors, Wayne and Charlie Childers. So they were there still, at the house, when they brought Brian home. And when Brian was shot, everybody jumped up and ran towards the bedroom.

Charlie didn't hear it. So, he sat there. And he saw Lee come across the front yard. There's a streetlight, and he had never seen this kid before, and he picked him out.

**Jacinda Davis:** And you feel like that was like, the smoking gun at trial?

**Aunt Melody:** Yes, I do.

**[41:01] Kevin Fitzpatrick:**

What do you guys think happened that night? What is your idea, your theory?

**Kenneth:**

I just don't know. I really, really don't think that Brian would be sitting there playing with a gun, knowing that it could end his life. I just don't believe that. I don't believe that at all.

**Amanda:**

I think Josh was there. I think that Lee was there to make sure that Josh did it, or, he could've told him, "One of you is going to die."

I don't know. I don't know. I'm still confused now, but I mean, one of them took my brother's life. I do know that, because I know my brother didn't do it. I mean... and one is just as guilty as the other. Because they were both there.

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**Susan Simpson:** What is your understanding of what went down?

**Uncle Mikel:**

I do feel in my heart that Josh pulled the trigger, due to him meeting me at the door saying, "I didn't mean to kill him, Mikel. I didn't mean to kill him."

So, I feel in my heart that he really was the trigger guy. I kind of feel that Lee was there too, as well. He was probably halfway in the room, or in the room, and he kind of talked him into, or forced him into it, really, by threatening him.

**Jacinda Davis:** By threatening Josh?

**Uncle Mikel:** By threatening Josh. To me, Josh wouldn't have ever done it completely on his own, because they were too good of friends.

**Jacinda Davis:** Because this was a conspiracy case, the jury was able to find that beyond a reasonable doubt, that Lee and Cain were both guilty of killing Brian, even if they had no clue which one of them had actually fired the shot. It's this uncertainty about who actually killed Brian, or if Brian really did shoot himself, that caught our attention about the case.

If the prosecution is right, then Cain Storey and Lee Clark orchestrated a complicated murder conspiracy to kill their best friend. As Susan and I started looking into this case we had a lot of questions about the prosecution's narrative.

**Jacinda Davis:**

So the other thing it doesn't make sense about their theory is that if it's a big planned murder, that Cain would admit to doing it moments later. Like, if the plan was that "We're going to stick to our story, it's Russian Roulette, he killed himself."

Why would he start admitting to it?

**Susan Simpson:**

So, the idea is that it's a conspiracy for murder. Cain distracts Brian. Lee comes in the window and kills him. And then, immediately after, Cain is like, "I killed him."

Which, 1. You didn't, under this scenario, and 2. Why admit to it? And, also, in her testimony Brian's mom makes it clear that that's not a confession. That's a-- at best, like an admission of guilt for bringing the gun.

**Jacinda Davis:** And he has said he feels guilty for bringing the gun.

**Susan Simpson:**

He does. In his letter to me, he's like, described what happens, and "If that's a crime, I'm guilty. But, if it's not, I'm not guilty of what they said I did."

**[44:22] Jacinda Davis:** Brian's Aunt Melody was not called as a witness in this case. So she was one of the few members of Brian's family that was able to sit in the courtroom and watch the trial. And as she sat through the 7 days of testimony, she began to lose confidence in the case that the prosecution had put together.

**Aunt Melody:**

There were just so many holes in the investigation, but... a jury, evidently, felt like they should be convicted. I felt like they did need to be convicted, but I was very surprised that they were.

**Susan Simpson:** It wasn't just Brian's family that was surprised by the verdict. Lee Clark hadn't been expecting it, either.

**Susan Simpson:** Did you think that you were going to be convicted?

**Darrell Lee Clark:** Me?

**Susan Simpson:** Yeah.

**Darrell Lee Clark:**

No, no. I never seen this coming in a thousand years. I sit in that courtroom and I swore up and down before the court, and I was telling, even the guys in jail with me. I said, "These guys are lying, they know they're lying. They've got to know they're lying. And this jury is sitting in there listening to that stuff I'm listening to... if they're opening their eyes and they're listening properly right here, and listening to the truth, then I'm going home, man."

I said, "I'm not even supposed to be here, man." That's what I was telling everybody. But it didn't work out like that.

**Susan Simpson:** As of this past January, both Cain Storey and Lee Clark have now been in prison for 24 years, serving life-sentences, for a crime both of them say they did not commit. A crime they say never even happened.

Lee has always maintained his innocence. And, for the most part, Cain has too. Except for during his second interview with Sergeant Dallas Battle, when he admitted that the gun had been in his hand when it accidentally went off and shot Brian.

But Cain recanted that confession immediately after the interview, and at trial Cain testified in his own defense and gave the same story he had given the night this all happened. That Brian had shot himself during a game of Russian Roulette.

**Darrell Lee Clark:**

Cain said that he told them when they got there that he had shot himself. That's what he told me.

**Susan Simpson:** Cain told you that he shot himself?

**Darrell Lee Clark:** He said that he shot himself, is what he told the police.

**Susan Simpson:** Have you ever wondered if maybe it didn't go down that way?

**Darrell Lee Clark:**

I've been to three prisons with Cain Storey over my incarceration. Three of them. And I've told him, "If something went down in that house. If something went down

in his room, go ahead and tell me, man. Least you can do is if you did do something, tell me.”

He swears up and down to me that that boy killed himself. And he’s never wavered on that with me one time. He always told me that that boy killed himself.

**Susan Simpson:** So how did a case that began as an accidental, self-inflicted shooting end up with two teenagers serving life in prison?

**Darrell Lee Clark:**

I get confused with this stuff, Susan. I don’t know any of this stuff. I’m just a backwoods country boy, and I’m stuck here and I’m trying to figure stuff out. It’s hard for me to put it together. I mean, the only thing I know for a fact is that I wasn’t at that boy’s house.

Truth be known, we’ll go ahead and put it out here like this: I really don’t know what happened in that house.

**Susan Simpson:** Lee Clark asked if I’d look into the case. To try and figure out what had happened here. To find out how Brian had died, and to find out what the evidence was against him and his co-defendant.

**Darrell Lee Clark:**

It’s ridiculous, the stuff you have to go through to get the real truth out there. That’s why I bared my soul to you. That’s why I’ve been completely honest with you about everything. I’ve not hid anything from you. I don’t have anything to hide. I got a past. Ok, I got a rough past. Big deal. I’m not a murderer. I didn’t kill anybody.

**Susan Simpson:** If there's one thing that all the people who have been affected by this case agree on, it's this. We still don't know the truth about what happened to Brian bowling. And nobody has gotten any real answers about what happened that night 25 years ago. But maybe, just maybe with a fresh set of eyes looking at the case some answers can still be found.

Next week, on Proof.

...

*“I think the reason why they came up with the plan of Killing Brian was because they thought Brian was talkin. But Brian wasn’t talkin. Brian didn’t say a word about none of that.”*

...

*“Do you think Brian was in a gang?”  
“I’m sure he probably was. Yes.”*

...

*I told him straight up. I said, "Look, Cain," I said, "We done stole your daddy's safe. And now here it is, you've got his fucking gun on you."  
I said, "What is he gonna think when he comes home and sees that gun gone, too?"*

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*And me and Brian hid behind some graves and we seen him come up through there. You can perfectly see who it is because it's lit up right there. And then Brian hollered out, "It's Lee!"*

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*It's a shame for their family just like it's a shame for our family. It's just like my sister said, "At least you can go see your sons in prison."*

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You've been listening to Proof, a podcast by Red Marble Media. We'll be back next Monday with Episode 2. Kevin Fitzpatrick is our Executive Producer. Our logo was designed by Drew Husosky. Our theme music is by Ramiro Marquez. Audio Production is by Michael Alfano, Adam Goldstein, and Mikel Ulatowski. Our Social Media Manager is Skylar Park. Thank you to our sponsors for making it possible for us to come back week after week.

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That's all for this week. Thanks so much for listening.

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*Transcribed by Skylar Park*

