



State of West Virginia
The Department of Military Affairs and Public Safety
Joe Manchin, III, Governor

Sterling Lewis, Jr.
State Fire Marshal

Phone: (304) 558-2191
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STATE FIRE MARSHAL'S OFFICE
1207 Quarrier St, 2nd Floor
Charleston, WV 25301

October 2, 2008

Marvin Petty
913 17th Street
Vienna, WV 26105

RE: 08-03-10-045F

Dear Mr. Petty:

This shall serve to confirm your request for a copy of our Report of Investigation, reference the incident listed below:

OWNER: MARVIN PETTY
DATE OF LOSS: FEBRUARY 7, 2008
LOCATION: WOOD COUNTY

Please find enclosed, as per your request a copy of our Report of Investigation for this incident, case number 08-03-10-045F.

If you require any additional detailed information, the case investigator, ASFM Hartley may be contacted through this Office.

If I may be of any further assistance in this matter, please do not hesitate to contact my office.

Respectfully,

Reed Cook,
Deputy State Fire Marshal

RC/cg
enc

STATE FIRE MARSHAL'S OFFICE
FIRE INVESTIGATION DIVISION
1207 QUARRIER STREET, 2ND FLOOR
CHARLESTON, WEST VIRGINIA 25301

PRELIMINARY FIRE INVESTIGATION REPORT

INCIDENT # 2008-615

Case Number: 08-03-10-045F Date: 15 Feb 08

County: WOOD

Fire Department/Agency Requesting Investigation:

Waverly VFD

Date of Fire: 07 Feb 08

Owner: Petty, Marvin

Address of Owner: 913 17th St. Vienna, WV 26105

Occupant: Vacant

Location\Address of Fire: Rt. 31---Corbett Hill Rd. Waverly, WV

Fire Scene Examination Conducted: Yes No

Accompanied by:

Name: Terry Hefner, Mark Stewart, Kim Marshal, Mike St. Clair, Jason Baltic

Title: Fire Chiefs, Waverly, Lubeck, Deerwalk, OCME Representative, ASFM

Cause of Fire: Incendiary Undetermined

Accidental

IF THE FIRE SCENE EXAMINATION INDICATES THE FIRE TO BE
ARSON, ALL INFORMATION IN REFERENCE TO THE FIRE IS
CONFIDENTIAL AND SHALL NOT BE RELEASED TO ANY PERSON,
FIRM, ETC.

Brad Hartley
Investigating Officer

**West Virginia State Fire Marshal's Office
Fire Investigation Division
Investigative Report**

INCIDENT #-	2008-615	CASE #-	08-03-10-045F	DATE OF FIRE:	07 Feb 08
COUNTY:	WOOD	DATE OF REPORT:	15 Feb 08	TIME OF FIRE:	Unknown
AGENCY REQUESTING INVESTIGATION:			Waverly VFD		
CONTACT PERSON:	Terry Hefner	RANK	CHIEF	CONTACT #	(304) 464-4320

OWNER / OCCUPANT INFORMATION

OWNER: <small>Last, First M.</small> Petty, Marvin	CONTACT #	(304) 295-8727	WEATHER:	Cloudy
ADDRESS: 913 17th St. Vienna, WV 26105			DAY:	Thursday
OCCUPANT: <small>Last, First M.</small> Vacant	CONTACT #	PROPERTY CLASSIFICATION:		
ADDRESS:			Residential Other	
LOCATION /ADDRESS OF FIRE: <input type="checkbox"/> SAME: Rt. 31---Corbett Hill Rd. Waverly, WV				
GPS: N39°17.474' W081°22.404'				

FIRE SCENE EXAMINATION CONDUCTED: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	FIRE SUPPRESSION UNIT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ACCOMPANIED BY: Terry Hefner, Mark Stewart, Kim Marshal, Mike St. Clair, Jason Baltic	SMOKE DETECTOR: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CAUSE DETERMINATION: <input type="checkbox"/> INCENDIARY <input type="checkbox"/> ACCIDENTAL <input checked="" type="checkbox"/> UNDETERMINED <input type="checkbox"/> NATURAL	
FIRE DEPARTMENT RESPONDING: Waverly VFD	
FIRE OFFICER IN CHARGE: Terry Hefner	NUMBER OF FATALITIES: 1
LAW ENFORCEMENT OFFICER: Sgt. Westfall, WCSD	
PHOTOGRAPHS: <input checked="" type="checkbox"/> 35mm <input type="checkbox"/> DIGITAL <input type="checkbox"/> OTHER	

INSURANCE INFORMATION

INSURANCE CO	ADJUSTER:	SIU	LOSS AMOUNT	STRUCTURE	CONTENTS	POLICY / CLAIM #
None			\$	\$	\$	

UCR INFORMATION

COMPLAINANT'S NAME:	NCIC CODE#	DISPOSITION:
ORI #	TYPE OF REPORT:	HATE CRIME:
LOCATION CODE:	PROPERTY CATEGORY:	STRUCTURE TYPE:
LOSS STATUS:	ESTIMATED COST:	
PROPERTY DESCRIPTION:		

VICTIM INFORMATION

VICTIM NAME: Petty, Judith	VICTIM ID: Adult	RESIDENCE: Yes	DOB: 01/31/08	SEX: F
ADDRESS: 1700 36th St. Parkersburg, WV 26101		RACE: Caucasian	ETHNICITY: Unknown	
<input type="checkbox"/> SUSPECT <input type="checkbox"/> ARRESTEE (INFORMATION)				
NAME:	RACE:	RESIDENCE:	DOB:	SEX:
ADDRESS:	RELATIONSHIP:		ETHNICITY:	
<input type="checkbox"/> SUSPECT <input type="checkbox"/> ARRESTEE (INFORMATION)				
NAME:	RACE:	RESIDENCE:	DOB:	SEX:
ADDRESS:	RELATIONSHIP:		ETHNICITY:	

INVESTIGATING UNIT

INVESTIGATING OFFICER: Brad Hartley	UNIT # 1788
SIGNATURE: <i>Bradley P. Hartley</i>	

INFORMATION ON ANY INCENDIARY FIRE SHALL NOT BE RELEASED TO ANY PERSON, FIRM, ETC...

On February 9, 2008 the undersigned officer was notified of a fire which occurred on or about February 7, 2008 in which human remains were discovered. The undersigned officer traveled to the scene and met with Terry Hefner, Chief of Waverly VFD to discuss the circumstances of the fire. Chief Hefner advised the undersigned officer that the owner of the property, Marvin Petty had discovered the fire on the morning of February 7, 2008. Chief Hefner stated the Wood County Fire Investigation Team had conducted an investigation and search of the main structure on a previous date. Nothing had been located. He stated that the remains of a victim were located in an outbuilding near the main structure. The area had been searched heavily due to a missing persons report. The search included K-9's, foot searches, 4-wheelers and air searches.

The site was accessible via 4 wheel drive vehicles only.

No consent was needed or obtained due to exigent circumstances.

The undersigned officer requested a 2nd investigator respond to the scene. Jason Baltic, ASFM, responded.

GPS coordinates and compass orientations were obtained.

Upon arrival the undersigned officer noted several searchers still in the area. The fire scene consisted of the remains of the main structure, various motorized and non-motorized items were located throughout the fire scene. The remains were located in a approximately 15x12 cellar area. The cellar was in a south to north orientation, with the doorway/steps down to the south end of the area. The cellar was approximately 6.5 feet deep from top to bottom. The area was photographed in a clockwise motion, general to specific manner, due to no remaining evidence to determine a path of least to most damage. No burn patterns existed due to the extreme damage to the structure.

The victim was located in the southeast portion of the cellar. No determination could be made regarding identification due to extreme thermal damage. According to Chief Hefner, the cellar contained an amount of debris from the original fire, which obscured the victim . This debris has continued to smolder and be consumed to the point of being able to locate the victim. The victim was discovered by Marvin Petty, father. The undersigned officer discussed the scene with Wood County OCME, Mike St. Clair to determine the best course of action. Fire Department members were sent to obtain sifting screens.

The undersigned officer photographed the remains and proceeded to excavate the remains from the debris. The victim appeared to be laying east to south, head appearing to be to the east, feet to the south. The remains of the victim are excavated by hand and given to Mike St. Clair for disposition. The remaining debris was excavated and placed in clean 5 gallon buckets for transport to the sifting screens. The area was excavated to the concrete floor. The debris was sifted and all remains were separated from the fire debris and given to Mike St. Clair.

ASFM Jason Baltic and the undersigned officer conducted a fire scene examination of the cellar structure. No remaining consumable items remained. Fuel consumption was total. The area around the scene was examined. Vegetation between the two structures was intact. Both investigators agreed that radiant heat was not a source for fire travel between the two structures. No other causations could be eliminated. The cellar structure was approximately 32 feet from the main structure. Chief Hefner stated that winds were present during the period of the fire. A check of the weather conditions indicated that winds were sustained with gusts reaching 33 mph.

The undersigned officer conducted a walk through of the main structure, nothing could be noted due to a previous search of the structure. Debris from the main structure had been removed and piled up in the search. The damage to the main structure was also severe due to no fire department response to the fire and the fire burning unchecked till all consumable fuels were gone.

ACTION TAKEN:	CASE # 08-03-10-045F	INCIDENT # 2008-615	PAGE THREE (3)
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It is the opinion of the undersigned officer that this fire is undetermined in causation. This opinion is based on the fire scene examination, the lack of remaining evidence to determine the area of origin due to the fire being unchecked and allowed to consume all available fuel, thermal damage being severe and no determination as to the cause or manner of death from the OCME.