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Maybe the same
but words from
Brother

June 13, 2007

my
Copy

JERRY HAMMOND
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Holman Unit 3700
Atmore, Al. 36503-3700

GARY LIPTON
Innocence Project
55 5th Avenue, 11th Fl.
New York, New York 10003-4391

Re: INFORMATION REGARDING MY INNOCENCE

Dear Mr. Lipton,

I am confident that this communication will find you and your Associates in the very best of health and blessed.

The purpose of this communication is in response to your inquiry to my sisters, Jeanette Thomas and Alice McIntire, regarding my case.

I am currently serving Life Without Parole for Capital Murder. On October 3, 1988, I was arrested by the City of Dothan Police Department for killing my uncle, James McNeal, and accused of stealing his wallet. I was subsequently Indicted for Capital Murder/Robbery. I was appointed Attorneys Charles Decker; Bruce Hall and Earl Smith to represent me.

The Attorneys came to the Jail to talk to me about a plea bargain that the District Attorney offered to drop the Capital charge and allow me to plead guilty to an Amended charge of Solicitation to commit Cocaine Sales, and give me a sentence of 18 years..

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Initially, I refused the offer, and wanted to take my chances of going to trial, because I knew that I was innocent of the charges, also the lawyers told me that if I took the case to trial being Black and indigent, with no money, the twelve white people in the jury box would definitely convict me, So I accepted the plea bargain and was sentenced to 18 years for Solicitation to Commit Cocaine Sale.

About 10 months later after I was transferred from the county jail to prison, a guy that was still at the County jail, a so called jailhouse lawyer by the name of Jackie McLeod took it upon himself after learning about my case through the media, and jailhouse talk, without my knowledge, forged a Petition for Writ of Habeas Corpus challenging my guilty plea on the grounds that the Court was without jurisdiction to accept my plea to the amended charge, because such was not a lesser included offense of Capital murder for which I was Indicted, the trial Court denied the Petition, however, the Appellate Court remanded the case back to the trial court to vacate the guilty plea, and the trial court reinstated the Capital Murder charge. I was subsequently tried for Capital Murder, and was convicted solely upon circumstantial evidence, and the testimony of my alleged co-defendant, Sandra Jackson, who was with me early that evening on the day of the crime. I picked her up to party with her and we bought some drugs to have sex with her. She was the alleged key witness for the Prosecution,

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the State relied to link me to the crime, in which her testimony was essentially that I took her to my home to party with her and have sex. Specifically she testified we left my home and I stopped and parked my car in the general area of my uncle's house and got out of the car while she stayed in it, that I had a yellow towel and knife, and I later she saw me running back to the car with a bloody pair of pants, and when I entered the car I threw the clothing in her lap and drove off, and that she looked through the clothes to see if any money was in the pocket and wallet, and when there was none I threw the pants and wallet out of the car on the side of the road. Her testimony was totally false, because I was arrested the next day with the same clothes that I had on the day before, and everything the State sent to the crime lab and everything they tested did not have any of my blood on it, nor was ~~any~~ my finger prints found on anything in my uncle's house. The State's evidence consisted of a shirt; a pair of pants and a wallet that was suppose to been found on the side of the street; a pair of tennis shoes; a pair of pants and shirt I had on and a old-timer pocket knife that I owned. The police who investigated the crime scene took pictures of footprints in the house that was made from walking through the bloody room that did not match my tennis shoes sole print that I had on when I was arrested. A neighbor of my uncle testified that the person that killed my uncle dived through the bedroom window.