

COURT OF COMMON PLEAS
DAUPHIN COUNTY, PENNSYLVANIA

Commonwealth of Pennsylvania,	:	
	:	
Respondent,	:	Docket Number
	:	CP-22-CR-1544-1996
	:	
v.	:	Honorable Todd A. Hoover
	:	
Lorenzo Johnson,	:	
	:	
Petitioner.	:	

**SUPPLEMENT TO
PETITION FOR RELIEF UNDER THE PENNSYLVANIA
POST-CONVICTION RELIEF ACT, 42 PA. C. S. § 9541 *ET SEQ.***

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Counsel for Petitioner
Lorenzo Johnson

Dated: March 3, 2014
Swarthmore, Pennsylvania

PRELIMINARY STATEMENT AND RELEVANT PROCEDURAL HISTORY

1. Pending before the Court is Lorenzo Johnson's *Petition* under the Pennsylvania Post-Conviction Relief Act, filed on August 5, 2013. The *Petition* presents facts supporting Mr. Johnson's actual innocence and a variety of *Brady* violations and legal error that have permeated these proceedings.

2. The Court issued an order on August 13, 2013 requiring the Commonwealth to respond to the *Petition* within 45 days. The Commonwealth, represented by the Office of the Attorney General, requested and received two non-opposed extensions of time to respond. Its answering pleading is now due by March 31, 2014.

3. Counsel for Petitioner has met with counsel for the Commonwealth and has received assurances that the Commonwealth plans to investigate Mr. Johnson's allegations. Mr. Johnson and his counsel are heartened by these assurances. However, while the Commonwealth conducts its investigation, Petitioner continues his own.

4. This *Supplement* presents the most recent results of Petitioner's efforts. It casts further doubt on his guilt, and demonstrates yet another instance where exculpatory information was improperly withheld from the defense.

SUPPLEMENT TO STATEMENT OF FACTS RELEVANT TO PETITIONER'S CLAIMS

5. As explained in detail in the *Petition*, Victoria Doubs was one of two primary witnesses against Mr. Johnson. She testified to an alleged fight between the victim, Tarajay Williams, and the shooter, Corey Walker. This fight was over an alleged drug debt that Williams owed Walker. The fight was alleged to have occurred in front of a large crowd of people on the day before the early morning shooting death of Williams, and it, and the alleged debt, were supposed to have provided Walker – and by extension, Petitioner – with a motive to kill Williams. *Petition*, ¶¶ 24-25.

6. The United States District Court found that the Commonwealth violated *Brady's* first prong, when it failed to fully disclose details regarding an open case against Doubs, which constituted impeachment material. *Johnson v. Mechling*, 541 F.Supp.2d at 681 (“the Court finds that Johnson’s prosecutor had a duty to disclose the plea agreement”); *id.*, 686 (“The prosecution withheld favorable evidence; Johnson reasonably relied on the government’s open file policy and other representations that it had fulfilled its duty to disclose such evidence; and this reliance was confirmed by Doubs’ trial testimony.”). However, the district court did not find the suppression to be material to the conviction, and thus denied relief.

7. The new facts recently uncovered by Petitioner demonstrate yet another source of undisclosed *Brady* information that should have been provided to Petitioner

at the time of his trial. This new information serves to not only further impeach Doubs, but it casts the integrity of the police investigation into grave doubt, thus presenting the case in an entirely new light. As shown below, Doubs had a close, family-like, relationship with Harrisburg Detective Kevin Duffin.

8. This was Duffin’s case: he was introduced to the jury as the “detective in the case,” NTT, 11; sat at the prosecutor’s table throughout the trial, *Id.* 8 (co-defense counsel advising the Court that the defense had no objection to Duffin remaining at counsel table throughout the trial); and many of the witnesses who testified in this case were interviewed by Duffin in the pre-trial phases.

9. Thus, the failure of the prosecution to disclose his close relationship with Doubs, deprived Mr. Johnson of valuable impeachment evidence of, not only Doubs’ testimony, but of the integrity of the entire prosecution case. This failure to disclose violated due process of law.

10. **Declaration of Freddie Jay Williams.** Freddie Jay Williams is the brother of the Detective, Kevin Duffin. He relates that the entire Duffin family was close to Victoria Doubs, aka Victoria Bowman and they – including Kevin Duffin – considered her family:

My name is Freddie Jay Wililams. I have lived in Harrisburg my whole life. My entire family lives in Harrisburg, including my two brothers and two sisters. My mother, Ruby Duffin, passed away in 2002. My

brother Kevin Duffin, was a Harrisburg Police homicide detective for over 20 years. I knew Victoria Bowman before she died. Vicky was my step-sister. My mother took Vicky in when she was very young, in elementary school. During that time, Vicky's mother, Janet Bowman, was addicted to drugs and alcohol, and could not take care of Vicky. My mom had known Vicky's family for a long time and thought taking Vicky in was the right thing to do.

Vicky lived at my mom's house with us for four to five years. Vicky called my mother "Mom" and always called my siblings her "sister" or "brother." Everyone in my family loved Vicky as if she were our blood relative. Vicky went back to live with Ms. Janet when Ms. Janet felt that she was able to take care of her. If Ms. Janet hadn't taken Vicky back, my mother probably would have adopted her.

Declaration of Freddie Jay Williams, dated February 24, 2014, attached as Exhibit A.

11. **Declaration of James Bowman.** James Bowman was Victoria Doubs' brother. He too relates that Doubs was close to the Duffin family and that Ruby Duffin was god-mother to Victoria Doubs. Moreover, that relationship carried over to the other Duffin children, including Detective Duffin, who considered Victoria to be his "god-sister":

Harrisburg Police officer Kevin Duffin was Vicky's god-brother. His mother, Ruby Duffin, had been Vicky's god-mother when she was a kid. Vicky would stay at their house when she was growing up. They would take care of her when mom needed them to. Vicky called him [Kevin Duffin] "my brother" or "Duffy." She also called Ruby "Mom." While my mom was on drugs, Vicky lived with Ruby. My brother and I live with our grandmother.

Declaration of James Bowman, dated January 31, 2014, ¶ 5, attached as Exhibit B.

This relationship resulted in Detective Duffin’s intervention to try to keep Vicky out of trouble and to help her when she found trouble:

In 1995, Vicky was doing a lot of robberies for money. She would just use the money to buy crack. She would steal from anyone – even her own family. She stole from just about everyone in the family, including me.

[Kevin] Duffin looked out for Vicky and for his brother, Freddie, who also had a big drug problem. He got Vicky and Freddie out of a lot of trouble. Duffin knew Vicky had a really bad drug problem and that she was out doing anything to get drugs. . . There were so many times when Duffin would bring Vicky to my house at 2 or 3 in the morning. He would tell me that he had caught her with drugs or that she had been picked up for stealing something. . . A couple of times when he dropped her off, he would say “You need to keep her out the streets: or “These streets ain’t doing her no good.” He would say, “I love her, you love her. We don’t want anything bad happening to her.”

All the cops in Harrisburg knew Vicky. She stayed in trouble. When she got arrested, most of the time, the cops would call Duffin. He would come down and talk the other cops into letting her go. Then he would bring her to my house or to my mother’s house. . . Sometimes, though, other cops didn’t call Duffin and put Vicky in jail. When that happened, she would have to give them information on someone else to get released. Vicky testified against a bunch of people.

Id., ¶¶ 4, 6-7.¹

¹Petitioner continues to investigate in order to further corroborate this relationship. As part of that investigation, Petitioner files along with this *Supplement*, a separate *Motion* seeking an order directed to the Harrisburg School District to release the school records of Victoria Doubs. Since she is deceased, counsel cannot secure a release, and in counsel’s experience a school district would require a court order in order to obtain such records under these circumstances.

SUPPLEMENT TO CLAIM II

THE COMMONWEALTH SUPPRESSED MATERIAL, EXCULPATORY EVIDENCE IN VIOLATION OF DUE PROCESS

12. Claim II, relating a variety of exculpatory evidence and information that the Commonwealth failed to disclose to the defense at the time of trial. is repeated and realleged as if set forth herein.

13. Four specific points about *Brady* and its progeny are particularly relevant to the evidence discussed in this *Supplement*.

A. Knowledge of information in the possession of any law enforcement actor that has a connection to a particular prosecution is chargeable to the prosecutor. *Kyles v. Whitley*, 514 U.S. 419, 437, 482 (1995) (“prosecutor is responsible for any favorable evidence known to the others acting on the government’s behalf in the case, including the police”; “prosecutor has a duty to learn of any favorable evidence known to the others acting on the government’s behalf”). Thus, knowledge in Duffin’s possession, including, obviously his close relationship with Doubs, was chargeable to the trial prosecutor.

B. Under *Brady* and its progeny, a “showing of materiality [prejudice] does not require demonstration by even a preponderance that disclosure of the suppressed evidence would have resulted ultimately in the defendant’s acquittal.” *Kyles*, 514

U.S. at 434. Instead, the “touchstone of materiality is a ‘*reasonable probability*’ of a different result.” *Id.*; *Commonwealth v. Strong*, 761 A.2d 1167, 1171 (Pa. 2000) (“As *Brady* and its progeny dictate, when the failure of the prosecution to produce material evidence raises a reasonable probability that the result of the trial would have been different if the evidence had been produced, due process has been violated and a new trial is warranted.”, citing *United States v. Bagley*, 473 U.S. 667 (1985)). A reasonable probability of a different outcome exists “when the prosecution’s evidentiary suppression ‘undermines confidence in the outcome of the trial.’” *Kyles*, *id.*; see also *Hull v. Kyler*, 190 F. 3d 88, 110 (3d Cir. 1999) (The “undermines confidence” standard “is not a stringent one. It is less demanding than the preponderance standard.”).

C. In assessing materiality, the Court considers how effective counsel could have used the suppressed information at trial and through pretrial investigation and development of other evidence. *Kyles*, 514 U.S. at 441 (finding prejudice where “disclosure of the suppressed evidence to *competent counsel* would have made a different result reasonably probable”); *id.* at 441-49 (reviewing ways in which competent counsel could have used and developed withheld information to impeach prosecution witnesses and undercut police investigation); *United States v. Bagley*, 473 U.S. 667, 676 (1985) (materiality analysis considers whether suppressed

information, “if disclosed and *used effectively*” by the defense, may have made a difference); *id.* at 683 (materiality inquiry considers “any adverse effect that the [suppression] might have had on the preparation or presentation of the defendant’s case” and “the course that the defense and the trial would have taken had the defense not been misled”); *Wilson v. Beard*, 589 F.3d 651, 659, 664 (3d Cir. 2009) (same).

D. Evidence is material if it would have presented an opportunity to challenge the integrity and thoroughness of the police investigation. *Kyles*, 514 U.S. at 445 (“Damage to the prosecution’s case would not have been confined to evidence of the eyewitnesses, for [the suppressed evidence] **would have raised opportunities** to attack not only the probative value of crucial physical evidence and the circumstances in which it was found, but the thoroughness and even the good faith of the investigation”).

14. Application of these standards leaves little doubt that the failure of the prosecution to disclose to the defense the relationship between Duffin – **the assigned detective** – and Doubs, one of the two primary witnesses against Petitioner, was material. First, knowledge of the information proffered by James Bowman and Freddie Williams regarding the close, personal, family-like (Kevin Duffin and Vicky Doubs loved each other like brother and sister) relationship between Doubs and the lead detective in this case, was chargeable to the trial prosecutor, and thus should

have been disclosed to the defense.

15. Second, had the information been disclosed effective counsel would have exploited the unlikely coincidence that Duffin's god-sister was the only person from among a **crowd** of people who witnessed the alleged fight between Walker and Williams – the fight and debt that allegedly supplied the motive for the killing. This would have been a particularly fertile basis for attacking the integrity of the investigation. This is especially true in view of the significant evidence already proffered by Petitioner that the fight never happened. *Petition*, ¶ 50, quoting Affidavit of Jesse Davis at ¶¶ 11-12 (Davis referring to the alleged fight: "I was with Tarajay all that day up until the time I dropped him off at 3 p.m., and Tarajay hadn't gotten into any arguments or fights with anyone. Before I dropped him off, we were never at the Kentucky Fried Chicken parking lot at 14th and Market. Even after 3 o'clock, I continued to make runs. I passed by 14th and Market all afternoon and into the night but I never saw Tarajay at that specific location. I saw Tarajay a bunch of times that night and he never mentioned getting into any fights or arguments with anyone. That's the sort of thing he would have told me, too. Every time I saw Tarajay, he was alone.")

16. Third, materiality is established because the integrity of the investigation would have been seen in a different light by the jury inasmuch as Duffin had such a

central role in the investigation, and particularly with Carla Brown. *See* NTT, 117 (indicating that she only ever discussed the case with the prosecutor and Duffin); *id.*, 199-202 (Duffin describing his investigation); *id.*, 377-406 (Duffin mentioned ten times in prosecutor’s closing argument).

17. Fourth, materiality is established based on the cross examination that could have occurred of Doubs and Duffin with respect to Duffin’s efforts to keep Doubs out of trouble and to extricate her from legal troubles.

18. Finally, materiality is shown in view of the role played by Doubs’ testimony in what was far from a strong Commonwealth case. Indeed, the United States Supreme Court relied heavily upon Doubs’ testimony in holding that the evidence against Petitioner was sufficient – thus reversing the Court of Appeals’ grant of relief:

the Commonwealth called Victoria Doubs, who testified that she, [Lorenzo] Johnson, and [Corey] Walker were “close friends” who “ran the streets together.” Tr. 213. On the morning of December 14, the three of them awoke at the same residence, bought marijuana, and then went to a Kentucky Fried Chicken restaurant, where they encountered [Tarajay] Williams. Walker announced that he was going to “holler at” Williams about a debt Williams owed. *Id.*, at 217. According to Doubs, Walker and Williams “were talking about the money that [Williams] had owed us,” with Walker “asking [Williams], confronting him, about his money and what’s up with the money and why is it taking you so long to give us the money.” *Id.*, at 217–218. Williams was “cussing [Walker] out, telling him he’d give it to him when he felt like it and he ain’t scared of [Walker].” *Id.*, at 218. A fight ensued, which ended when

Williams beat Walker with a broomstick in front of the crowd of people that had gathered. After the fight, Doubs testified, Walker “was mad, because he got beat by a crackhead. . . . He was saying, yo, that crackhead beat me. I’m going to kill that crackhead. I’m going to kill that kid. . . . He was hot. He was heated.” *Id.*, at 220–221. Johnson was present when Walker made these statements. Later that afternoon, Doubs recounted the beating to others, who laughed at Walker. Walker “repeated it for a while that I’m going to kill that kid. That kid must think I’m some type of joke. I’m going to kill that kid. Who he think he is[?]” *Id.*, at 222. Once again, Johnson was present for these statements.

Coleman v. Johnson, 132 S.Ct. 2060, 2062-2063 (2012).

THE FACTS AND GROUNDS PRESENTED IN THIS SUPPLEMENT ARE TIMELY

19. Petitioner reasserts the facts and legal argument set forth in the *Petition* regarding timeliness. *See Petition*, ¶¶ 4-8. He makes the following additional points.

20. The facts and legal theories presented here are timely filed pursuant to 42 Pa.C.S. § 9545 (1)(i) inasmuch the Commonwealth’s failure to discharge its constitutional obligation to advise the defense of the Duffin-Doubs relationship constituted “governmental interference” with the presentation of this claim. *See Banks v. Dretke*, 540 U.S. 668, 696 (2004):

A rule thus declaring “prosecutor may hide, defendant must seek,” is not tenable in a system constitutionally bound to accord defendants due process. “Ordinarily, we presume that public officials have properly discharged their official duties.” *Bracy v. Gramley*, 520 U.S. 899, 909 . . . (1997) . . . We have several times underscored the “special role played by the American prosecutor in the search for truth in criminal trials.” *Strickler [v. Greene]*, 527 U.S. [263], at 281 (1998) . . .; *accord Kyles*, 514 U.S., at 439-440 . . . *United States v. Bagley*, 473 U.S. 667,

675, n. 6. . . (1985); *Berger [v. United States]*, 295 U.S. [78], at 88 [(1935)] . . . See also *Olmstead v. United States*, 277 U.S. 438, 484 . . . (1928) (Brandeis, J., dissenting). Courts, litigants, and juries properly anticipate that “obligations [to refrain from improper methods to secure a conviction] ... plainly rest[ing] upon the prosecuting attorney, will be faithfully observed.” *Berger*, 295 U.S. . . . Prosecutors’ dishonest conduct or unwarranted concealment should attract no judicial approbation. See *Kyles*, 514 U.S., at 440, 115 S.Ct. 1555 (“The prudence of the careful prosecutor should not ... be discouraged.”).

The *Banks* admonition that “unwarranted concealment,” such as that occurred here “should attract no judicial approbation,” meaning that the Commonwealth should not be able to conceal such a personal relationship from the defense and then reap the benefit of claiming that the defense took too long to find it. Indeed, that very argument violates fundamental notions of fair play and therefore due process of law. *County of Sacramento v. Lewis*, 523 U.S. 823, 847 (1998) (actions that violate basic notions of “fair play” violate the due process clause of the Fourteenth Amendment).

21. This *Supplement* is also timely pursuant to § 9545 (1)(ii), in that Petitioner has exercised the requisite diligence to uncover these hidden facts, particularly in view of his reliance on the Commonwealth’s faithful discharge of its Constitutional duty.

CONCLUSION

For all of the above reasons and for those set forth in the August 5, 2013 *Petition*, and based on the entire record of this case, Lorenzo Johnson, seeks vacation of his conviction, and attendant relief requested in the *Petition*.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Michael Wiseman', with a long horizontal flourish extending to the right.

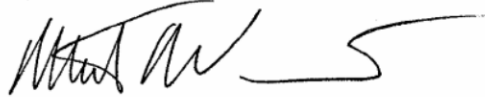
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Counsel for Petitioner
Lorenzo Johnson

Dated: Swarthmore, PA
March 3, 2014

Certificate of Service

I, Michael Wiseman, hereby certify that on this 3rd day of March, 2014 I served a copy of the foregoing upon the following person in the manner indicated:

William R. Stoycos, Esq.
Senior Deputy Attorney General
Office of the Attorney General
Appeals and Legal Services Section
16th Floor, Strawberry Square
Harrisburg, PA 17120
Email: wstoycos@attorneygeneral.gov

A handwritten signature in black ink, appearing to read 'Michael Wiseman', with a long horizontal flourish extending to the right.

Michael Wiseman

EXHIBIT A
DECLARATION OF FREDDIE JAY WILLIAMS

DECLARATION OF Freddie Jay Williams
PURSUANT TO 28 U.S.C. §1746 & 18 Pa. C.S. §4904

My name is Freddie Jay Williams. I have lived in Harrisburg my whole life. ~~I have~~ ^{My entire} family lives in Harrisburg, including my two brothers and two sisters. My mother, Ruby Duffin, passed away in 2002. My brother, Kevin Duffin, was a Harrisburg Police homicide detective for over 20 years. I knew Victoria Bownan before she died. Vicky was my step-sister. My mother took Vicky in when she was very young, in elementary school. During that time, Vicky's mother, Janet Bowman, was addicted to drugs and alcohol, and could not take care of Vicky. My mom had known Vicky's family for a long time and thought taking Vicky in was the right thing to do.
Vicky lived at my mom's house with us for

I hereby certify that the facts set forth above are true and correct to the best of my personal knowledge, information, and belief, subject to the penalty of perjury, pursuant to 28 U.S.C. §1746 and 18 Pa.C.S. §4904.

Signature: Freddie Jay Williams

Date: 2-24-14

1 of 2
F.J.W

DECLARATION OF Freddie Jay Williams
PURSUANT TO 28 U.S.C. §1746 & 18 Pa. C.S. §4904

four to five years. Vicky called my mother "Mum"
and always called me and my siblings her
"sister" or "brother." Everyone in my family
loved Vicky as if she were our blood relative.
Vicky went back to live with Ms. Janet when
Ms Janet felt that she was able to take care
of her. If Ms. Janet hadn't taken Vicky back,
my mother probably would have adopted her.

F. J. W

I hereby certify that the facts set forth above are true and correct to the best of
my personal knowledge, information, and belief, subject to the penalty of perjury, pursuant to 28
U.S.C. §1746 and 18 Pa.C.S. §4904.

Signature: Freddie Jay Williams

Date: 2-24-14

EXHIBIT B
DECLARATION OF JAMES BOWMAN

JB

DECLARATION OF JAMES BOWMAN, JR.
PURSUANT TO 28 U.S.C. § 1746 & Pa. C.S. § 4904

1. My name is James Bowman, Jr. ^{JB} Most people know me by my nickname, Boo. I have lived in Harrisburg, Pa, my whole life. I have two natural siblings, ^{through my mother, JB} Ulysses Doubs, and Victoria "Vicky" Doubs. Ulysses and Vicky also used the last name Bowman at various times. This was our mother's maiden name. Vicky was murdered in 2003.
2. Vicky was my younger sister and I loved her. She had a lot of issues. Vicky and my mom were birds of a feather. Even though they had their issues, all of us remained close. Like my mother, Vicky struggled with a drug addiction for most of her life. There were times when she was clean, but she relapsed several times. When Vicky was clean, she was so loving. She was such a good mother and aunt when she wasn't using drugs. During her addiction, Vicky was a different person. She would do anything.
3. In 1995, Vicky had been addicted for a while. She had lost custody of her three kids and even though I was on parole, ^{the courts placed her children with me 27 S. 15th} her children lived with me at ~~1421~~ ^{and} ~~Hunter~~ ^{JB} Street. Vicky stayed there sometimes, but she didn't live with us. She lived with a girlfriend at 14th and Market Streets in Harrisburg.
4. When she was in her addiction, she would do anything to get the next fix. In 1995, Vicky was doing a lot of robberies for money. She would just use the money to buy crack. She would steal from anyone--even her own family. She stole from just about everyone in the family, including me. She broke into my house while I was away and

stole from me. A girl across the street told me that she had seen Vicky taking stuff from my house.

5. Vicky's addiction led to her getting into a lot of trouble with the police. Harrisburg Police officer Kevin Duffin was Vicky's god-brother. His mother, Ruby Duffin, had been Vicky's god-mother when she was a kid. Vicky would stay at their house when she was growing up. They would take care of her when my mom needed them to.

Vicky called him "my brother" or "Duffy". She also called Ruby "Mom". While my mom was on drugs, Vicky lived with Ruby. My brother and I lived with our grandmother.

6. Duffin looked out for Vicky and for his brother, ~~Frankie~~^{Freddie}, who also had a big drug problem. He got Vicky and ~~Frankie~~^{Freddie} out of a lot of trouble. Duffin knew Vicky had a

really bad drug problem and that she was out doing anything to get drugs. He knew she'd stolen from people and was into a lot of things she shouldn't have been into.

There were so many times when Duffin would bring Vicky to my house at 2 or 3 in the morning. He would tell me that he had caught her with drugs or that she had been picked up for stealing something. I can't say how many times this happened because

it happened so many times. A couple of times when he dropped her off, he would

say, "You need to keep ~~your sister~~^{her} out the streets" or "These streets ain't doing her no good." ^{He would say, "I love her, you love her. We don't want anything bad happening to her."} I remember one time when he brought Vicky home, she looked so bad. She

looked dirty.

7. All the cops in Harrisburg knew Vicky. She stayed in trouble. When she got arrested, most of the time, the cops would call Duffin. He would come down and talk the other cops into letting her go. Then he would bring her to my house or to my mother's house. She wouldn't listen to anything. She was addicted and willing to do anything

to get drugs. Sometimes, though, other cops didn't call Duffin and put Vicky in jail. When that happened, she would have to give them information on someone else to get released. Vicky testified against a bunch of people. She had to do it in order to get out of jail.

8. I also knew Tarajay Williams. Tarajay and I went to school together and he was close friends with Vicky. Tarajay was always well-dressed and looked nice. He was known as a ladies' man. He wasn't a fighter and tried to avoid getting into arguments with people.
9. I remember when Tarajay was killed. It was really sad because he was the third guy from Harrisburg killed within about a year. The other two who were killed were people Tarajay was hanging around with at the time. I think they were all killed in the same general vicinity of 14th and Market.
10. I remember the first time Vicky talked about Tarajay's murder. She said, "I know who did it." I asked who had done it and she said, "D did ^{that shit} ~~it~~". I asked her, "How do you know?" She said, "It happened out in the back of my house." Vicky did live at 14th and Market where Tarajay was killed. ^{I think JB} She lived at ^{about 1414 JB} ~~1404~~ Market Street with a friend. I believed her and didn't question her any further about it, ^{because the talk on the street was that D had done it. JB}
11. I'm not sure if Vicky's apartment was in her name or in her girlfriend's name. They had a constant stream of New York guys in and out of that place. The guys could walk from the back entrance to Fab's up to the back entrance of Vicky's building.
12. I don't know D's real name, but he was one of the New Yorkers who hung out at 14th & Market. He used to hang out with another guy who was really skinny. I can't

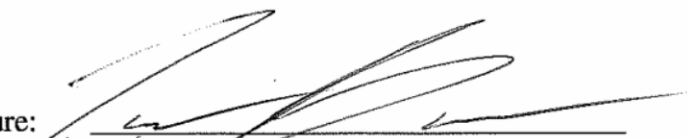
remember the skinny guy's nickname. D was vicious. He was a real nasty dude, who was known to have been involved in the other murders that happened on Market Street. People said that Tarajay's friends had messed up some money or something on a run for D or something. That led to one of Tarajay's friends being killed. I heard that Tarajay saw the shooting. He was marked because he was a witness to the murder. The night he was killed, I guess they finally caught up to him.

13. I remember another time when Vicky came to the house and we were talking about Tarajay again. She told me that she had just been downtown and made a statement. I assumed that she'd given a statement about D and I didn't ask her to go into detail about it.

14. I also knew Rameek and a guy Rameek hung out with all the time who had a large cyst on his forehead. I knew they were from New York and they were cool. Until I was recently approached by an investigator from the Federal Defender's Office, I had no idea that Vicky had testified against Rameek and his friend, or that Rameek and his friend were convicted of Tarajay's murder. I stopped seeing them around, so I assumed that they had gone back to New York or something. I stopped seeing D around, so I figured he was in jail. Vicky herself had told me that D murdered Tarajay. If I had known that she had testified against other people accused of the murder, I would have come forward years ago. I feel terrible that other people may have been convicted on the strength of her testimony.

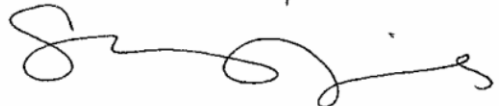
Affiant says nothing further.

I hereby certify that the facts set forth above are true and correct to the best of my personal knowledge, information, and belief, subject to the penalty of perjury, pursuant to 28 U.S.C. § 1746 & Pa. C.S. § 4904.

Signature: 

Date: 1/31/14

Sworn to and subscribed before me
this 31st day of January 20 14.



COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
SHARA J DAVIS, Notary Public
City of Philadelphia, Phila. County
My Commission Expires December 27, 2016