SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY: CRIMINAL TERM, PART
----------X
THE PEOPLE OF THE STATE OF NEW YORK,

NOTICE OF MOTION TO VACATE CONVICTIONS

-against-

Indictment No. 9946/1994

WAYNE GARDINE,

Defendant.
----------X

PLEASE TAKE NOTICE that upon the annexed affirmation of Lou Fox of The Legal Aid Society, attorney for the Defendant, Wayne Gardine, on consent of the New York County District Attorney's Office, a motion will be made for an Order vacating the judgment against Mr. Gardine on newly discovered evidence grounds, pursuant to C.P.L. § 440.10 (1)(g). Should the Court grant the requested Order of vacatur, the People will thereupon recommend that the underlying indictment be dismissed. This motion is to be heard on November 27, 2023, or as soon thereafter as counsel can be heard on a date determined by the Court.

Dated: New York, NY
November 14, 2023

Twyla Carter
Counsel for Defendant

By: Lou Fox

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SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY: CRIMINAL TERM, PART
----------X

THE PEOPLE OF THE STATE OF NEW YORK,

AFFIRMATION IN SUPPORT OF MOTION TO VACATE CONVICTION AND SENTENCE PURSUANT TO CPL §440.10

-against-

Indictment No. 9946/1994

WAYNE GARDINE,

Defendant.
----------X

Lou Fox, an attorney duly admitted to practice before the courts of this State, affirms under penalty of perjury pursuant to C.P.L.R. § 2106 as follows:

1. I am a staff attorney at The Legal Aid Society, and I submit this affirmation in support of this motion to vacate the defendant Wayne Gardine's conviction on consent of the People under Indictment No. 9946/1994 pursuant to C.P.L. § 440.10(1)(g) based on newly discovered evidence.

2. The facts stated in this affirmation are the findings of a joint investigation by The Legal Aid Society Wrongful Conviction Unit (WCU) and the District Attorney's Office of New York County (DANY) Post Conviction Justice Unit (PCJU) into Mr. Gardine's conviction and sentence for murder in the second degree, criminal possession of a weapon in the second degree, and criminal possession of a weapon in the third degree under Indictment No. 9946/1994.

3. This affirmation sets forth the factual and legal basis for the conclusion that vacatur of Mr. Gardine's conviction is required.

4. The factual statements in this affirmation are based upon a review of Mr. Gardine's court records and trial transcripts and other records of related cases, DANY's files, the records of the New York Police Department ["NYPD"] and other sources that pertain to this case and related cases, as well as interviews of numerous witnesses.

5. DANY consents to vacating the verdict based upon newly discovered evidence that seriously undermines the reliability of the People's sole inculpatory witness at trial. Moreover, considering the record as a whole, there exists no reliable evidence with which to re-prosecute Mr. Gardine under this indictment. Consequently, once the conviction is vacated, the parties ask that the indictment be dismissed.

6. As discussed more fully below, Mr. Gardine has always maintained that he is innocent of these crimes. While this motion is being brought under CPL § 440.10(1)(g), the defense asserts that there is sufficient evidence of actual innocence to vacate this conviction under the *Hamilton* standard. *People v. Hamilton*, 979 N.Y.S.2d 97 (2nd Dept. 2014). However, we are not asking the Court to address that issue in its decision.

INTRODUCTION

7. No physical or forensic evidence ever connected Mr. Gardine to this crime. The *only* evidence against him at trial was the word of a teenager who claimed to have witnessed the murder, was on felony probation for selling drugs at the time he first incriminated Mr. Gardine, and who changed his story several times between the incident and trial in statements to police, in the grand jury, at trial and post-conviction. This sole eyewitness, N.S., was also an unindicted

co-conspirator in an unrelated federal indictment for drug sales at the time of Mr. Gardine's trial, a fact that was never disclosed to defense counsel.

8. Just after midnight on September 3, 1994, Robert "Dak" Mickens was fatally shot 10 or 11 times in front of 208 Edgecombe Avenue in Harlem. He was 22 years old. Mr. Mickens was killed on a long stretch of Edgecombe Avenue, which runs up a hill from West 142nd Street to West 145th Street, which in 1994 was a notorious marketplace for the sale of marijuana and cocaine.[1] It was widely known that the portion of the block up the hill, closer to 145th, was controlled by Jamaican drug dealers, while the portion down the hill, closer to 142nd, was run by "American" drug dealers.[2] Mr. Mickens (an "American") was shot near the middle of the block, on the Jamaican side but near the line that divided each group's turf.[3]

9. Nineteen-year-old N.S. claimed that he was with his fourteen-year-old friend N.V. on Edgecomb Avenue when they observed their friend Dak being gunned down. Both N.S. and N.V. spoke to police on the night of the shooting; however, neither of them identified the shooter or claimed to know who he was.

10. The second teenage witness, N.V., never testified. However, today, consistent with N.S., N.V. confirms that he and N.S. were on the street together when the shooting took place, but *contrary* to N.S.' testimony, N.S. and N.V. were too far away to see or hear the shooter. N.V. also admitted that he and N.S. intentionally and knowingly falsely implicated Wayne Gardine as the shooter to the police. By doing so, N.S. and N.V. appeased their drug boss, who was also friends with the victim, and avoided having to retaliate for this murder.

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[1] In 1987, the FBI raided two buildings on the block as part of a nationwide sweep targeting Jamaican drug gangs. Federal agents took down another drug operation on the block in April 1996, this time ensnaring associates of N.S. *See USA v. Green et. al.* 96 Cr. 279 (SDNY). This was the indictment in which N.S. was an unindicted co-conspirator that is referenced in paragraph seven.

[2] See Exhibit A, Affidavit of N.V.

[3] See Exhibit B, Map of the Scene.

11. With no physical evidence linking Mr. Gardine to the shooting and no confession, the jury only heard from N.S., a local drug dealer whose *modus operandi* was to misrepresent hearsay as firsthand information, and as demonstrated through other unrelated cases, to provide information to law enforcement in an attempt to curry favor for himself with his own criminal charges. N.V.'s disinterested eyewitness account that directly controverts DANY's only eyewitness's veracity and explains his motivation to lie is without question newly discovered evidence.

FACTUAL BACKGROUND

The Police Investigation

12. By the time lead Detective Carlton Berkley arrived at the scene, a crowd had gathered. Other police had already responded, including his supervisor Detective Parson.[4] Shortly after Berkley arrived, Parson brought him to speak with two teens, N.S. and N.V.

13. Several hours after the shooting, Detective Carlton Berkley interviewed 19-year-old N.S. and 14-year-old N.V. at the 30th precinct.[5] Both of their statements contained the same description of the shooter as a Black male, age 22, 6 feet tall, 150-160 pounds, with a Jamaican accent, wearing a green and white shirt, and a black baseball cap. At the time, 20-year-old Wayne Gardine stood 5 feet 8 inches tall and weighed 135 pounds. Neither statement contained a name or nickname for the perpetrator.

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[4] In 2000, Parson was arrested on federal narcotics trafficking charges, accused of transporting and selling drugs while still working as an NYPD detective. Parson ultimately pleaded guilty to drug distribution conspiracy and served eight years in federal prison.

[5] In the early '90s, an investigation of the 3-0 by the independent Mollen Commission exposed the largest police corruption scandal in New York City history and earned the precinct the ignoble nickname the "Dirty 30." Over two years, the Commission found evidence of officers from the "Three-O" robbing and extorting protection money from drug dealers, and trafficking drugs themselves. The scandal led to the vacatur of 125 convictions, and the dismissal of charges against nearly 100 defendants.

14. At the time of Mr. Mickens' murder, N.S. was on felony probation for Attempted Criminal Possession of a Controlled Substance in the Third Degree in New York County.[6] And one month after the shooting, in October 1994, N.S. was arrested again for allegedly selling crack.[7] On October 5th, Detectives Lou Torrellas and Gerard DiMuro visited N.S. at the "Tombs" and, according to Detective Torrellas' hearing testimony, he showed N.S. one photo of Mr. Gardine (H. 80-81).[8] N.S. identified Mr. Gardine as "Tingaling," which was Mr. Gardine's nickname at the time.

15. N.S. would later testify that he heard the nickname "Tingaling" from a girl on the block and that he told Detective Berkley this nickname (H.15). It is unclear when N.S. told this to Berkley. Even though the description N.S. gave at the precinct did not match Mr. Gardine, and there was no evidence that N.S. knew the shooter, the police relied on the nickname Tingaling to obtain a photo of Mr. Gardine to show to N.S. And in what can only be described as an unduly suggestive identification procedure, N.S. identified Mr. Gardine as the shooter. N.S.'s identification alone formed the basis for the arrest and conviction of Mr. Gardine.

16. In a recent interview with Detective Berkley, he recalled that N.S. expected favors after his initial statement in the Mickens case, saying things like, "We're friends now, right?" and "I help you, you help me?" Berkley, new to the 30th Precinct, was unfamiliar with N.S. before the Mickens murder, but he said that after this case he came to view N.S. as unreliable. Berkley further explained that N.S. was often in the vicinity of violence but would only try to offer up information when he got arrested. This comports with N.S.'s attempts to provide information

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[6] Indictment No. 014320-91

[7] Despite these serious charges, N.S. testified that he received no benefit for his testimony in Mr. Gardine's case. He was nevertheless released from the Tombs shortly after identifying Wayne Gardine (T.44). Despite being on probation, the Probation Department never filed a violation of probation against N.S. for this 1994 indictment.

[8] Citations to the hearing transcript are cited as "H".

about shootings immediately after two of his 1997 arrests and his testimony in another murder trial two months before Mr. Gardine's trial.[9] Berkley also believed that N.S. was telling the younger N.V. what to say at the precinct the night of the shooting.

Mr. Gardine's Arrest

17. More than a month after the murder, and on the same day that N.S. "identified" Mr. Gardine from the lone photo, Detectives Berkley and Torrellas arrested Mr. Gardine while he was appearing in Bronx Criminal Court for an unrelated misdemeanor desk appearance ticket. Mr. Gardine immediately denied involvement in Dak's murder. He provided police with his alibi and gave them information about an alternate suspect who had a motive to shoot Dak based on a recent prior shooting between Dak and this suspect. Mr. Gardine also gave the police the names of individuals and contact information for people who had more information about the actual perpetrator. Detectives failed to investigate any of this information. Today, Detective Berkley attributes this failure to his inexperience as a homicide detective and the fact that more experienced officers discouraged him from continuing the investigation once Mr. Gardine was in custody.

Mr. Gardine's Alibi

18. Mr. Gardine has always said that he was in the Bronx at a dance hall concert with two friends when the murder occurred. One of these men, attested to having been with Mr. Gardine for several hours before and after the time of the shooting, which took place shortly after midnight. The WCU attempted to contact the other man, but he was reluctant to speak about that

[9] *People v. Sean Davis*, NY County Ind. No. 4958/95.

night. He has told mutual friends and Mr. Gardine's family members that he fears both potential immigration consequences and retaliation from the true perpetrator should he come forward. The deejay from the show, who is an acquaintance of Mr. Gardine, also attested to seeing Mr. Gardine at the show that night. Mr. Gardine has maintained that he is innocent of this crime from the time of his 1994 arrest at 20 years old through the entirety of his prison sentence, including at five parole hearings.

N.S.'s Inconsistent Narrative

19. The jury trial took place in June 1996. N.S. testified. N.V. did not.[10] N.S.'s trial testimony deviated from his earlier statements to law enforcement in several important ways, including where he and N.V. were standing when the shooting occurred, his description of the shooter, his account of the confrontation between the shooter and Robert Mickens, and the number of shooters.

20. The one thing that N.S. has consistently stated is that he and N.V. were standing together when the shooting occurred. However, his description of where they were standing changed dramatically. At trial, N.S. testified that he and N. V. were standing 20 feet away from the shooting when it happened (T.60).[11] However, in his initial statement to police, N.S. said that he and N.V. were outside the brownstone "just pas[t] 180 Edgecombe" which would be roughly *200*

[10] After the defense rested, defense counsel requested a missing witness charge as to N.V. In opposition to this request, ADA Hobbs stated that N.V. was not under the People's control as he was only 13 at the time of the incident (he was 14) and his mother was not letting him testify. In denying the charge, the judge referred to Berkley's testimony that he attempted to secure N.V.'s appearance at trial by "slipping" a subpoena under his door, but there is no record of a subpoena in the DA or court file. N.V. also attested that he never received a subpoena to testify at trial.

[11] Citations to the trial transcript are cited as "T."

feet from the shooting. And in the grand jury, N.S. testified that he and N.V. were in front of 180 Edgecombe, even further away.

21. N.S. also changed his description of the shooter to better fit Mr. Gardine, describing him as short and slim, a far cry from the description that he provided to Detective Berkley of a 6-foot-tall man weighing 150-160 pounds (H. 14, T. 72). N.S. also testified that he told Berkley at the precinct that he knew the shooter but did not know his name (T. 181-182). However, this information is not in his statement taken by Detective Berkley at the precinct or any other police report.

22. N.S. also testified that he did not hear the verbal interaction between the shooter and victim and that what he had testified to in the grand jury was based on what someone else had told him and not his personal knowledge. (T. 140-144, 176-177). N.S.'s admission undermined his earlier testimony that the shooter sold marijuana, that the argument was over drugs, and that he recognized the shooter as "Tingaling" by his voice. N.S. admitted he was incorporating second-hand information into his narrative, further undermining his credibility.

23. The post-conviction investigation further revealed that N.S. claimed on several different occasions that he saw a second person shooting at Mickens, which is not supported by the ballistic evidence and conflicts with N.V.'s account that there was only one shooter.[12] At the trial, N.S. testified that there was only one shooter.[13]

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[12] N.S. told a post-conviction defense investigator this in 2017 and said the same to the PCJU in 2023. N.S. also claimed that the second shooter had been shot recently by Robert Mickens. This "second shooter" was the same person that Mr. Gardine told police was the actual perpetrator in his post-arrest statement. Mr. Gardine also informed police of the prior shooting with Robert Mickens, but it was never investigated.

[13] Before trial, N.S. told a defense investigator that he saw a second Black male approach Mickens with Mr. Gardine. On cross-examination, N.S. denied having said that, but the court sustained the prosecutor's objection when defense counsel tried to impeach him with his prior inconsistent statement to the defense investigator. In response to a prior CPL 440.10 motion, the trial assistant admitted that N.S. had told her that there was a person who had previously shot at Mickens in the area that night but that she told him not to testify about it because it was hearsay. Subsequently, N.S. stated that in fact he had told the prosecutor that this person was a second shooter that

24. Today, recently retired ADA Lanita Hobbs acknowledges that N.S. had a habit of incorporating street gossip into his accounts as if it was his own firsthand knowledge, though she still stands by his testimony.

Newly Discovered Evidence — Eyewitness N. V.

25. N.V. did not make himself available to speak about Dak's shooting until early October 2022. The WCU reached N.V. at his home where he disclosed with certainty that: (a) he and N.S. were standing together in front of 180 Edgecombe Avenue when the shooting occurred (more than 200 feet away) and (b) that they were too far away to see the shooter's face or hear the shooter's voice.[14] Additionally, N.V. insisted that he and N.S. waited to approach the shooting location until after the shooter had run out of sight. He also stated that he did not recognize that the person who was shot was his friend Dak until he and N.S. were close to him as he lay on the ground.

26. N.V. further stated that, on the night of the murder, he and N.S. made a pact to pin Dak's murder on the rival Jamaican drug faction. He was unsure whether he gave Berkley the name Tingaling at the precinct or the exact words he spoke, including whether he said it was someone who looked like Tingaling."[15] According to N.V., N.S. talked him into going to the precinct, explaining that if one of the Jamaicans didn't go down for the murder through the court system, their drug boss would demand that they retaliate, because Dak was a close friend of his.

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night. Thus, knowing that N.S. had, at a minimum mentioned a second person in the area who had shot at the victim in the past, the prosecutor prevented the jury from hearing about him and prevented the defense from undermining N.S.' trial testimony that there was only one suspect.

[14] See Exhibit A, Affidavit of N.V.

[15] As part of the reinvestigation, both N.V. and N.S. were shown a photo of Wayne Gardine from 1994. Neither N.V. nor N.S. recognized him.

According to N.V., they based their assumption that the shooter was Jamaican solely on the fact that the shooting occurred on the Jamaican side of the block. They did not even hear the shooter's voice.

27. After N.V. reviewed the September 3, 1994, DD5 containing his statement to Detective Berkley at the precinct indicating that he and N.S. were 15 feet away from the shooting, he insisted that it made no sense because, had they been that close, they would have certainly been shot. Two photos, attached as Exhibit C, show two views from 180 Edgecombe looking toward the location of the shooting, 208 Edgecombe Avenue: the first was taken at the front door of 180 Edgecombe Avenue and the second from the northernmost edge of 180 Edgecombe Avenue, closest to the location of the shooting. The photos were taken at approximately 4:00 P.M. The block was dark when this shooting took place, but even in the daylight it is impossible to make out the face of the person in the photos. Hence, as N.V. claims, he and N.S. could not have seen the perpetrator's face from where they were standing.

28. The PCJU interviewed N.V. on February 21, 2023. He reiterated that that he was standing with N.S. and that they were too far away to see the faces of the shooter and victim. And he told the PCJU that he and N.S. agreed to implicate Mr. Gardine for Dak's murder to appease their drug boss.

N.V.'s Statements are Newly Discovered Evidence Under CPL § 440.10(1)(g)

29. N.V.'s statements that he and N.S. were standing together too far away to see or hear the shooter, and that they planned to pin the murder on Mr. Gardine to avoid being directed to retaliate against a Jamaican drug dealer, are newly discovered evidence under *People v. Hargrove* 162 A.D.3d 25 (2018).

30. While N.V. himself was known to law enforcement at the time of trial, at 16 years old, he was unwilling to cooperate. He only recently agreed to come forward after our office located him. See *People v. Stokes,* 83 A.D.2d 968 (2nd Dept. 1981) (evidence may be newly discovered, even where the facts to be adduced are known to the defendant at the time of trial, and where the witness himself is not newly discovered, but where the witness made detailed statements exculpating the defendant for the first time after trial).

31. N.V.'s narrative could not have been discovered with due diligence by Mr. Gardine before the trial, because it is clear from the record that, at the time of trial, N.V. was not cooperative. As a minor, he was under his mother's control, and according to the NYPD, he stopped cooperating with them and had not responded to a subpoena. If the People deemed N.V. a witness not available to them or within their control, the defense could hardly be expected to compel him to cooperate. In his recent affidavit, N.V. confirmed that he was not willing to testify because he didn't see the shooter's face and said that he warned Berkley that if they had compelled him to testify, he would have "act[ed] crazy on the stand."

32. Had the jury heard N.V.'s eyewitness account, there is a reasonable probability that the verdict would have been more favorable to Mr. Gardine. First, N.V.'s account is material to the issue because he was an eyewitness to the incident. Both N.V. and N.S. maintain that they were standing together when the shooting happened. Second, his testimony would not have been cumulative because it directly controverts the State's only eyewitness, as the State did not present any other evidence linking Mr. Gardine to the crime. N.V.'s testimony would have been that much more compelling to the jury given that N.S.'s testimony was inconsistent and included hearsay, and he had an open case when he identified Mr. Gardine. Given the relative weakness of the People's one witness identification case, N.V.'s eyewitness account, and his admission that

he and N.S. falsely implicated Mr. Gardine for their own gain, would have changed the outcome at trial. See *People v. Spencer,* 208 A.D.3d 1370 (2nd Dep't 2022) (To fully appreciate the likely effect of the new evidence at trial, it must be considered in the context of the relative strength of the People's evidence of guilt).

33. Finally, N.V.'s testimony would not be merely impeaching or contradictory because N.V. was also an eyewitness, and his narrative provides a motive for why he and N.S. lied to the police.

34. In sum, N.V.'s affidavit is powerful evidence that satisfies each prong of the newly discovered evidence criteria set forth in CPL § 440.10(1)(g); *see also People v. Salemi*, 309 NY2d 208 (1955). Thus, after hearing from N.V. it is likely that 12 jurors would *not* have voted unanimously to convict Mr. Gardine had this evidence been presented at trial.

WHEREFORE, Mr. Gardine respectfully requests that this Court grant the motion to vacate his convictions and sentence on consent of the People as to Indictment No. 9946/1994 pursuant to C.P.L. § 440.10 (1)(g) and enter an order vacating his convictions and sentence imposed under that indictment. And further upon vacatur of the conviction, DANY and Mr. Gardine ask the Court to dismiss Indictment No. 9946/1994.

By: Lou Fox

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Dated: November 14, 2023

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

People of the State of New York,

-against-

Wayne Gardine

Defendant.

Ind. No. 9946-1994

AFFIDAVIT OF N[redacted] V[redacted]

I, N[redacted] V[redacted], under penalties of perjury, here state:

1. This is my statement regarding the shooting of Robert David Mickens aka "Dak" shortly after midnight on September 3, 1994.
2. When the shooting occurred, I was standing in front of 180 Edgecombe Ave. with N[redacted] S[redacted] aka "Ali." I was 14 and Ali was 18. No one else was standing with us.
3. The northern end of Edgecombe near 145th was the Jamaican side and the southern end of Edgecombe near 142nd was the American side. Ali and I were on the American side, and the shooting occurred just over the border between the two sides, closer to the Jamaican side.

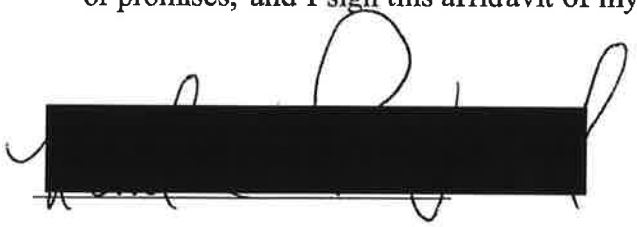
4. I saw two people on the even numbered side of the street having a verbal fight. I could not hear what they were saying. One person pushed a second person and then the second person pushed back.
5. I saw flashes come from the barrel of a gun and shouted in surprise. The shooter fired multiple times and the other person fell. After a moment, the shooter fired additional shots at the person who lay on the ground. I was closer to the shooting than Ali, who was several feet behind me when it happened.
6. I saw and heard the shooting but could not see the face of the shooter, because I was too far away.
7. Ali and I waited until the shooter was out of sight and then walked toward the middle of the block.
8. I did not know it was my friend Dak who was shot until I was a couple of houses away from where he was lying.
9. When Ali and I were standing over Dak's body, I was very angry and said to Ali that it was probably Tingaling. I said that because I assumed the shooter was Jamaican since the shooting happened on that end of the block and because the shooter was short and skinny just like Tingaling. Ali replied, "Fuck it, it *was* Tingaling." I understood that to mean that we were settling on saying it was Tingaling even though I hadn't seen the shooter's face.
10. I did not want to talk to the police, but Ali insisted that we go. He said that we had to talk, or our boss would demand that we retaliate for Dak's murder, that it would hurt business if the murder wasn't solved, and that one of the Jamaicans had to go down for Dak's

murder. Ali and I got our stories together before we spoke to the police.

11. Ali and I walked to the 30th Precinct that night and were interviewed by a detective. I told the detective that I saw two people push each other and that I saw one person shoot the other. I either told him that the shooter had a similar stature to a man I knew as Tingaling or I told him that it was Tingaling.
12. I have reviewed my statement from that night and parts of it are inaccurate. No one was with Ali and I when this happened, and I do not know anyone named Mike or Manny. I did not get closer to the shooting while it was happening. I only got closer after it was over. I was not 15 feet away. I was further away, in front of 180 Edgecombe. I don't remember the shooter turning and looking towards me before running away.
13. I don't recall reading the written statement before signing it. I was only 14 and my parents were not there.
14. Dak's mother was also at the precinct that night. Ali and I knew Dak's mother and we wanted to help her find out what happened to her son.
15. Over a year later, a male and female detective came to my apartment to try to get me to testify. I told the detectives that I was not willing to testify because I didn't see the shooter's face. I told them that if they subpoenaed me, I would not be helpful to their case, because I would act crazy on the stand. I did not hear from the NYPD or DA's office again after that.
16. I never received a subpoena to testify at any court proceeding related to this murder, and my mother never mentioned having received one.

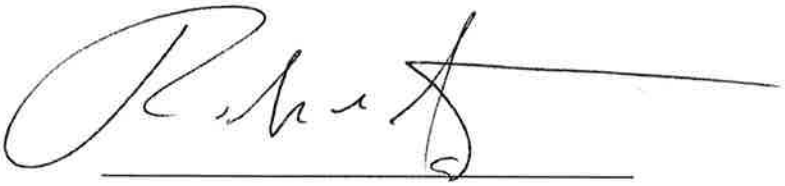
17. I was contacted a few years ago by an investigator for Mr. Gardine, but I did not want to get involved. I am speaking now because my conscience got to me, and I wanted to tell the truth.

18. I hereby acknowledge that this Affidavit is made freely and independently of any threats or promises, and I sign this affidavit of my own free will.



N[redacted] V[redacted]

SWORN to me this 25th day of October, 2022.



NOTARY PUBLIC

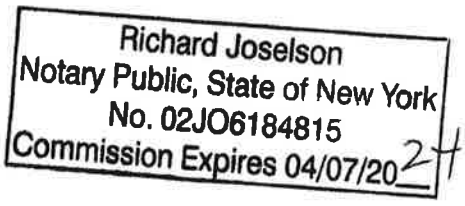


EXHIBIT B

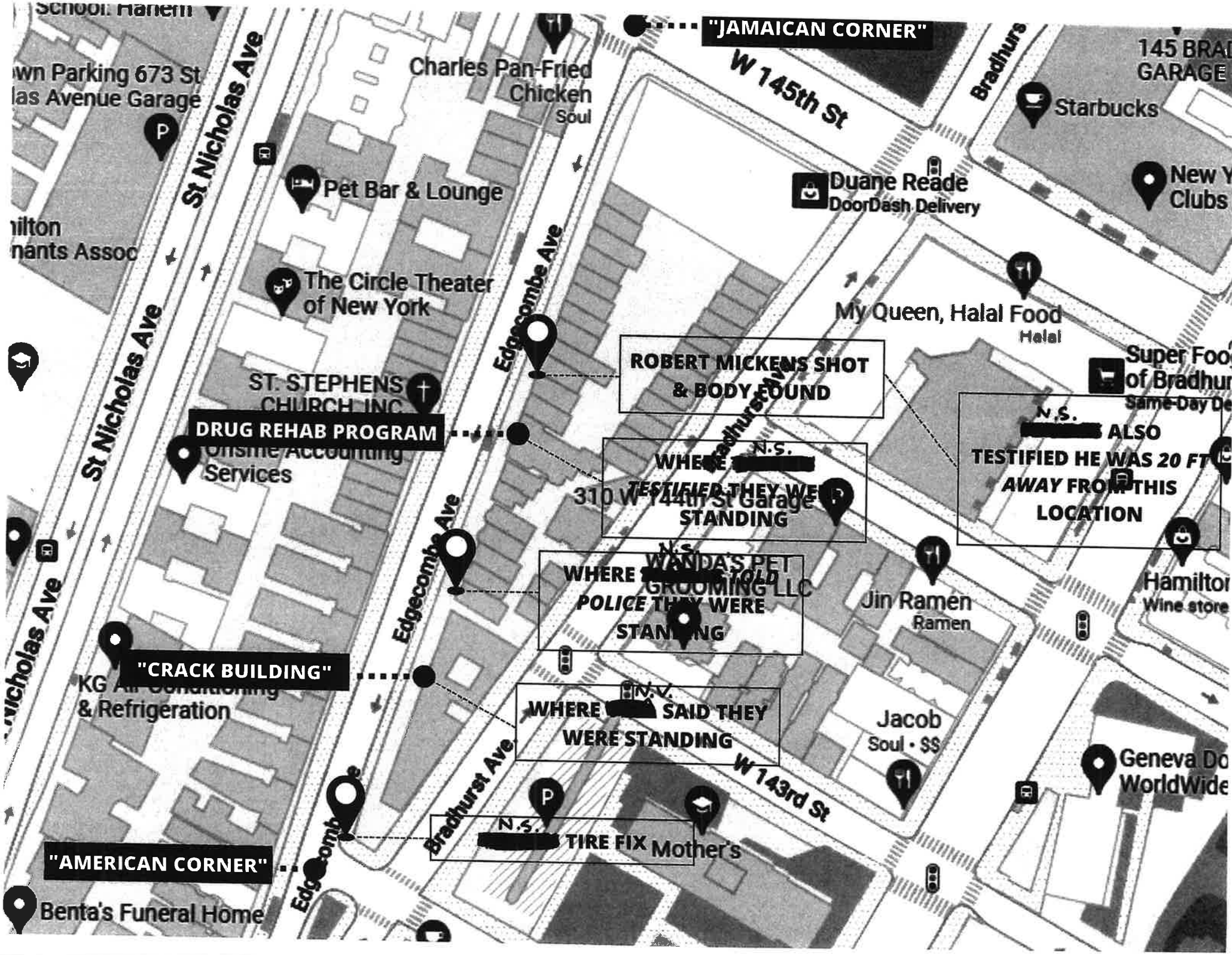

"JAMAICAN CORNER"
W 145th St
Bradhurst
145 BRA
GARAGE
Starbucks
New Y
Clubs
Duane Reade
DoorDash Delivery
Charles Pan-Fried Chicken
Soul
Pet Bar & Lounge
St Nicholas Ave
Edgecombe Ave
The Circle Theater of New York
My Queen, Halal Food
Halal
Super Foo
of Bradhur
Same-Day De
ROBERT MICKENS SHOT & BODY FOUND
ST. STEPHENS CHURCH INC
DRUG REHAB PROGRAM
Services
N.S.
ALSO TESTIFIED HE WAS 20 FT AWAY FROM THIS LOCATION
WHERE N.S. TESTIFIED THEY WERE STANDING
310 W 144th St Garage
WANDA'S PET GROOMING LLC
WHERE N.S. TOLD POLICE THEY WERE STANDING
Jin Ramen
Ramen
Hamilton
Wine store
"CRACK BUILDING"
& Refrigeration
N.V.
WHERE SAID THEY WERE STANDING
Jacob
Soul · $$
W 143rd St
Geneva Do
WorldWide
N.S.
TIRE FIX
Mother's
"AMERICAN CORNER"
Benta's Funeral Home

EXHIBIT C

