

IN RE: CLEMENCY APPLICATION
OF TYRA PATTERSON

)
)
)
)
)
)
)

AFFIDAVIT OF STEVE GUY

I, Steve Guy, under penalty of perjury and having been sworn to tell the truth, state the following:

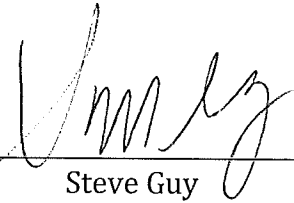
1. I'm a sixty-six year-old man who lives in Montgomery County, Ohio.
2. I have personal knowledge of the facts stated below and am of sound mind.
3. In 1995, I was on the jury in *State v. Tyra Patterson*, 94-CR-2753. The case was about the shooting death of Michelle Lai, and we convicted Tyra Patterson of aggravated robbery and aggravated murder.
4. At the time that I served as a juror, I did not have doubts about convicting Tyra. I don't remember everything clearly because it all took place nineteen years ago, but I do remember that the defense did not present us with any evidence that gave me any reason to have doubts.
5. On June 21, 2013, I spoke with Kris Burgess and Donna Harati, two law clerks working with David Singleton, Tyra's lawyer. The materials they presented me with cast serious doubt over whether Tyra was actually guilty of murder and robbery.
6. Mr. Burgess and Ms. Harati played a recording of a 911 call that Tyra made shortly after the incident. In the call, Tyra told the police dispatcher that she had heard gunshots, that girls in a car were being robbed, that

one of the girls was screaming, and that the police needed to “hurry up” and come. The defense did not introduce this call at trial; I would definitely remember if they had.

7. If Tyra’s attorneys would’ve presented the 911 call, it would have certainly cast doubt in my mind. The 911 call shows that Tyra reacted differently than someone who is only looking out for herself. The call showed concern for the victim. I think the fact that Tyra called 911 is inconsistent behavior for someone who supposedly committed aggravated murder and aggravated robbery. If she had truly been guilty, she would’ve been concerned with covering up for herself instead of calling 911.
8. The fact that she gave an incorrect name after the dispatcher asked for her identity does not take away from the value of the 911 call for me. The dispatcher asked for Tyra’s name as Tyra was about to hang up after summoning help. It sounded like the dispatcher’s question caught Tyra off guard. Having read a draft of Tyra’s affidavit, I can understand why she may have hesitated to identify herself correctly. In any event, Tyra used her real name later in the call.
9. I feel the same way about the fact that Tyra said during the call that she had heard about the robbery from a girlfriend. The fact that she may have been afraid to place herself at the scene does not mean that she is guilty of the things the government said she did.

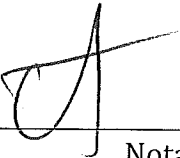
10. In addition to playing the 911 call, Mr. Burgess and Ms. Harati gave me a copy of the transcript of Holly Lai's testimony at Kellie Johnson's trial.
11. I don't remember whether or not the defense called our attention to this transcript.
12. During deliberations, I remember having no doubt that Tyra reached into the car and grabbed the necklace. But after reading Holly Lai's testimony in Kellie Johnson's trial, I am sure that I would have doubted whether Tyra actually took the necklace off of the girl in the car.
13. If the defense used the transcript, it must've gotten lost in the fact that Tyra confessed. Tyra's confession played a pretty large role in the jury deliberations. Looking back, the fact that the defense never disputed her confession was a big mistake, especially if Tyra was claiming to be innocent.
14. The defense just conceded her confession. It seems like they just took the easy way out. I now believe that Tyra's confession was false, especially in light of her 911 call, which casts doubt on her guilt, and the testimony of Holly Lai at Kellie Johnson's trial that it was Kellie who grabbed the necklace.
15. I don't think justice has been served in this case. I feel badly for Tyra because she's had nineteen years of her life taken away. I feel like if she were to have been charged with anything at all, it should have been something with little or no jail time. A lot of this was about her simply

being in the wrong place at the wrong time. I hope she can leave prison soon.



Steve Guy

Sworn to and subscribed in my presence this 25th day of June, 2013.



Notary Public



David A. Singleton, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.