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August 6, 2013

Ohio Parole Board
Ohio Department of Rehabilitation
and Correction
770 West Broad Street
Columbus, Ohio 43222

Re: Clemency Application of Tyra L. Patterson

Dear Members of the Board,

This purpose of this letter is to supplement and clarify the clemency application submitted on July 2, 2013, on behalf of Tyra Patterson in Case No. 94 CR 2753, Montgomery County Court of Common Pleas.

As we stated in our original letter, Tyra is innocent of the crimes the jury convicted her of, those crimes being aggravated robbery and aggravated murder. As the evidence demonstrates, she is innocent because she did not participate in the robbery, tried to stop it, and then called 911 later to get help. Tyra acknowledges that she was not free of wrongdoing that night because she picked up a necklace from the ground as she was leaving the scene. However, while this act may have constituted a misdemeanor theft offense,¹ it certainly was not a robbery. Robbery is a theft committed by force or the threat of force.² Because Tyra did not use force to take the necklace, but instead picked it up from the ground, and because she did not otherwise help the co-defendants to commit robbery but in fact tried to stop it, she is innocent of that crime. And because, she did not take part in the robbery, she should not have been convicted of murder under the felony murder doctrine.³

There is a significant legal distinction between taking a necklace by force and picking a necklace up from the ground. As you consider Tyra's clemency petition, we ask that you take into account this distinction.

Sincerely,

David A. Singleton
Executive Director
Attorney at Law

¹ See R.C. § 2913.02.

² See R.C. § 2911.01-aggravated robbery; R.C. § 2911.02-robbery.

³ See R.C. § 2903.01-aggravated murder; R.C. § 2903.02-murder.

Re: Tyra Patterson Supplemental Clemency Application

August 6, 2013

Page 2

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