

DECLARATION-OF BILLY BROWN

I, Billy Brown, declare as follow:

1. On February 7, 1978, I was returning to Fresno from Sacramento in a car with the following passengers: Doug Stankewitz, Marian Stankewitz, Roger Stankewitz, Jerry Calzaldo [sic], Teena Topping, and Marlin Lewis.

2. We were questioned by Manteca police officers when we stopped in Manteca at a convenience store to buy motor oil. We were all taken to the police station and questioned about who owned the car. The officers released us but kept the car.

3. During our questioning, the police took a gun from Marian Stankewitz but returned it to her when we left the station. I only saw the gun that one time, when it was returned to Marian Stankewitz.

4. After spending the night at the Manteca bus station waiting for a bus, Doug Stankewitz, Teena Topping, Marlin Lewis and I decided to hitch-hike to Fresno. We were able to get a ride to Modesto, but we could not get a ride after that. At that point, we decided to get car.

5. I stood near a telephone booth which was at the front of the K-MART store. While I stood by the telephone booth, the victim [Teresa Greybeal] came out of the K-Mart. Next, I heard a horn honking and Teena Topping yelling to me to get into the car.

6. As I got into the back seat of the car, I saw

Marlin Lewis, who was also in the back seat, with his arm around the victim's throat and a knife in his hand to the victim's throat. The victim was seated in the middle of the front seat. Doug Stankewitz was seated in the front passenger seat and I did not see him with a gun. Teena Topping was the driver of the car.

7. We drove to Fresno to the Chinatown area. At some point, we picked up Christina Menchaca at a bar. We then went to 10th and Vine Streets in Fresno to pick up drugs. After Christina got out of the car and went to a house nearby, Doug Stankewitz, Marlin Lewis and I got out of the car. As I was just getting out of the car, Teena Topping called me back into the car where she was still behind the wheel. When I slid into the front seat onto the console, I heard a gun shot. I looked to the right and saw Doug Stankewitz and Marlin Lewis coming toward the car. Teresa Greybeal was already on the ground.

7. I did not at any time see Doug Stankewitz holding a gun. I did not see who pulled the trigger.

8. When everybody was in the car, Marlin Lewis said "could we have dropped her or could we have dropped her." I never heard Doug say anything about "dropping her." Rather, it was Lewis who said that. Doug Stankewitz said "let's go." At that point, we left the area.

9. After they dropped me off at my house, I told my mother about the shooting and she called the police.

10. I was told by the district attorney, James

Ardaiz, that ~~if~~ I did not testify, they would charge me with homicide. I was "pressured up the ass." Three to four weeks before the trial, I was "schooled" by the district attorney regarding my testimony.

11. I remember going to Ardaiz's office on weekends so that he could go over my testimony. I was always being taken out of juvenile hall by Ardaiz or one of the detectives to go over my testimony. If I did not say what they wanted, they would threaten me with homicide charges.

12. The district attorney promised me a new identity and they said they were going to move me out of Fresno with my mother. My mother was aware of these promises.

13. Prior to me testifying, Detective Jim Spralding [sic] gave me a mickey of Thunderbird wine to relax my nerves. Ardaiz knew that he gave me the wine because he told me to go brush my teeth because I smelled of alcohol.

14. I was usually "buzzed" on the stand.

16. At one point, I testified to a fact the way I thought it was, but the district attorney pulled me off the stand and told me "no this is the way it happened." I went back and testified to that fact.

17. The district attorney said I would be in contempt of court and my immunity would be lifted if I did not attend the second trial.

18. I was not approached by Hugh Goodwin, Doug

Stankewitz's attorney. He never interviewed me.

I have given this four page statement of my own free will, without promise of reward or threat of coercion of any kind. It was read to me and I had the opportunity to revise it. I swear under penalty of perjury that this Declaration is entirely true.

Executed this 20 day of sept 1993, at
Fresno, CA.

Bill Brown

Billy Brown

I Received

This document