

April 23, 2013

Greetings:

I'm sure you've read or heard about a former Texas prosecutor, now judge, arrested for withholding evidence that led to Michael Morton spending 25 years of his life in prison for crimes he did not commit

(<http://online.wsj.com/article/SB10001424127887323309604578433032759359460.html>).

In Rodney K. Stanberry's case, the prosecutor in his case, Joe Carl Buzz Jordan, said, under oath, that he went to Rikers Island prison while visiting family in New York to see if the person they state claims was the shooter existed. On vacation so no notes were taken

(http://freerodneystanberry.com/yahoo_site_admin/assets/docs/20100914155013.256151941.pdf). Understand, the District Attorney's office had this statement from that person in 1992- so it is hard to imagine that this was an "I'm on vacation, why don't I just visit Rikers Prison" visit.

John Tyson, Jr. (Mobile DA- 1994-2010) says in this letter that Jordan travelled to New York in an effort to interview the person his office said was the shooter. Specifically, he says in this letter: "...and Mr. Jordan actually visited Mr. Barbosa in Rykers (sic) Island Prison in New York as he was trying to discover the truth about the case:

http://freerodneystanberry.com/yahoo_site_admin/assets/docs/09-07-2010_121703PM.24992718.BMP)

Former ADA and now head of the Criminal division of the U.S. Attorney's Office, Southern District of Alabama John Cherry in this letter says there are boxes of material about Rodney's case

(http://freerodneystanberry.com/yahoo_site_admin/assets/docs/20100914154832.256154014.pdf). And according to a recent article written by Brendan Kirby in the *Mobile Register* about whether prosecutors improperly struck potential African American jurors in a 1994 case, U.S. Attorney Cherry, who was the lead prosecutor on the case written about by Kirby, read from notes he had from 1994, thus notes from Jordan's visit from New York must be available, if Tyson is correct in saying that Jordan travelled there to visit Rene. Here is a link to Kirby's article published on April 22, 2013 (http://blog.al.com/live/2013/04/prosecutors_improperly_struck.html#incart_m-rpt-2)

I asked John Tyson, Jr. to be sure that all material relating to Rodney's case is preserved as he is leaving office. His one line response was "Dear M. Stanberry, We will not destroy any records in this office. Never have, never will. Sincerely, John M. Tyson, Jr. District Attorney." Date Tuesday, December 7, 2010.

Current Mobile County District Attorney Ashley Rich (2011-) was on a radio show campaigning as she was running for office. As I state on our webpage: "Ashley Rich, a Mobile Assistant DA for 14 years and current candidate to replace John Tyson, Jr. said on a radio show in Mobile, AL on September 16, 2010 during the 7am (cst) hour in response to a question about the Duke LaCrosse case and prosecutors withholding exculpatory evidence: "If as a prosecutor you do not

disclose exculpatory evidence, your career is over. Integrity is something that is so important because when you are a prosecutor, you not only have the duty to prosecute people and to put people in jail, but you also have a duty to uphold the law. You have the duty to do that with integrity and with the ethical standards in place... You must disclose exculpatory evidence because if you don't, nothing good comes from it and essentially you have prosecuted someone who may not have committed the crimes because you didn't disclose exculpatory evidence. It is good that we have the Duke LaCrosse case as an example of what not to do." She went on to say that she would reopen a case and evidence should be reviewed
(http://www.freerodneystanberry.com/key_documents_in_rodneys_case)

When one has exhausted appeals in Alabama, how does an innocent man get justice? The DA's Office has shown that truth and justice isn't as important as the conviction. The Mobile District Attorney's Office stated in response to a question by a journalist about Rodney's case the following: "In an exclusive interview with NewsOne, District Attorney's Office Chief Investigator Mike Morgan, brushes those facts aside, stating that there is still no reason for Rodney Stanberry to be granted another trial:

"All the evidence was heard by the judge during the trial. A decision was made not to allow the jury to hear Terrell Moore's testimony. A jury found Mr. Stanberry guilty after a trial; that's why we have a jury system. I will agree with your statement that eye-witness testimony is the most unreliable testimony, but not in this case. Valerie Finley identified Stanberry; she knew him.

For there to be a new trial, "new and compelling" testimony would have to be presented. Even if the jury was not allowed to hear Moore's testimony, that was a decision made by the judge."
(<http://newsone.com/1809115/rodney-k-stanberry-is-alabama-still-the-land-of-jim-crow/>)

I ask you, what can be more compelling than a prosecutor withholding evidence that further proves that the defendant is innocent? In the State of Texas, it was enough to arrest a prosecutor. District Attorney Ashley Rich said this was a very serious matter to her-when she was running for office. She should personally review Rodney's case and do what is in her power to release Rodney K. Stanberry, who is in his 17th year of a wrongful conviction. You can ask her about it. The numbers to her office are (251) 574-5000, 574-6685 and 574-8400 (Mike Morgan). She can also be reached at ashleyrich@mobileda.org.

Sincerely,

Artemesia Stanberry

artemesia@freerodneystanberry.com

Other compelling evidence- here is the link to the confession made by one of the two people ACTUALLY involved in the brutal crimes against the victim:
http://freerodneystanberry.com/yahoo_site_admin/assets/docs/20100914155256.256155350.pdf
Terrell Moore was given testimonial Immunity by Assistant District Attorney Buzz Jordan under one condition- that he tells the truth. As you see by clicking on the agreement above, the

Agreement was approved and signed by Joe C. Jordan, Terrell Moore, and Robert F. Clark on April 2, 1993. Rodney's Trial was in March 1995.

<http://freerodneystanberry.com/blog/2013/04/22/when-texas-gets-it-right-former-prosecutor-held-criminally-responsible-for-putting-innocent-man-in-prison/>

Here is a thorough investigative piece about Rodney's case:

http://www.bostonreview.net/BR38.2/beth_schwartzapfel_valerie_finley_innocent_convictions.php