

## FAX COVER

Date: September 16, 2004

To: All William J. Mayo Supporters  
Advocates  
Media

From: Kimberly Todd, President  
WJM Innocence Coalition  
770-998-3337

The attached letter explains some recent developments with regard to what caused the wrongful conviction of William Jonathan Mayo.

The letter is being hand delivered to the Chief Judge of Cobb County on Friday September 17, to ask immediate action in the form of re-opening and launching an investigation into the case of William Jonathan Mayo [91-9-4138].

We need your immediate assistance. In response to the request to Judge Staley in the letter I would like you to call, fax and/or write the Judge with your support of the case being reopening and investigated given the recent turn of events on Monday September 13, 2004.

To the Media -- I ask that you please call Judge Staley and inquire about this request.

It is very important to move on this as soon as possible. September 27, 2004 is a key deadline date in this process – to encourage Judge Staley to move on this request. Please make your faxes, calls and inquiries well before September 27, 2004.

**Contact:**

**Chief Judge Mary E. Staley  
Cobb County Superior Court  
30 Waddell Street  
Marietta, GA 30090  
Phone: 770-528-1818  
Fax: 770-528-1812**

Thank you for your continued assistance in the struggle.  
Please let me know when you have made contact with Judge Staley.  
If you have additional questions please don't hesitate to contact me.

**WJM Freedom Ministry, Inc. &**

# The WJM Innocence Coalition



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September 16, 2004

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Chief Judge Mary E. Staley  
Cobb County Superior Court  
30 Waddell Street  
Marietta, GA 30090

**RE: Letter To Prevent A Miscarriage Of Justice**

Dear Hon. Judge Staley:

On behalf of the WJM Innocence Coalition who supports William Jonathan Mayo, we respectfully ask that you would strongly consider reopening the case of the State of Georgia vs. William Jonathan Mayo (91-9-4138). William Jonathan Mayo was charged of the following crimes -- committed in Smyrna, Georgia on November 3, 1991; two (2) counts of ARMED ROBBERY, two (2) counts of AGGRAVATED ASSAULT and BURGLARY. Mayo contended his innocence and was tried before a jury. On April 3, 1992 Mr. Mayo was found guilty on all counts in a Cobb County Superior Court and was sentenced to two (2) life sentences for the ARMED ROBBERY charges, two (2) twenty year sentences for AGGRAVATED ASSAULT charges and twenty years of probation on the BURGLARY charge. Twelve years later Mr. Mayo still contends his innocence and has been searching for the information that would eventually bring his freedom.

Acknowledging that you have jurisdiction over all witnesses and parties involved in this case, we ask you to please -- immediately conduct an independent reinvestigation of this case in an effort to stop a miscarriage of justice that we strongly believe is already in progress. We have clear and convincing evidence and documentation (i.e. affidavits, police and prosecutor notes) that Cobb County Assistant DA Irvan Pearlberg knew or should have known -- based on his own affidavit of December 28, 1995 that [four (4) states witnesses who testified on behalf of the State and before a jury] had pending charges in Cobb County, Dekalb County, Fulton and Gwinnett Counties as well as warrants for their arrests when they testified in the State's case [91-9-4138] against William Jonathan Mayo.

With regard to one of the State's key witnesses (Brandon Hill), it has been proven through documentation but not ever acknowledged in a court that Brandon Hill committed perjury in the case of "State of Georgia vs. William Jonathan Mayo, 91-9-4138".

Brandon Hill (alias) / Claude Benjamin Jenkins (real name), testified as a witness for the prosecution in the above mentioned case -- when asked his name

*"Do you know what it means to incarcerate an innocent man?  
It is kidnapping, it is torture, and in the case of capital punishment, it is murder!"*  
-Rubin "Hurricane" Carter- ( A supporter of William J. Mayo )

under oath – stated it to be Brandon Hill. It was not until the year 2000 after a diligent search by Mayo's support group did we have proof that Brandon Hill was a career criminal and his name was not actually Brandon Hill but instead Claude Benjamin Jenkins.

In the attached affidavit written by Private Investigator JC Brooks, it establishes that during the time Brandon Hill testified against Mayo he was out on bond, stemming from a Cobb County arrest for *THEFT BY RECEIVING* -- using the name of Brandon Hill. At the same time he was on probation for COCAINE charges in Gwinnett County, under the name of Claude Jenkins. A review of this report shows that the Cobb County *THEFT BY RECEIVING* charge was never prosecuted even after being arrested in Dekalb County on April 30, 1992 for FORGERY, which was only 27 days after his testimony in the Mayo trial. A bench warrant was issued in October of 1992 for his failure to appear to this charge and in 1995 the Honorable Judge Dorothy A. Robinson ordered the case DEAD DOCKETED pending the arrest of the accused.

Mayo's supporters have diligently sought the answers to free him and have long suspected that the answers lay within the false testimonies of the State's witnesses. Through the hire of various Private Investigators and the cooperation of the Cobb County Sheriff Department (Investigator Gurley), Brandon Hill/Claude Benjamin Jenkins was finally located and arrested on July 22, 2004 on this twelve year old *THEFT BY RECEIVING* Cobb County bench warrant – case no. 92-3014. On Friday at 4:30 PM Mayo's supporters learned that Hill/Jenkins was having some kind of court hearing on Monday September 13, 2004 before Judge Dorothy Robinson in Cobb County Superior Court.

We felt it would be best for someone from the Mayo team to be present at the court proceeding scheduled for Jenkins on Monday, September 13, 2004. I Kimberly Todd, supporter, President and Co-founder of the WJM Innocence Coalition attended the hearing for Hill/Jenkins – coming prepared to try and get information regarding Hill/Jenkins before the Judge. The proceeding happened to be a plea hearing – the defendant's Attorney Vick Reynolds and Cobb County Asst. DA Scott Smith had come to an agreement for Hill/Jenkins of five (5) years Probation and 240 hours Community Service.

Having heard this offer and knowing that if Hill/Jenkins was released – he would never be found again, I raised my hand and asked the Judge if I may please address the court – which she granted. First stating my name for the record I informed the court that the reason this defendant was before her on this day was because of the efforts of myself and William Mayo's support group – and the fact that he gave false testimony in Mayo's trial which resulted in an innocent person – someone who considered Hill/Jenkins a friend to go to prison for life. I further informed the court that Jenkins was out on bond for this case in 1992 when he testified falsely in the case of State of Georgia vs. William Mayo.

After my testimony, Judge Robinson did not allow the plea agreement to occur – stating that she did not feel comfortable letting Mr. Jenkins go. Judge Robinson did not have the defendants GBI report and expressed being very concerned [emphasis added] as to why this case had been outstanding for 12 years. She stated that it sounds like Mr. Jenkins might have perjured himself and she doesn't want to create a problem for the State. She charged the Asst. DA Scott Smith to find out more about this situation -- and did not release Jenkins on September 13th.<sup>1</sup>

States witness Patrick Burnett is currently being sought by NYPD Fugitive Squad in conjunction with the Dekalb County Fugitive Squad (Investigator Reggie Smith) for extradition back to Georgia to face the 1992 Dekalb County indictment which was also pending when he testified for the State in during

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<sup>1</sup> Judge Robinson has rescheduled the hearing for Claude Benjamin Jenkins for September 27, 2004.

Mayo's trial. Patrick Burnett is wanted in four (4) additional counties in Georgia including Cobb County. Mayo's support group is also responsible for bringing this twelve year old case to the attention of Dekalb County's Asst. District Attorney Kim Sanders and the Dekalb County Fugitive Squad. It's interesting that even though there were no motions of Nolle Prosequi filed in either case for Brandon Hill or Patrick Burnett – they have never been prosecuted on these twelve year old cases which were certainly pending when they testified for the State in Mayo's 1992 trial. It appears apparent that there must have been some cooperation [deals made] with the prosecution to avoid being prosecuted on these charges.

Honorable Judge Staley, in the interest of justice we the citizens of Georgia and elsewhere request that you would re-open this case begin an independent re-investigation and set for hearing on or before September 27<sup>th</sup> which is when Claude Benjamin Jenkins is scheduled to re-appear before Judge Robinson -- to answer for the twelve year old case of *THEFT BY RECEIVING*. We ask that you would initiate a Writ Of Habeas Corpus Ad Testificandum bringing the following witnesses back to Court for this investigation in a formal hearing:

**William Jonathan Mayo – GDC 693216 Hays State Prison, Trion, GA**

- Contends Innocence

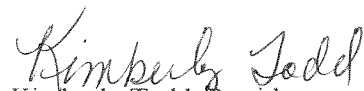
**Tyrone Wilson – GDC 695360 – Floyd County CI, Rome GA**

- Pled Guilty
- Testified for the Prosecution
- Had Gun Charge in Chicago – Information was not revealed by prosecution
- 1993 & 1995 Recanted his original trial testimony – exonerating Mayo of participation in the crime

**Dale Thomas (alias name) – GDC 695361 – Autry State Prison, Pelham, GA**

- Pled Guilty
- Testified for the State of Georgia using a false name -- Odell Thornton (real name)
- Was on probation from a Cook County, Illinois Burglary Charge – Information was not revealed by the prosecution.
- 1993 & 1995 Recanted his original trial testimony -- exonerating Mayo of participation in the crimes he and Tyrone Wilson Committed

Most Sincerely,

  
Kimberly Todd, President  
WJM Innocence Coalition

Cc: Erica Farris, Vice President, WJM Innocence Coalition, Cincinnati, OH  
Dawn Wach, Project Coordinator, WJM Innocence Coalition, Long Island, NY  
William Solomon, Project Coordinator, WJM Innocence Coalition, Morehouse College, Atlanta, GA  
Margaret Haule, Adocate/Volunteer, Houston, TX  
Aimee Maxwell, Georgia Innocence Project  
William Gallagher, Attorney, Ohio Innocence Project  
Doug Tjapkes, INNOCENT!  
Lon Rose, Attorney AIDWYC (Association in Defense of Wrongly Convicted) – Toronto  
Jeff Brandt, Attorney – Cincinnati, OH  
Win Waher, Executive Asst. AIDWYC – Toronto

Grace Castle, Clues On Line (Private Investigations Publication)  
Kevin Nesbitt, VP Bank One, Cleveland, OH  
Meria Heller, The Meria Heller Show  
Toronto Star News Paper  
Jennifer Leslie, WXIA TV11, Atlanta, GA  
Paula Toti, WKRC TV12, Cincinnati, OH  
Kimberly Wright, Producer Montel William Show, New York  
Natalee Drummond, Attorney, Court Radio  
Denise Amos, Cincinnati Enquirer, Cincinnati, OH  
Thanh Truong, WMAZ, TV-13, Macon, GA