

AFFIDAVIT OF DEFENSE C. 1. 1

I am 35 years of age. I was arrested March 17, 1987 and convicted March 18, 1988 of possession of marijuana and methamphetamine, a felony. I received a five year sentence under Act 378 and served four months at the Arkansas Department of Corrections. I was arrested by Dan Chandler of the Little Rock Police Department. I have known Troy Warner thirteen years.

Jay Campbell made an offer to me in February, 1987 to sell marijuana, methamphetamine and to run a crack house in Benton, to make crack out of cocaine. He offered me \$100,000 per month. The offer was made over the telephone. I did not know him before that time. He told me he knew all about me, what I was selling, when I got it, what vehicles brought it and told me that he meant business and wasn't just out to bust me because he already had ample evidence to bust me. Campbell promised me protection from arrest. I declined the offer.

After that, David Zimmerman introduced me to Jay Campbell at Wyck's, a night club in Little Rock. This was in September, 1987 after I was arrested. After that, David Zimmerman made a similar offer to Troy Warner. The next week, Campbell called me again and asked if I was ready to go to work for him. The terms of the offer were the same. After that, David Zimmerman came to me several times trying to get me to work for Jay Campbell. David Zimmerman said that the drugs would be delivered to me in a police car and that I would be taken care of and people would be kept off me. Just before Campbell made his second offer, I was with David Zimmerman in Benton. He drove down there to collect some money. While down there he said, "We've got to go over and park across the Benton Police Department for a minute and I've got to see about something." We parked across the street and I saw Larry Dill take a package, wrapped the way I have seen 50 pound bails of marijuana wrapped, in brown paper out of the police department and put it in a police car trunk. David Zimmerman said, "We've got to go."

We left before Dill did. At the time, David Zimmerman did not have any marijuana we could smoke ourselves. David Zimmerman dropped

me off and left. I'll see you in 30 minutes. About 30 minutes later, he came back to my house and brought me a half pound of marijuana and a bottle of crystal methamphetamine which contained about two ounces. I did not tell anyone but Troy Warner. After Jay Campbell made his second offer, I followed him several times from August to November, 1987 to Sawmill Road in Pulaski County. When he turned onto a gravel road, I stopped, but from that point I could smell methamphetamine.

I left March 18 for Pulaski County Jail and then to the Arkansas Department of Corrections, from which I was released July 13, 1988. I started buying methamphetamine from David Zimmerman. About four days later, I asked him if this was the stuff his buddy had and he said, "This is the stuff you'd be getting rid of."

About August 25, 1988, R. David Lewis came to my home to talk to me about Troy. I told Mr. Lewis then approximately everything I just stated, except for following Jay Campbell. I told Mr. Lewis I could buy drugs from Jay Campbell.

Mr. Lewis called me a few days later and said that he had set up an appointment for me with the state police and the FBI. I met Mr. Lewis who took me to the State Police Headquarters about September 6, 1988. I told Lt. Doug Williamson of the Arkansas State Police and FBI Agent Joe Jagers about the conversation with Jay Campbell and of seeing Larry Dill deliver the marijuana. I offered to wear a body mike and make a buy from Jay Campbell. I offered to take a polygraph when asked to do so by Agent Jagers. The next day, Mr. Lewis called me and told me that the FBI was not interested because they had an active investigation on me.

The next day, the 8th of September, four Pulaski County officers came out to my shop and searched it without a warrant just saying that they had a suspicion that I had a controlled substance out here. They were here for about 45 minutes to an hour and did not find anything.

On September 10, Dan Chandler pulled up in my driveway and said he wanted to know how I knew where a drug warehouse in Benton is and why I kept bothering Tina Logan about it.

... the day of ... Warner's suppression hearing. there were many unmarked cars driving up and down the road in front of my house. A blue LTD pulled up in my yard and watched me for a while.

On September 20, 1988, as Mr. Lewis was taking this statement, a Pulaski County car pulled up into my driveway and dropped off my employee, Jimmy Donaldson, who had been in custody all day on a \$40.00 forgery charge. Jimmy said that he had been asked about Charlie Harris, Donna Morrissey and David Lewis and interrogated by Larry Dill.

C.I.

Defense Confidential Informant #1

STATE OF ARKANSAS)
SS)
COUNTY OF PULASKI)

Subscribed and sworn to before me this 21st day of Sept, 1988.

[Signature]
Notary Public

My Commission Expires:

11-29-89