

Ex. U

EXHIBIT U

STATE OF OHIO

:
: SS.
:

COUNTY OF LORAIN

AFFIDAVIT

Now comes Rick Weir, being first duly sworn according to law, and states the following:

1. I am the older brother of Stanley E. Jalowiec. I would have testified at both trial phases of Stanley's trial as a alibi witness and a character witness had the trial counsel or investigator for Stanley contacted me to do so.

2. I would have testified that on January 18, 1994 Stanley came to my mothers house at 11:45p.m. where I lived, Stanley had a six pack of beer that he had brought from a downtown bar.

3. Stanley, my younger brother Neil and I sat up and drank the six pack of beer, talked about what was going on with each other I also remember Stanley and I argued over the computer program we were working on.

4. Neil was the first of the three of us to fall asleep, I believe it was about 1:00a.m., Stanley and I worked on the computer from about 12:00a.m. - 2:30a.m. we then went to sleep, I slept on one of the couches and Stanley slept on the floor. I would have testified to this fact at the trial had I had the chance to be interviewed by Stanley's investigator or Attorney.

5. I also would have testified as to the character of My brother Stanley at the mitigation trial if needed be. Stanley lived with me, my girlfriend and my daughter on Bond Street in Elyria, Stanley also stayed with me at other apartments we lived in and I have never had any problem with him.

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6. Stanley is not a violent person, he loves people, animals and life its self, Stanley has always been harassed by the Elyria Police Department, they would stop him for jaywalking, riding his bike with out lights and any thing else they could think of.

7. Had Stanley's investigator or trial counsel interviewed me they would have known that I would have testified at the first trial phase as a alibi witness and if they needed me to I would have testified at the mitigation phase as a character witness.

FURTHER AFFIANT SAYETH NAUGHT

Richard Weir
RICK WEIR

SWORN TO AND SUBSCRIBED in my presence this 1ST day of April 1998.

Lois M. Thompson
NOTARY PUBLIC

Commission Expires: Nov. 25, 2001

LOIS M. THOMPSON
NOTARY PUBLIC, State of Ohio
My Commission Expires 11/25/2001