

Ex. V

EXHIBIT V

STATE OF OHIO :
: SS.
COUNTY OF LORAIN :

AFFIDAVIT

Now comes Neil Jalowiec, being first duly sworn according to law, and states the following:

1. I am the younger 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. On January 18, 1994 Stanley came to my mothers house at 11:45p.m. where I lived, Stanley had a six pack of beer from a downtown bar.

3. Stanley, my older brother Rick and I sat up and drank the six pack of beer, talked about what was going on with each other and Stanley and Rick argued over the computer program they were working on.

4. I was the first of the three of us to fall asleep, I believe it was about 1:00a.m. 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 and I are close in relation ship and I know that my brother would never do anything to hurt anyone.

6. I know from personal experience that Stanley was always harassed, badgered and tormented by the Elyria Police Department for no reason, when I say "Personal Experience" it is not only from being there and seeing it, I have also been harassed because the officer thought I was him (Stanley).

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7. Stanley is not a violent person, he would never start a fight, the only time he would be engaged in an argument is when someone was bothering him or someone who could not defend their self was being bothered.

8. Stanley was very good with kid's, he always tried to point them in the right direction, he was good with my sister's daughter and my older brother's kid's, He would go to the ends of the earth for them and his step kid's. (Derrick and Cody)

9. Stanley used very little drugs, I know that he had smoked a little marijuana and he "Tried" crack a few times, he was not a great user of illicit drugs. Just because he has tried it that don't make him a murderer like the prosecutor meds him out to be.

10. I was questioned by Detective Al Leiby in regards to the murder, he had asked me if I knew anything about it, I told him that I didn't know anything and he told me that if I would help him he would take care of my charges for me and get me out of the trouble I was in.

FURTHER AFFIANT SAYETH NAUGHT

Neil Jalowiec
NEIL JALOWIEC

SWORN TO AND SUBSCRIBED in my presence this 17 day of March 1998.

Jim K. Emery FKA Jim K. [Signature]
NOTARY PUBLIC
Commission Expires: 3-21-2001