

FREE Otis Lee Rodgers
Wrongfully Convicted

My dearest and oldest friend Otis Lee Rodgers (DOB 9-27-48) of nearly forty-years, a gentle, loving personable man with five beautiful children of tender-ages; has been WRONGFULLY convicted and imprisoned by the Riverside County District Attorney's Office, California, Case # RIFO98234. Charges of Criminal Threats (P.C.422) and Assault with a firearm, P.C. 245 (a) (2) by the prosecutor's perjurious witness testimony.

On 7-15-01, one Sandra [REDACTED] twenty-three years of age at the time, whose social security number lists her birth date as [REDACTED] reported to 911 Riverside County Sheriff's dispatcher Barbara [REDACTED] a disturbance between a black male and a black female and the male threatening to kill, shoot the female, No weapons seen.

Mr. Rodgers, a sixties radical and former Black Panther has had trouble with the law, a convicted felon under a disability from possessing a firearm. Mr. Rodgers was arrested on 7-15-01; thereafter refuse to take DDA Deborah [REDACTED]'s deal. In retaliation [REDACTED] sent her Spanish interpreter/ Sr. Investigator Edward G. [REDACTED] to the home of once anonymous, now percipient witness, Sandra [REDACTED] - as a results of that fruitful private meeting, [REDACTED] initial statement did a 180 degree change from;

A) On 7-15-01 Sandra [REDACTED] reported she saw no weapons to;

B) On (8-22-01) "The suspect was holding a handgun in his right hand and had it pressed against the woman's head."

On 8-30-01, some six weeks after the fact DDA [REDACTED] added the additional charge of assault with a firearm against Mr. Rodgers based on [REDACTED] change in statement. On 1-18-02 some six months after the fact additional charges of criminal threats were added against Mr. Rodgers for refusing to talk the new deal.

Months before trial, Judge J. [REDACTED] in open court on record made conditional terrorist threats of:

"...most assuredly IF you represent yourself, you will be convicted" (Tr-41; 1-24-03) and; "Mr. Rodgers, IF you are convicted you are OBVIOUSLY going to prison" (Tr-55; 4-25-03)

OFF the record Deputy District Attorney Brian [REDACTED] stated to Mr. Rodgers.

Mr. Rodgers, I can convict anyone of anything - and I don't give a damn if your wife/victim shows up for trial to testify for you, "I'll make her out to be a liar."

At trial on direct examination [REDACTED] testified that she could neither identify her black suspect or victim that she had seen two years prior to at 3-4 a.m., from her bedroom window of the adjunct parking area. On cross-examination, first-time, in-court, cross-racial, two years after the fact the Only black-male defendant in-court, in jail garb, standing and questioning her, [REDACTED] engaged in a "remembering" identification.

a)

"Well, looking at him, I am remembering that it was him. But IF I would have seen amongst a lot of persons then, No, I would have not have thought that it was him." (Tr-140) "That's what I am saying, if I was to have seen amongst a lot of person and they asked who is he, I could not identify." (Tr-141)

Prosecutor then led [REDACTED] into saying that she was "100 percent sure" defendant was her suspect. [REDACTED] spontaneously testified that her husband Francisco [REDACTED] had told her to go back to sleep that the couple was just arguing – she said no, he said fine, she said that she was calling the police. She said he no longer lives with her. [REDACTED] added that black are rude and she is afraid of them.

[REDACTED] testified that she is "sure" and positive" that the defendant had a gun that night. When asked what she told the 911 dispatcher that night.

"I don't remember my words exactly" I don't remember I don't remember what I told that lady (911 dispatcher Barbara [REDACTED]). I don't remember well, but the thing that I have always said is that I saw the gun to her head." (Tr.-151)

Whereas, 911 Sheriff's dispatcher Barbara [REDACTED] testified, "the person [REDACTED] I spoke to did not see any weapons" (Tr.-306). Trial Judge Hanks refused defendant's motion to play the 911 tape with [REDACTED] voice stating she saw no weapons (Tr-168) and would only allow A (5) line extracted transcript excerpt portion of the 7-15-01 dated 911 call between [REDACTED] and [REDACTED] indicating she saw No weapons. Rodriguez is a liar, a perjurer, liar who murdered my friend's life and destroyed his family even if [REDACTED] was faced with deportation or commits perjury. DDA Brian [REDACTED] sat mute, neither objecting nor clarify his witness perjurious testimony. Trial Judge J. [REDACTED] also sat mute. Neither, objecting nor demanding that the prosecutor clarify his witness perjurious Testimony in complicity to prosecutor's perjury conspiracy.

~~My beloved friend suffers from glaucoma, high blood pressure and other ailments.~~

As the latest news reports California is over two-hundred percent over its capacity with 173,000 prisoners. I pray nearly every day that no further harm comes to Otis and that help is forthcoming to assist Mr. Rodgers in preparing his Writ of Habeas Corpus in Federal court to present inter alias his (20) issue of dispositive evidence of prosecutorial conspiracy to commit perjury and their witness PERJURIOUS testimony.

Understand, the only evidence against Mr. Rodger is [REDACTED] testimony that Rodgers placed the gun against "named-victim" Joyce R., temple – supporting Mr. Rodgers' conviction of assault with a firearm. The prosecutor arbitrarily and unilaterally claims Joyce R., as a victim. Joyce, two years prior to in open court, under oath before Judge Vilia [REDACTED] and DDA Deborah [REDACTED] – REPUDIATED the prosecutor's lies that she had either been threatened or assaulted with a firearm. Joyce R. didn't show up for trial.

(2)

I was not there that fateful morning with my friend, so I don't know what happened. But as a morally and spiritually intact person, I do know it's wrong to lie to murder another human being's life and to destroy his family and to wrongfully send him to prison for sixteen years to rot. I don't know if lying under oath in a California court is called perjury. Also as a lay person reading California's penal Code 422 criminal threats, it has a "subjective" element to it; the "named-victim" Joyce R., had to be in sustained fear. Again to the lay person's mind, if Joyce R., didn't come to the trial and she had two years prior to repudiate the prosecutor's lies that she had been threatened. How the prosecutor was able to prove to the jury beyond a reasonable doubt what was subjectively occurring within Joyce R., mind the morning of 7-15-01 at trial on 6-27-03; smacks of corruption. Albeit, the arresting Deputy Sheriff Gary [REDACTED] bless his heart, whose honesty was unwavering on three separate occasions in court testified that on the date/time of [REDACTED] allegation Joyce [REDACTED] told him that she had neither been threatened or assaulted with a firearm by Otis – one being at trial.

My plea to you is not that Mr. Rodgers is innocent of all crimes alleged against him in the past or that he's a good person; nor do I agree with his religious or political views. What I am absolutely enraged about is that the prosecutor and Judge J. [REDACTED] of Riverside County, CA USA – **in the 21st Century** America – who would conspire and suborn an obvious illegal to commit perjury to wrongfully convict and imprison an apparent innocent African American. No doubt Mr. Rodgers was annoyingly difficult at trial exercising his Sixth Amendment Constitutional right of self-representation as held by the United States Supreme Court in Faretta vs. California, 422 US. 806 (1976) no different than the right to vote of which Dr. Martin Luther King fought for that all would be able to exercise that right and NO black person or of any person should be legally lynched in America for exercising a constitutional right. We will no go backwards in time. Call Rod Pacheco, District Attorney (969) 955-5400 – Case #RIF098234 and ask him.

How is it that DDA's Brian [REDACTED] perjures witness Sandra [REDACTED] during Mr. Rodger's trial was able to testify truthfully on 6-26-03 that she is "sure" and "positive" she saw a gun in Mr. Rodger's hand. Whereas, on 7-15-01, she told 911 sheriff's dispatcher Barbara [REDACTED] she saw NO weapons?

I have full documentation of all material issues that are available to send you a copy upon request. To include a copy of the 911 tape to sincerely interested advocates of Justice. What happened to Mr. Rodgers is morally and legally wrong. It is neither our Constitutional Justice nor God's.

Sincerely,

Tico [REDACTED]
J.O.Y. Ministries

[REDACTED]
E-mail [REDACTED]

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