

AFFIDAVIT OF DWAYNE BENNETT

My name is Dwayne Bennett and I am the principle defendant in the case of Carlton Bennett and Giovanni Reid. I, do hereby swear and depose that the following facts are true and correct to the best of my knowledge, information and belief:

1. I am presently incarcerated at the State Correctional Institutional at Graterford Prison.

2. On August 10, 1991, I was responsible for the shooting death of a man name Robert Janke.

3. About a week or so later I went to Police Headquarters to give a statement and I confessed to having been the person who had shot Mr. Janke. However, this confession contained facts that were not true as it related to Carlton Bennett and Giovanni Reid's participation.

4. Both Carlton and Giovanni were arrested and charged with having taken part in the shooting death of Mr. Janke.

5. We were all set to stand trial before Judge David Savitt in January of 1993. However, after I participated in the selection of the jury, but prior to the start of trial I decided to plead guilty in order to avoid the death penalty.

6. Prior to my guilty plea I tried to explain to the trial prosecutor that I did not mean to shoot Mr. Janke, that it was an accident and that both Carlton and Giovanni were not involved, but were, in fact, further down the street at the time of the incident.

7. The trial prosecutor told me that in order to save myself from a death sentence I had to plead guilty and name Carlton and Giovanni as co-conspirators.

8. Although I knew this was not true I agreed to do so because I was afraid and did not want to be placed on death row. My only efforts at that point was to save myself from a death sentence so I lied during my guilty plea colloquy.

9. I never really understood what was happenning while making this plea. I've always had problems with my ability to comprehend and understand things in a normal way. Even as a child I was always placed in special education classes because of this fact.

10. I have always felt bad and responsible for what happended and for Carlton and Giovanni being put in prison. I wanted to to say something about all of this years ago, but I never did. I never talked to anyone about any of this because I just didn't think anyone would believe me. I haven't spoken to Giovanni since 1994, and Carlton and I although we have spoken on occassions its been very limited.

11. I was recently told by my Aunt that a new witness, Mr. Janke's former roommate has come forward to help clear both Carlton and Giovanni from having taken part in what happened to Mr. Janke. I was told that he eyewitnessed the incident and that he only saw one person actively involved in the shooting death of his roommate.

12. In light of this fact I believe it is now important for me to come forward to finally state the truth. Carlton Bennett and Giovanni Reid were not involved, they were heading down the street when the shot was fired and Mr. Janke's roommate is telling the truth about only seeing one person and that person was me.

13. I am making these statements freely and of my own free will and I am willing to testify under oath to these facts when called upon and if necessary. I also understand that these statements are being made subject to the penalties of perjury.

S/ *Dwayne Bennett*
DWAYNE BENNETT, BZ-8987
P.O. BOX 244
GRATERFORD, PA. 19426

SUBSCRIBED AND SWORN TO BEFORE ME
ON THIS 6th DAY OF February, 2008

[Signature]
NOTARY PUBLIC

NOTARIAL SEAL
SCOTT A. PASQUALE, Notary Public
Skipack Twp., Montgomery County
My Commission Expires June 29, 2011