

FILED

2018 MAY 15 PM 2:43

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
CRIMINAL SECTION TRIAL DIVISION

OFFICE OF JUDICIAL RECORDS
CRIMINAL DIVISION
FIRST JUDICIAL DISTRICT
OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

CP-51-CR-0012287-2007

v.

DONTIA PATTERSON

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ORDER

Upon consideration of the Commonwealth's Motion to Enter Nolle Prosequi, it is by the Court this day of , 2018, ORDERED and DECREED that the said Motion to Enter Nolle Prosequi is hereby GRANTED.

BY THE COURT:

Hon. Streeter Lewis

OFFICE OF THE DISTRICT ATTORNEY
CITY AND COUNTY OF PHILADELPHIA
By: Anthony Voci
Assistant District Attorney
Supervisor, Homicide Unit
Three South Penn Square
Philadelphia, PA 19107
215-686-8040

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
CRIMINAL SECTION TRIAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : CP-51-CR-0012287-2007
 :
 v. :
 :
 DONTIA PATTERSON :
 :

MOTION TO ENTER NOLLE PROSEQUI

The Commonwealth through its attorney, LAWRENCE S. KRASNER, District Attorney, and his assistant, ANTHONY VOCL, requests the Court order nolle prosequi of all charges in the above-captioned matter and in support thereof states:

The sworn duty of a prosecutor is to seek justice, to speak truth, and to exercise power with restraint. This Philadelphia District Attorney's Office will abide by that duty. That duty is not always easy, but it is what the prosecutor's oath, the law and the public require.

After almost 11 years in custody, Dontia Patterson comes before the Court facing the possibility of a new (and third) trial for a crime he did not commit, in all likelihood. The Commonwealth will not re-try a case against a man who is probably innocent and whose case is so lacking in integrity.

The crime was the killing of Antwine Jackson, Patterson's friend. The identities of the likely perpetrators of Jackson's murder are known, however, the apparent shooter was murdered just a few months after Jackson's murder (and only a few blocks away from the location of Jackson's killing). The apparent shooter's identity (and the identities of his confederates) have been known to law enforcement since shortly after Jackson's murder. Those identities are not included in this motion and are redacted from all exculpatory documentary exhibits attached to this motion *in order to avoid potential future violence related to this matter* (attached as Exhibit A). However, those names and the un-redacted exhibits *are included in a separate and identical motion filed under seal and of record with the Court*. A more detailed summary of the facts along with a summary of the evidence that was withheld from the defense is included below in Part III of this motion.

Patterson's conviction is an egregious example of police and prosecutorial misconduct in hiding evidence helpful to the defense that the U.S. Constitution and the Pennsylvania Constitution require to be revealed to the defense before trial. This concealment occurred over two trials – before a jury reached an impasse and was declared “hung” in Patterson's first trial and again before a jury convicted Patterson in the second trial. The constitutional requirements police and prosecution ignored in Patterson's case are crucial. They protect the innocent and re-direct the entire criminal justice system to investigate further to pursue the guilty, all of which protects the public. Prosecution that deliberately violates these constitutional rights is not law enforcement in any sense – it is a violation of the law.

Although the prosecutor in the first trial was far less experienced than the prosecutor in the second trial, it is inconceivable that both trial prosecutors involved in the

case were unaware of the exculpatory documents contained in the police homicide file. Two different photo arrays containing a photograph of the apparent shooter who was not Patterson must have alerted the trial prosecutors to the fact that other exculpatory information was either never documented or was lost or destroyed after being documented. Homicide prosecutors are and were trained to review the police homicide file and ask questions. There were two trials and two periods of preparation. Yet, both trial prosecutors did not provide the exculpatory information they knew to the defense.

Violations of *Brady* often occur in weak cases. The case against Patterson was weak. Without concealment of exculpatory evidence, the prosecution could not win. And in all serious cases, prosecutors feel pressure to win. Some feel the end justifies the means.

The case against Patterson was illogical. Patterson was Jackson's friend. Patterson had no motive to kill Jackson, but others did. Jackson was embroiled in a drug turf war with a rival group. Patterson was not a member of that rival group.

The prosecution's theory regarding Patterson's actions was also illogical if he was the killer. Within minutes of the killing, Patterson was seen in the street near his friend, Jackson. Patterson was distraught. Killers do not usually remain or return to the scene of the crime. They do not usually cry out for their victims while possible witnesses and police approach. Even the two identification witnesses who observed the shooting from far away oddly claimed that Patterson must have left after the shooting, then changed his clothes before returning to the crime scene because the killer was wearing different clothing than at the time of the shooting.

Although Patterson was tried twice, neither jury heard the truth. Both the defense and the prosecution failed in their respective obligations. The prosecution and police did

not turn over strong evidence in their possession that identified the likely perpetrator and his confederates by name. The prosecution also presented new evidence during the second trial that was highly suspect – a supposed eyewitness whose personal animus towards Patterson was withheld from the defense. Although clearly handicapped by the prosecution’s actions, the defense was ineffective. In two separate trials, the defense did not present a strong, credible witness who witnessed the killing and specifically told the police the killer was not Patterson.

I. PROCEDURAL HISTORY

On February 16, 2018, Patterson's convictions for first degree murder and all related charges were vacated and a new trial was granted. The convictions were vacated when the Commonwealth agreed his PCRA petition should be granted based on ineffective assistance of counsel. In short, Patterson's trial counsel was found to be ineffective for several reasons, the most significant being trial counsel’s failure to call Gregorio Mercado to testify during Patterson’s second trial (the witness also was not called to testify during the first trial which resulted in a hung jury). Mercado was a store owner in the neighborhood where the crime occurred and he was an eyewitness to the events leading up to the crime and the crime itself. Mercado informed police on multiple occasions that he knew Patterson from the neighborhood (he had a negative encounter with Patterson as a store customer) and Patterson was not the person he saw shoot Jackson.

A. Patterson's Two Trials

1. On August 13, 2008, a mistrial was declared because the jury was unable to reach a unanimous verdict.

2. The Commonwealth elected to retry Patterson and on July 13, 2009, a jury convicted Patterson of first degree murder, Possession of Instrument of Crime and numerous violations of the Uniform Firearms Act, 18Pa. C.S. § 6101, et al. Patterson was sentenced to life without the possibility of parole.
3. Mercado was not called as a witness in either trial.
4. Although not called as a witness in the first trial, during the second trial, the Commonwealth called Eyvette Chandler, the off-duty police officer who heard the gunshots and went to the scene. She testified that Patterson was the person seen in an extremely poor quality videotape of the Mercado's store surveillance video taken immediately prior to the shooting. However, during the original investigation of the case, Chandler was asked to watch the same surveillance video and Chandler did not identify Patterson; instead she told police simply that a person in the video reminded her of Patterson.

B. Case Currently Pending Before this Court

Since Patterson's convictions were vacated, the Commonwealth has extensively reviewed the file and investigated the case to determine whether Patterson should stand trial for a third time. The Commonwealth has concluded that Patterson's prior convictions for the instant offenses lack integrity for reasons beyond the ineffective assistance of counsel he previously received at trial, and therefore, seeks to nolle prosequi or withdraw the case.

II. Brady v. Maryland

In *Brady v. Maryland*, 373 U. S. 83, 87 (1963), the United States Supreme Court held that due process requires the prosecution to turn over evidence favorable to the

accused and material to his guilt or punishment. That obligation was dishonored in this case: and as a consequence, significantly contributed to Patterson spending nearly 11 years in prison before the truth came to light. Patterson's two previous trials, by government design, were fundamentally unfair. *Kyles v. Whitley*, 514 U.S. 419, 432 (1995).

Subjecting Patterson to yet a third trial would be a grave injustice because this office, like every other prosecutorial agency, has an obligation to victims of crime, its own prosecutors and to the public to get it right – that is to prevent wrongful convictions and not condone government misconduct. Prosecutors, as servants of the law, are subject to constraints and responsibilities that do not apply to other lawyers: they must serve truth and justice first. *United States v. Lopez-Avila*, 678 F.3d 955 (9th Cir. 2012); *United States v. Kojayan*, 8 F.3d 1315, 1323 (9th Cir. 1993). Their job is not just to win, but to win fairly, staying within the rules. *Berger v. United States*, 295 U.S. 78, 88 (1935).

Due to the nature of *Brady* violations, it is highly unlikely wrongdoing will ever come to light in the first place, so when it does come to light we must acknowledge it and learn from it. Failure to do so creates a serious moral hazard for those prosecutors who are more interested in winning a conviction than serving justice. In the rare event that the withheld evidence does surface, the consequences usually leave the prosecution no worse than had it complied with *Brady* from the outset. *Connick v. Thompson*, 131 S. Ct. 1350, 1366 (2011). This case, however, is different.

In this case, since the withheld evidence has surfaced, justice requires finally disclosing all relevant facts regarding the murder of Jackson and how both the investigation and prosecution of that murder were mishandled.

III. FACTS IN SUPPORT OF NOLLE PROSEQUI

A. Evidence Disclosed to Trial Counsel for the Defense

1. Jackson was shot and killed on January 11, 2007. Homicide Detective George Fetters was assigned to lead the criminal investigation into the shooting.
2. Chandler, an off-duty police officer and neighbor of both Patterson and Jackson, was at home when she heard the gunshots. When she left her house to investigate, she saw Patterson on the sidewalk out in front of his house.
3. As Chandler initially described, Patterson (who was 17 years old) was at home near the crime scene when the crime occurred. When Patterson heard gunfire, he immediately went to the scene. Once at the scene, Patterson called for help and asked other witnesses what happened and if they knew who shot Jackson.
4. On the day of the crime, no physical evidence was collected linking Patterson to the crime and none was ever discovered during the subsequent homicide investigation.
5. Patterson gave a statement to the police hours after the crime informing them Jackson sold drugs in the area and that Jackson had recently been threatened by one of the witnesses at the scene.
6. Jackson and Patterson were friends and Patterson had no motive to kill Jackson.
7. Several named and identified suspects had a motive to kill Jackson as a result of an ongoing turf battle regarding the sale of drugs in the neighborhood where the crime occurred and numerous witnesses reported that at least one of the suspects threatened them to "keep quiet about the crime."
8. Before Patterson was arrested, Mercado told the police he not only witnessed the events leading up to the murder but he saw the shooter firing at Jackson and

he was positive the shooter was not Patterson because he had known Patterson for several years due to interactions he had with Patterson as a customer in Mercado's store.

9. Two eyewitnesses to the shooting identified Patterson as the shooter. Neither knew Patterson and both were located approximately 40 yards away from where the shooting occurred. Both immediately went to the scene to help and shortly thereafter saw who they thought was the shooter arrive back at the scene wearing different clothes saying, "who did this, who the fuck did this, this was a set up."
10. Patterson was arrested on April 25, 2007 and charged with the murder of his friend Jackson based solely on the two eyewitness statements.

B. Evidence Withheld from the Defense & Post Conviction Investigation

1. A review of both the Commonwealth's file and discovery provided to counsel for Patterson prior to both trials has revealed the Commonwealth withheld exculpatory and impeaching evidence from the defense.
2. The withheld evidence is newly-discovered, material evidence.
3. The Commonwealth received a detailed "white paper" written the day after the murder, which contained information from a confidential source that Jackson's murder was the "result of an ongoing battle over the drug corner located at Granite and Summerdale Avenue." Two groups involved in the feud were identified. An unnamed witness also identified three people who were involved in the crime, specifically identifying the actual shooter. Details included the

location of where the shooter lived, how the shooting was set up and how it occurred, as well as the location of where the shooter fled immediately after the crime.

4. Detective Fetters' homicide file also contains notes regarding unrecorded witness interviews that occurred on February 5, 2007 and February 7, 2007, that were never formalized into written statements. Information obtained from the interviews corroborates and/or supplements the "white paper." More specifically, at least two witnesses identified an undisclosed alternate suspect as the shooter, and they provided information as to where this suspect was living at the time.
5. The undisclosed alternate suspect was a known drug dealer and member of one of the groups identified in the "white paper" and was a known associate of at least one of the individuals specifically named as a suspect involved in the crime.
6. On February 7, 2007, Detective Fetters created two photo arrays containing a photograph of the undisclosed alternate suspect. There is no documentation in the homicide file evidencing how and when these photo arrays were used. Both photo arrays were not disclosed to defense counsel.
7. On February 13, 2007, a lieutenant with the homicide unit also wrote a memorandum that corroborates the "white paper" and the unrecorded witness statements. This memorandum reported that unidentified males from the Oxford Village Apartment Complex (the same neighborhood identified by the

two witnesses referenced in paragraph 4, above) may have taken steps and been responsible for "the demise" of Jackson.

8. The apparent shooter, who was specifically named during the unrecorded witness statements was murdered on June 6, 2007, approximately five months after Jackson was murdered and just five blocks from where the crime occurred.
9. In addition to discovering this withheld exculpatory evidence, the homicide unit in the DA's Office (DAO) recently interviewed Mercado and determined his account of the crime is credible. Patterson was not the shooter and he was not involved in the crime.
10. The DAO also recently interviewed another witnesses interviewed by Detective Fetters. Although no witness statement was ever formalized by Detective Fetters, the witness provided him with material evidence concerning the crime that was corroborated by Chandler and other witnesses. The DAO has determined this witness is credible.
11. The homicide unit of the DAO repeatedly tried to interview Chandler, the off duty officer who testified during the second trial, but Chandler has failed and/or refused to cooperate.
12. While trying to find an explanation and/or motive for the significant incriminating evolution in Chandler's many statements to the police regarding the crime, the DAO discovered Chandler may have harbored a deep animosity towards Patterson due to his innocent connection to a March 2006 event that led to the arson murder of Chandler's son and the criminal prosecution of her juvenile granddaughter for that crime.

13. Although Chandler's granddaughter was being prosecuted by the DAO at the same time Patterson's case was being prosecuted, no impeachment disclosure of possible motive or bias was made to the defense.

IV. CONCLUSION

It is the Commonwealth's belief that if Mercado testified and the newly discovered evidence had not been withheld, "it is more likely than not that no reasonable juror would have found [Patterson] guilty beyond a reasonable doubt." The Commonwealth cannot retry Patterson on a case so completely lacking in integrity without violating the prosecution's duty to seek justice, to speak truth, and to exercise power with restraint. Jackson's family was not well served by the false "closure" this unjust prosecution provided. The public was not well served by the failure to apprehend the likely main perpetrator in this matter, who was killed himself a few months later.

Thus, pursuant to Pennsylvania Rule of Criminal Procedure 585(A), "[u]pon motion for the attorney for the Commonwealth, the court may...order a nolle prosequi of one or more charges...."

WHEREFORE, for the foregoing reasons, the Commonwealth respectfully requests the Court order nolle prosequi of all charges against the defendant in the above-captioned matter.

Respectfully submitted,
LAWRENCE S. KRASNER
DISTRICT ATTORNEY



ANTHONY VOCI
ASSISTANT DISTRICT ATTORNEY

VERIFICATION

The undersigned hereby verifies that the facts set forth in the foregoing motion are true and correct to the best of my knowledge, information and belief. This verification is made subject to penalties for unsworn falsification to the authorities under 18 Pa. C.S. Section 4904.



ANTHONY VOCCI
Assistant District Attorney

Date: 5/15/18

CERTIFICATION OF SERVICE

I hereby certify that today, May 15, 2018 sent, via first class mail, fax or hand delivery, a copy of the foregoing MOTION to the following parties:

Nilam A. Sanghvi
Attorney No. 209989
PENNSYLVANIA INNOCENCE PROJECT
at Temple University Beasley School of Law
1515 Market Street, Suite 300
Philadelphia, PA 19102
215-204-3146


ANTHONY VOCI
Assistant District Attorney

Date: 5/15/18

EXHIBIT A

WHITE PAPER

D.C. # 07-02-002562
HOMICIDE# M-07-17

Police Officers Curtis Younger#5211 and Kenyatta Lee#9357 received information from a confidential source regarding the shooting/homicide, which occurred at 898 Granite St., on January 11, 2007.

The shooting of Antwine Jackson was the result of an on-going battle over the drug corner located at Granite and Summerdale Ave. Two groups are involved in the feud: #1. The Village or Vill and #2. The Dale or the Ave.

A Black male known as [REDACTED] set up the descendant, Antwine Jackson and another male known as [REDACTED] to be shot. The offender is allegedly a Black male known as [REDACTED] (Structure) who lives in the Oxford Village Apartments. When [REDACTED] shot Antwine, [REDACTED] fled the scene. [REDACTED] then shot Antwine two additional times in the head while he was lying on the ground. A Black male known as Donte was present during the shooting and was detained by arriving uniformed police officers. When [REDACTED] fled, he went to the rear of [REDACTED] house, which is located at either [REDACTED] or [REDACTED] Granite St. [REDACTED] stayed at that location for several hours.

[REDACTED] allegedly lives at [REDACTED] Granite St., but frequents the Germantown area where he has family ties.

CRIMINAL INTELLIGENCE UNIT
GANG CONTROL UNIT
3 PLATOON
JANUARY 12, 2007



MEMORANDUM

POLICE
CITY OF PHILADELPHIA

DATE: 2/13/07

TO : Commanding Officer, Homicide Division
FROM : Lt. Mark Deegan # 218, Homicide Division, SIU
SUBJECT : M07-17

1. The Homicide carried under control # M07-17 is assigned to SIU, Det G. Fetters . There was an ongoing investigation, into this murder wherein information based on this investigation was entered onto a S&R report that was being carried in the SIU computer.
2. There are Activity Sheets in the folder showing the actions taken on the dates subsequent to the date of the incident, including days when overtime was earned, however they were maintained in the case folder . see attached for same.
3. The investigation leads us to an ongoing problem between the victim, Antwine Jackson PPN # 985131(4 priors 2 for narcotics) and other males from the area of Summerdale Ave. who were involved in a turf dispute over who is going to sell drugs where. Apparently Jackson was involved in a physical altercation with (2) brothers from [REDACTED] Bridge Street, 1-2 weeks prior to the murder. Information is being developed that show males from the Oxford Village Apartment Complex may have taken steps in the demise of Antwine Jackson on 1-11-07 @ 898 Granite Street.

Lt. Mark Deegan # 218
Homicide Unit
SIU

218

INVESTIGATION INTERVIEW RECORD	CITY OF PHILADELPHIA
CONTINUATION SHEET	POLICE DEPARTMENT

Q. Describe [redacted] to me, and what he was wearing?

A. He's a B/M dark skinned, about 19-20 yrs old, a little taller than me, he was wearing a black fitted baseball cap, and ear piece phone jaunt, that they wear today, he had on a long sleeved black shirt, black denims, then new ones called True Religion.

Q. Where did the black male that was wearing the one piece dickie outfit go, if you know?

A. I don't know where he went I couldn't tell ya.

Q. After you came back outside to the corner of Granite & Summerdale Sts who was outside there where Antwine was laying at?

A. I saw a friend of Antwine's Dontaie out there, he was yelling who did this! stuff like that, I saw the correction officer that lives on Granite Street across the street from my crib, I saw the boy with the dreads from the barber shop at Bridge & Summerdale. I saw the cop lady that lives on the 900 block of Granite she was coming up, and she was calling the cops I think too. I saw a bunch of people come walking up and stuff, after that.

Q. Did you wait at the corner until the Police Arrived at this scene?

A. Ya till the cops pulled up, I saw (2) cops pull up, that's when I walked off.

Q. Where did you go after this?

A. I left, I got a cab, and went to see my baby's momma.

Q. Did you tell anyone what you saw happen to Antwine?

A. I told people that I was standing there but I didn't tell anyone like I'm telling you today. I just got outta there.

Q. Would you recognize the boy in the one piece dickie outfit if you saw him again?

A. If I seen him, I probably would.

Q. Was there anything unusual about this guy, like the way he talked, or walked anything like that?

A. No not really that I saw.

Q. Are you aware of any problems that Antwine was having with anyone that would result in this murder?

A. I know that he had a problem with these boys from Bridge Street that he had a fight with like (2) weeks before this happened, he was being told that he shouldn't be in front of their house , I guess he was selling out there.

Q. What was Antwine selling out there?

A. He was probably selling some weed, that's all that I know of. He didn't sell nothing else that I know about.

Q. Who was he selling weed for, if you know? A. He was only selling for himself, no one else.

Q. Sir I will ask P/O Cruz to read this (3) page interview over with you, if there is anything that is not the truth as you have stated here, tell one of us and we will fix it for you OK?

A. Yes.



1-15-07

6:55 PM

[REDACTED]

[REDACTED]

[REDACTED]

CAME IN AND SAID HE DID THIS

HE STAYS WITH HIS BROTHER'S MOM



[REDACTED]

LOVATT TOWN

OXFORD VILLAGE

GRAD FATHER:

[REDACTED]

B/F 18-19

HIS MOTHER, SISTER

[REDACTED]

[REDACTED]

= 21 YRS TALL DARK HAIR

A SCAR ON SIDE OF FACE, ON CHEEK 2.3" LONG

[REDACTED]

SUMMER 05 DURING SUMMER 05

WAS DRIVING A DARK BLUE EXPLORER

DRIVE UP AT OXFORD VILLAGE PEDESTALS

Ki

1-17

[redacted] 6007

Saw [redacted] Today AT OXFORD
Village NTS.

A

Saw a neighbor [redacted] Driving
His Green Buick saw 3-4 people
Get out (1) of which was [redacted]
BLK HT BLK Hair

Then [redacted] went To A BLK car
That was babies contacts not area
He went into/under hood, Fixing the
Car

Then [redacted] & [redacted] Drove off
Light Skins Facial Hair Fitted NTS 5'9"

[redacted] 17-18
- A Family member Cousin [redacted]
who lives in OXFORD Village Heard
[redacted] Talking about how he just hit the
nigger!

Neighbor [redacted] Possibly saw this

Incident

From [REDACTED]

Another Neighbor states that he/she
saw [REDACTED] shoot Artwings name to be
Cotton

Francis Rivalo Dove



[REDACTED]

[REDACTED]

14/1/25

Heard about [REDACTED] + [REDACTED] planning to kill
Artwings thru (2) birds were looking out those times
they live on Bridge Street near the
Church (Black)

URGENT 952

CONTACTED
FRANK STONE From Phila
School Police He work with INTEL
AT ARSENAL 5-11-40
Along w Sgt DeGiuseppe

ASKED HIM TO TRY AND FIND WHO THE STUDENT
WAS, THAT WAS BRAGGING ABOUT HIS BOY THAT
SHOT AND KILLED ANTWERP ON SUMMERCOTE

CONTACTED [REDACTED] 2-5
A NEIGHBOR [REDACTED] WHO STATED
ABOUT ANTWERP'S MURDER. SPOKE TO [REDACTED] HE
AGREES TO COME TO HEMLOCK UNIT [REDACTED]
Picked up at [REDACTED] GRANITE Rock Driveaway

STATES HE HEARD [REDACTED] FRIEND OF [REDACTED]
DID THE SHOOTING HE DESCRIBED

KNOWS FROM AREA.

[REDACTED]

Agwosiva

[REDACTED]

[REDACTED]

~~Agwosiva~~

883 Anchor

[REDACTED]

[REDACTED]

~

[REDACTED]

CH-101117

From The Village of Agwosiva

20-23/25 6-180

Light Blue Completed

Geno Miam
Clausen

[REDACTED]

in O Lick Louisville

Wanted with Assoc.

MIA 215 977 Sub 1

WHITE Mij-Vac
of dark complexion 30's

[REDACTED]

with male

Involved in

DATA FROM;

LA P/O VALERIE FELICI
215 651 8957

2ND DISTRICT

6

3

2

WORKING w/ P/O SWEENEY WAS AT NEEDS
UNIDENTIFIED

WHO STATED THAT A MALE HE KNOWS

IS AFRAID FOR HIS LIFE [REDACTED]

THAT THIS MALE [REDACTED] APPROACHES

972

AND SAYS [REDACTED] IS AFTER [REDACTED] FOR

DRUG MONEY.

[REDACTED] 201/13 [REDACTED] STATES HE'S

HAVING THAT [REDACTED] DID/OR WAS INVOLVED

Philadelphia Police Department



170772225



34055408

220195779



30482191

170771996

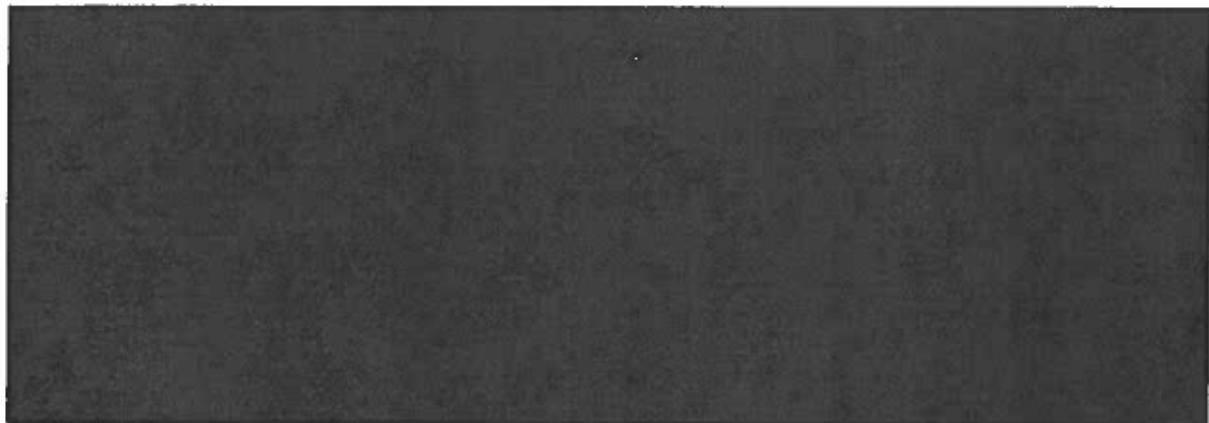


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Philadelphia Police Department



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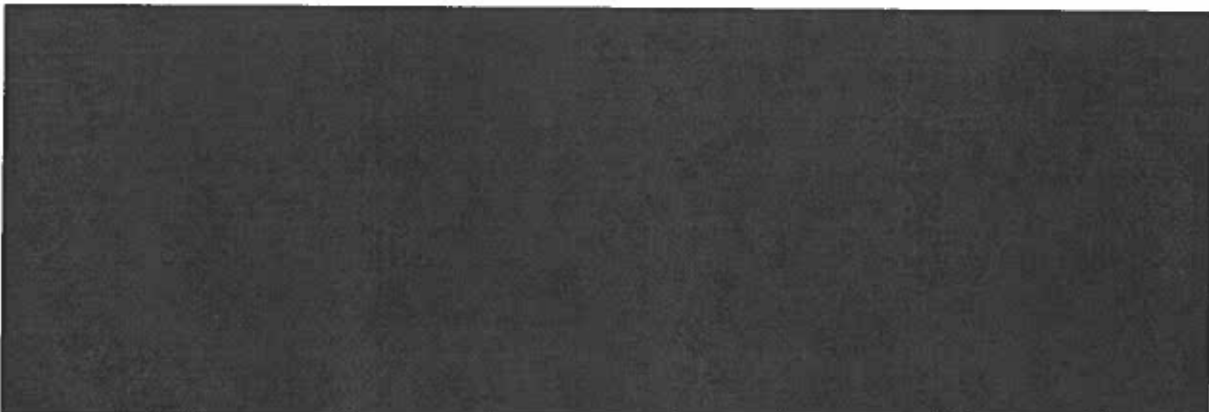


26077311

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34284130



131184206



25339991

181815585



29836213

161214964



32626840

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29906581

Case #2007-15-048498

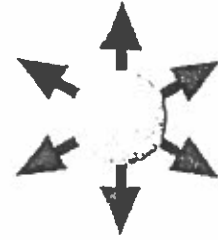
Face Sheet Printed: 5/8/2018 8:47:53 AM

Case Open Date: 5/9/2007 12:28:33 AM

Case Close Date: 5/10/2007

Case Subject: Narcotics Offense at 1300 PRATT ST on 05/08/2007

Agency: PPD - Police



Status:
CLOSED

Case Classification Code 1827 - NARCOTIC DRUG POSSESSION CRACK COCAINE

Case Entities

Case Report Number	Entity Type	Entity Name	Offense
2007-15-048498.1	Arrestee	[REDACTED]	NARCOTIC DRUG POSSESSION CRACK COCAINE
2007-15-048498.1	One of Other Type	PALMA JR, DAVID J	
2007-15-048498.1	Victim	Society/Public	NARCOTIC DRUG POSSESSION CRACK COCAINE
2007-15-048498.1	Witness	[REDACTED]	

Case Property

Property Description	Property Status	Case Report Number	Receipt #	Stolen Value	Recovered Value
CRACK COCAINE	Seized (to impound drugs / gambling devices)	2007-15-048498.1	2715930	\$0	\$0
Total Approved Stolen Property:	\$0				
Total Approved Recovered Property:	\$0				

Case Documents

Call for	Date	Location	Disposition Reported	Offense	Officers
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**Service
Number**

35570686	5/8/2007 11:43:00 PM	1300 PRATT ST PHILADELPHIA	Active	1807 - NARCOTIC DRUGS SELLER CRACK COCAINE	247438 - MCDONALD, MARTIN 247392 - PALMA JR, DAVID
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**Case Report
Number**

2007-15-048498.1

Unit Control Number

2007-6400-006263-0

Submitted By

158232 - RALPH CAROLE A,

Interview Number **Interview Date/Time** **Location****Entity Interviewed** **Interviewed By****Attached Interview Records****Interview Number** **Interview Date/Time** **Location****Entity Interviewed** **Interviewed By****Attachment Name** **Date****Case Assignments****Unit**6400 - Northeast
Detective Division**Date Assigned**

5/9/2007 12:28:33 AM

Date Unassigned

N/A

Officer158232 - RALPH CAROLE
A,**Date Assigned**

5/9/2007 12:44:39 AM

Date Unassigned

N/A

Philadelphia Police Department Arrest Report

Defendant: last [REDACTED] Sex: [REDACTED] DOB: [REDACTED]
 first name: [REDACTED] middle initial: [REDACTED] Race: [REDACTED] Birth Place: [REDACTED]
 Address: [REDACTED] Phone #: [REDACTED]
 Year: [REDACTED] DC#: [REDACTED] Sector: [REDACTED] Ctrl#: [REDACTED]
 PID: [REDACTED] SID: [REDACTED] OTN: [REDACTED] Ever: [REDACTED] CBN: [REDACTED]
 Crime Class: [REDACTED] Desc: [REDACTED] Authority: [REDACTED]
 DFJ: [REDACTED] FBI / FID: [REDACTED]

Arrest Name: [REDACTED]

ARREST INFORMATION:

[REDACTED] District: [REDACTED] Inside/Outside: [REDACTED] Arrest Type: [REDACTED]
 [REDACTED]
 [REDACTED]

OCCURRENCE:

Date / Time: 06/06/2007 10:39PM Date reported: 06/06/2007 10:39PM
 1021 VAN KIRK ST Philadelphia PA 19199.
 [REDACTED]
 [REDACTED]

CHARGES:

Code	OC	Description	Grade	Counts
CC2502		MURDER	H	001
CC6106		VUFA-NO LICENSE	F3	001
CC0907		PIC	M1	001
CC6108		VUFA-ON STREETS	M1	001

COMPLAINANTS AND WITNESSES:

Complainant(s)
 [REDACTED] Age: 19 [REDACTED]

ARREST REPORT BY:

Badge	Description	Unit Id	Platoon	Squad	Group Id
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

ARREST REPORT APPROVED BY:

Supervisor- payroll no: [REDACTED] Approval Code: [REDACTED]

POLICE PERSONNEL:

Employee Name	Payroll Number	Badge	Dist/Unit	Platoon/Group	Vacation Dates	Vacation Description	Needed At Hearing Police/Sup	Arrest OFC.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

ADDITIONAL INFORMATION:

Hits: [REDACTED] Statement?: [REDACTED] Lab User Fees Requested?: [REDACTED] ADA Concerns?: [REDACTED]

EMPLOYER INFORMATION:

Occupation: [REDACTED] Employer: [REDACTED]

DESCRIPTIVE DATA:

Complexion: [REDACTED] Eye Characteristics: [REDACTED]
 Eye Color: [REDACTED] Facial Hair: [REDACTED]
 Glasses (Y=Yes): [REDACTED] Hair Color: [REDACTED]
 Hair Length: [REDACTED] Hair Style: [REDACTED]
 Teeth: [REDACTED]

[REDACTED]

[REDACTED] was asked to discuss the incidents related to her father's death [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED] She stated he was mad at her because she had traded her cell phone with a teen-aged neighbor.

[REDACTED] stated she was mad when she got to her father's house. She stated she was crying and had slammed the door. She stated her father told her she was on "punishment" because of her trading her cell phone. This meant that he would not permit her to make calls with her phone for a while. She stated she was mad because she was on punishment and because her father had taken her phone.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

INVESTIGATION INTERVIEW RECORD		PHILADELPHIA POLICE DEPARTMENT HOMICIDE DIVISION		CASE NO: [REDACTED]			
NAME Police Officer Chandler #1620		AGE	RACE	INTERVIEWER: [REDACTED]			
ADDRESS [REDACTED]		APARTMENT NO.		DOB [REDACTED]			
NAME OF EMPLOYMENT/SCHOOL				PHONE NO. [REDACTED]			
ADDRESS OF EMPLOYMENT/SCHOOL		DEPARTMENT		SOC. SEC. NO. [REDACTED]			
DATES OF PLANNED VACATIONS							
DATES OF PLANNED BUSINESS TRIPS							
NAME OF CLOSE RELATIVE							
ADDRESS [REDACTED]			PHONE NO. [REDACTED]				
PLACE OF INTERVIEW [REDACTED]			DATE 03-19-06	TIME 9:13AM			
BROUGHT IN BY [REDACTED]			DATE [REDACTED]	TIME [REDACTED]			
WE ARE QUESTIONING YOU CONCERNING The local / fire at the home [REDACTED] of your son [REDACTED] on 03-18-06 that resulted in his death.							
WARNINGS GIVEN BY			DATE	TIME			
ANSWERS	(1)	(2)	(3)	(4)	(5)	(6)	(7)

[REDACTED]

Q. Who notified you of the fire?

A. My 13 year old granddaughter [REDACTED]

[REDACTED]

[REDACTED]

Q. How would you describe the relationship between your granddaughter and your son?

A. No problems as far as I know. He picks her up to and from school. Nothing out of the ordinary. There was one incident where she had traded a cell phone with a boy that lived across the street. My son took her over to the boy and made her exchange the phones back.

[REDACTED]

[REDACTED]

Eyvette J. Chandler
3/19/06 2:04 PM

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent: 08/17/2009

Subject: Officer Eyvette Chandler

I just wanted to put in writing what I know to be the facts about Officer Chandler's involvement in the murder case of Commonwealth v. Dontia Patterson and the ugly aftermath.

Officer Chandler was a crucial eyewitness in the case. In fact, the difference between a hung jury (which was the result the first time, tried by a different ADA and during which Officer Chandler did not testify) and the first degree murder conviction obtained last month, was probably the direct result of Chandler's testimony. From outside of her home, she actually saw the murder occur, described the shooter (with a description that matched the defendant) and identified the defendant from an extremely poor quality videotape obtained from inside the store at Summerdale and Granite. The murder occurred just outside the little corner grocery and immediately after the person identified as the defendant by Officer Chandler left.

So she was critical and testified and cooperated fully, despite the incredibly sketchy circumstance of continuing to live directly across the small street from the defendant, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]