

IN THE COURT OF COMMON PLEAS, LOGAN COUNTY, OHIO

STATE OF OHIO, :  
Plaintiff, :  
vs. : Case No. 83CR-3  
GEORGE W. SKATZES, :  
Defendant. :

MOTION FOR NEW TRIAL

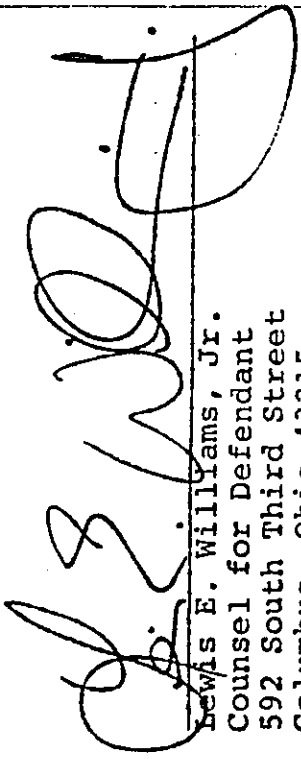
Now comes the defendant, by and through counsel, and moves the Court for a new trial on grounds of newly discovered evidence pursuant to Rule 33(A)(6), Ohio Rules of Criminal Procedure.

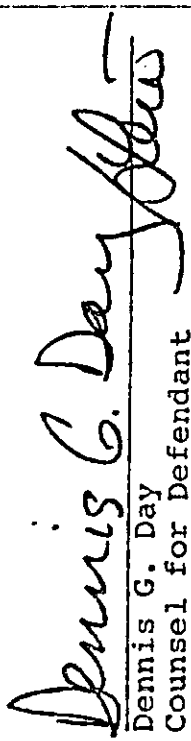
**FILED**  
COURT COMMON PLEAS

JUN 1 1983

*Janet S. Lane*  
CLERK, LOGAN COUNTY, OHIO

Respectfully submitted,

  
Lewis E. Williams, Jr.  
Counsel for Defendant  
592 South Third Street  
Columbus, Ohio 43215  
(614) 224-1979

  
Dennis G. Day  
Counsel for Defendant  
343 South Pearl Street  
Columbus, Ohio 43215  
(614) 221-8317

MEMORANDUM

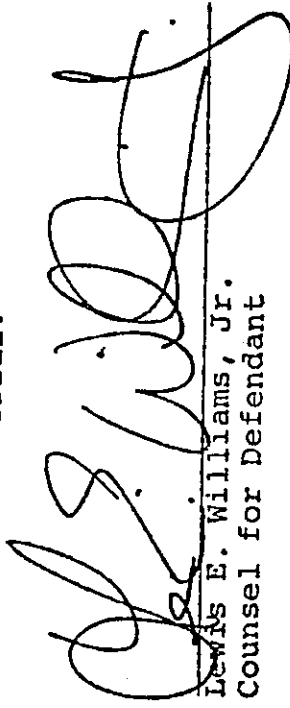
Attached hereto and incorporated herein is the affidavit of Danny Stanley wherein he claims that James Rogers admitted, prior to the trial of George Skatzes, that George was not involved in the death of Arthur Smith.

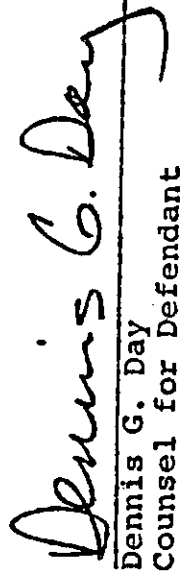
Also attached hereto, and incorporated by reference, is the affidavit of defense counsel, Lewis E. Williams, Jr., wherein he indicates that "due diligence" was observed by counsel for the defendant in an attempt to talk with Danny Stanley in the preparation of this case for trial. It is obvious from Stanley's

affidavit that agents of the State of Ohio improperly interfered with defense counsel's ability to discover any potentially favorable evidence that could be offered by Danny Stanley.

Finally, it is likewise obvious that the presentation of this evidence to the jury could very likely have changed the outcome of the trial from that of conviction to that of acquittal since the States' case was predicated upon the credibility of James R. Rogers.

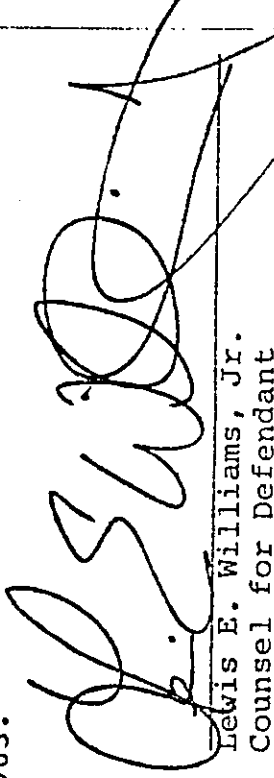
Certainly George W. Skatzes, like all American citizens, was entitled to a fair trial. Due to reasons over which he and his counsel had no control, such a fair trial was denied to him. It is respectfully requested that the Court remedy this situation by granting this Motion for New Trial.

  
Lewis E. Williams, Jr.  
Counsel for Defendant

  
Dennis G. Day  
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for New Trial was hand delivered to the Logan County Prosecutor on this 1<sup>st</sup> day of June, 1983.

  
Lewis E. Williams, Jr.  
Counsel for Defendant

State of Ohio  
County of Logan SS Affidavits

I, Denny B. Stanley, being sworn according to law, do state the following:

1. Prior to the commencement of George Sleater's trial for the murder of Arthur Smith, James R. Logens told me that George Sleater was not involved in the Callentine bank's murder.

2. I had previously been indirectly instructed not to speak with George Sleater's attorney, Lewis E. Williams, Esq.

3. I did not inform any local law enforcement officers of James Logens' statements due to fear of serious reprimand me by the State of Ohio.

4. Further affiant sought nothing

Denny B. Stanley



Lewis E. Williams, Esq.  
Notary Public  
My commission expires on May 1, 1988

Sworn to before me and subscribed presence of J. E. Williams, Esq.

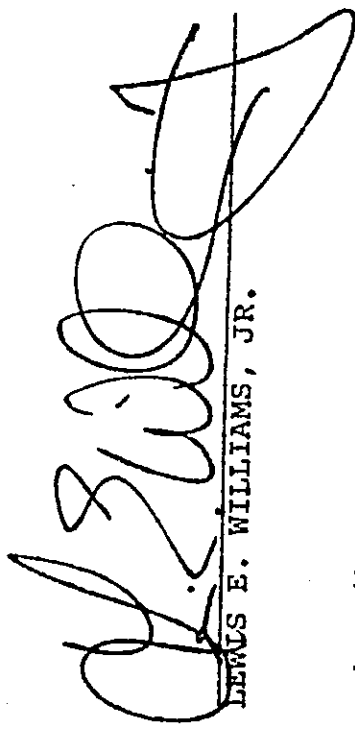
STATE OF OHIO)  
COUNTY OF FRANKLIN)

SS:


AFFIDAVIT

I, Lewis E. Williams, Jr., being duly cautioned and sworn according to law, do state the following:

1. I am counsel for the defendant, George W. Skatzes.
2. In that capacity I attempted to interview Danny Stanley at the Bellefontaine Police Department prior to the trial of the instant case.
3. Upon asking Danny Stanley to talk with me concerning the case, he directed a long glance toward Sgt. Neil Smith, in whose office we were, looked back at me, and said he did not wish to talk with me about the case.
4. Further affiant sayeth naught.

  
LEWIS E. WILLIAMS, JR.

Sworn to before me and subscribed in my presence on this  
1st day of June, 1983.

  
Notary Public  
BERNARD Z. YAVITCH, Attorney-At-Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission expires on \_\_\_\_\_  
Section 147.03 R. C.