

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT, DIVISION _____

In re WAYMOND ANDERSON
On Habeas Corpus

WAYMOND ANDERSON,
Petitioner,

Case No. _____

v.

LASC No. BA086745

DERRAL ADAMS,
Warden,

PEOPLE OF THE STATE OF CALIFORNIA,
Real Party in Interest

PETITION FOR WRIT OF HABEAS CORPUS

EXHIBITS - VOLUME 4 OF 5

EXHIBITS 10 - 33D
Pages E630 - E799

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WAYMOND ANDERSON

10/17/03, Patricia Ellison

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Exhibit 20

Declaration of Patricia Ellison
7-25-03

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3 DECLARATION OF MS. PATRICIA TIDMORE AKA PATRICIA ELLISON

4 IN SUPPORT OF PETITIONER

5 MR. WAYMOND J. ANDERSON JR.

6 CASE. #BA086745
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9 I, Patricia Ellison, hereby state and declare that the below statement is being given
10 of my own free will and free from any undue influence or duress. I do so in compliance
11 with all the governing laws of the state of California to the best of my own knowledge
12 and ability. I the signer of this declaration do so in the capacity as an individual, who
13 was called as an eye witness by the prosecution, in the case, the state of California V.
14 Waymond J. Anderson, case # BA086745 in the Los Angeles Superior Court, now
15 recant my trial testimony in this case, and I state the following:
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1. On May 4, 2003, I was interviewed by Mr. Bobby Neal Singleton, an associate of the Law Office of Nancy L. Slater Esq. for the purpose of recollecting the circumstance surrounding an arson fire that occurred on September 18, 1993 that injured my friends, Mr. Robert Greene, Mr. Willock Garcia, and killed Mr. Robert Wellington.
 2. During my interview with Mr. Bobby Neal Singleton, I provided him with the following facts about the morning of September 18, 1993. (1) Mr. Waymond J.

1 Anderson Jr. was not the person I saw on the morning of September 18, 1993 that
2 was looking for my friends, Mr. Norman Franklin a.k.a. Ponch and Mr. Wilbert
3 Jones a.k.a. Big Will, before Mr. Robert Wellington and Mr. Garcia's house was
4 set on fire. (2) Mr. Waymond J. Anderson Jr. has never given me a business card
5 of any sort. (3) Mr. Mr. Waymond J. Anderson jr. is not the person I knew as
6 Yonnie that would supply my friends Mr. Norman Franklin, a.k.a. Ponch, and
7 Wilbert Jones, a.k.a Big Will, with drugs to sell for him. (4) I had never seen Mr.
8 Waymond J. Anderson Jr. until Detectives Spears, one of the detectives handling
9 the case against Mr. Waymond J. Anderson Jr., pulled out a photo line up card
10 before we started one of the interviews I did in this case. Detective Spears took a
11 pen out and circled around Mr. Waymond J. Anderson Jr. photo. (5) Detectives
12 Spears asked me to know and remember this face and his name is (T). (6) Before I
13 began my first interview with the detectives investigating the case, they made it
14 clear that they had knowledge of my outstanding bench warrants and I was
15 avoiding a probation violation. (7) The two main detectives investigating the case
16 provided me the information regarding Mr. Waymond J. Anderson Jr. to use
17 during my interviews regarding this case. Both detectives used coercing tactics to
18 get me to say what they wanted me to say against Mr. Waymond J. Anderson Jr.
19 in the interviews I did with them.
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22 3. After I provided Mr. Bobby Neal Singleton with the above information, Mr.
23 Bobby Singleton asked me to recall and give greater details about the interviews I
24 had did with the detectives handling the case against Mr. Waymond J. Anderson
25 Jr. and whether the interview was taped or not. I informed him that I met with the
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1 detectives handling the case against Mr. Waymond J. Anderson Jr. approximately
2 three or four times, each time I would talk with the officers, we would talk before
3 the tape would begin. That is when I got information from them and they would
4 then tape my interview. When the tape was not recording, the detectives handling
5 the case would make me promises of leniency in my case, if I cooperated with
6 them in their case against Mr. Waymond J. Anderson Jr. Detective Kent
7 Anderson was at all three interviews. At a third interview Detective Kent
8 Anderson came with a detective I had never seen before. However, no matter who
9 was there for the interviews, I held with the detectives in the case against Mr.
10 Waymond J. Anderson Jr., they all used coercion and manipulation to get me to
11 participate in the railroading they were constructing against Mr. Waymond J.
12 Anderson Jr. On more than one occasion, I told the detectives handling the case
13 against Mr. Waymond J. Anderson Jr. that Mr. Waymond J. Anderson Jr. was not
14 the person I saw on the morning of September 18, 1993. I told them I could
15 identify the actual person I did see, and that person's name was (Yonnie) not (T).
16 My efforts to try to inform the detectives handling the case against Mr. Waymond
17 J. Anderson Jr. that they were incorrect were only ignored. The above mentioned
18 detectives handling the case told me I had identified for them the person I saw on
19 the morning of September 18, 1993, and it would be wise of me to cooperate with
20 them in this case, because it might have a domino effect on my case. I took the
21 detectives words in this case as threats, so I played along in the railroading of Mr.
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Waymond J. Anderson Jr.

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4. My first interview with Detective Anderson, and Detective Spears, took place sometime in October of 1993. Before the actual interview started, Detective Spears informed me from the start they new I had outstanding bench warrants and I was avoiding a parole violation. Detective Spears told me if I helped him with this case, he would do what he could to make my case a little bit easier to deal with. During this visit, Detective Spears pulled out the photo line up card and circled around the photo of the person I now know as Mr. Waymond J. Anderson Jr. He further told me his name is (T) and to remember this face because he is the person responsible for killing my friend Mr. Robert Wellington. I told Detective Spears, that he resembles the person I saw on the morning before Mr. Robert Wellington was killed. I knew that these detectives were not playing with me and was going to have my cooperation to meet their own needs one way or another.
 5. If Detective Spears would have not circled around Mr. Waymond J. Anderson Jr. face on the photo line up display card, I would have never identified Mr. Waymond J. Anderson Jr. even though he resembles the person I know as (Yonnie). Nor would I have identified him as the person I saw on the morning of September 18, 1993. I did not want to get railroaded by these detectives, so I played their game there way. It was very difficult to remember what the detectives actually told me to say and separate them from the events that I knew really happened on September 18, 1993.
 6. In the other interviews I did after I identified (T), with Detective Spears and Detective Anderson, I was further coached again before the actual interview started. I tried again to tell the detectives that the person they wanted me to say I

1 saw the morning of September 18, 1993, was not the person in there photo display
2 card. During my interviews, I included descriptions of several other people that
3 were also present with "Yonnie" on September 18, 1993 before the fire took place
4 that took the life of Mr. Robert Wellington. I gave them information about all the
5 people whom were affiliated with the drug business involving the death of Mr.
6 Robert Wellington.

7 7. Before Mr. Waymond J. Anderson Jr. was to start trial, I was contacted by Deputy
8 District Attorney Anne Ingalls concerning the Waymond J. Anderson case. Ms.
9 Anne Ingalls informed me that I was crucial to her getting a conviction against
10 Mr. Waymond J. Anderson Jr. at his trial. I told Deputy District Attorney Anne
11 Ingalls that it was not Waymond J. Anderson Jr. I saw on the morning of
12 September 18, 1993 before Mr. Robert Wellington's house was set on fire. I told
13 her if I saw a photo of the person who actually started the fire; I could identify
14 them, because there was more than one person involved. Deputy District
15 Attorney Anne Ingalls informed me that I am mistaken and that it was Mr.
16 Waymond J. Anderson Jr. who I saw on the morning before the fire, and if it
17 wasn't him, he was still connected and responsible for the death of my friend Mr.
18 Robert Wellington. Deputy District Attorney Anne Ingalls informed me that these
19 people were involved in organized crime and they were very dangerous. I needed
20 to cooperate with her so that they could catch all the people that were involved
21 with this crime. Deputy District Attorney Anne Ingalls, told me not to fear
22 anything, she would help me and give me protection from the guys, she would
23 place me somewhere safe, and no one could ever find me. I told Deputy District
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1 Attorney Anne Ingalls, I had time to do in prison and I was afraid because of the
2 organized activities these people were capable of doing, also I was uncomfortable
3 with testifying against someone I was sure did not commit the crime that took
4 place on September 18, 1993. Deputy District Attorney Anne Ingalls further told
5 me, she would help me with whatever I needed to feel comfortable if I would
6 cooperate with them and testify as directed. I asked Deputy District Attorney
7 Anne Ingalls, if I could be transferred to a facility in Washington State to be
8 closer to people whom I know would take care of me and I would feel safer there.
9 Deputy District Attorney Anne Ingalls told me she would be able to help me with
10 my transfer in compliance to my testimony against Mr. Waymond J. Anderson Jr.
11 I did not have anyone looking out for me in California, so I had an opportunity to
12 be transferred out of state to be with people that would help me deal with my time
13 more comfortable; I then agreed to assist the prosecution team against Mr.

14 Waymond J Anderson Jr. I entered into a verbal agreement with Deputy District
15 Attorney Anne Ingalls that I would testify the way I was directed, for a transfer to
16 the state of Washington, and other monetary items to make my stay in prison
17 more comfortable.
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- 20 8. Even though, I made a verbal agreement to assist Deputy District Attorney Anne
21 Ingalls, in the case against Mr. Waymond J. Anderson Jr., the way the prosecution
22 team wanted me to, I still did not trust Deputy District Attorney Anne Ingalls on
23 her word. From there I sought out legal advice from Mr. Lawrence Drasin Esq. I
24 wanted to know if Deputy District Attorney Anne Ingalls could make my transfer
25 possible and I wanted to find out how to handle such a deal. Attorney Lawrence
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1 Drasin advised me to not make a deal with anyone unless it was in writing or legal
2 council was present. Attorney Lawrence Drasin was not my appointed council
3 and could not be there to make such a deal on my behalf.

4 9. I did not follow Attorney Lawrence Drasin's advice, I followed through with the
5 request of Deputy District Attorney Anne Ingalls, at Mr. Waymond J. Anderson
6 Jr. trial the way I was instructed to do so, without anything in writing and without
7 having legal council present. After I testified for Deputy District Attorney Anne
8 Ingalls the way I was coached and coerced into, I received nothing for it. Deputy
9 District Attorney Anne Ingalls and I had several phone conversations after the
10 trial was over none resulted in her keeping her word for my untrue testimony
11 against Mr. Waymond J. Anderson Jr. When I returned back to the prison I was
12 housed in, I contacted Deputy District Attorney Anne Ingalls several times to
13 enquire about the transfer, I left messages with her secretary. I never heard from
14 Deputy District Attorney Anne Ingalls regarding completion of my transfer.

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16 10. I have written several letters to the district attorney's office in Los Angeles, to
17 inform Deputy District Attorney Anne Ingalls, my concerns and regrets for being
18 manipulated into the railroading of Mr. Waymond J. Anderson Jr. For years, I
19 have wondered what ever happened to Mr. Waymond J. Anderson Jr. and how I
20 could help to correct the mistake that was made against him. It has been really
21 hard coping with the thought and knowing that an innocent man is in prison. I
22 am sorry I allowed the detectives investigating the Waymond J. Anderson case
23 and Deputy District Attorney Anne Ingalls tricked me into testifying against Mr.
24 Waymond J. Anderson Jr. I know that Mr. Waymond J. Anderson Jr. was not the
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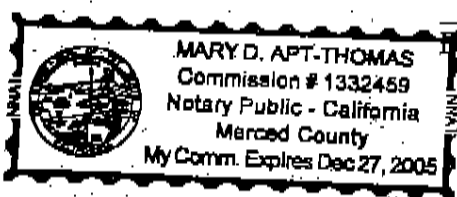
person who was looking for my friends Mr. Norman Franklin and Mr. Wilbert Jones on the morning of September 18, 1993.

11. I have recently viewed a photo-line up display card in the presence of Mr. Bobby Neal Singleton and a state employee who is a notary at the prison I am currently housed at. I have positively identified the person I know as (Yonnie) out of the photo line up display I was shown. The person I have recently identified is the person who I saw on September 18, 1993 that was looking for Mr. Norman Franklin, a.k.a. Ponch, Mr. Wilbert Jones, a.k.a. Big Will, and set Mr. Willock Garcia's Home on fire, killing Mr. Robert Wellington.

At this time, I have officially recanted my testimony against Mr. Waymnd J. Anderson Jr. I, Patricia Tidmore a.k.a. Patricia Ellison, declare under the penalty of perjury the foregoing information is true and correct, executed on July 25, 2003 in the state of California.

Patricia Tidmore - Ellison
Patricia Tidmore-Ellison Declarant

Bobby Neal Singleton
Bobby Neal Singleton Witness



SUBSCRIBED AND SWORN TO BEFORE ME
THIS 25th DAY OF JULY 2003
Mary D. Apt-Thomas
NOTARY PUBLIC