
Post-Trial Proceedings

People v. Maynard, 80 Misc. 2d 279 - NY:
Supreme Court, New York 1974

1-4-1971

Affidavit - Alfred James Gary

Lewis M. Steel '63

LEWIS M. STEEL, ESQUIRE
Name MEYER, OBERMAN & STEEL (SUITE 310)
Street & No. 350 BROADWAY
City NEW YORK CITY State NEW YORK 10013
[ZIP CODE]

When Replying Sign Your Full Name And Address
Give Inmates Full Name And Number

BOX 149
ATTICA N. Y. (14011)

Date January 4, 1971

Well Sam:

JAN 8 1971

I was prompted to write to you today as a result of some papers and a letter I received from Bill Nelson of the Criminal Appeals Bureau of the Legal Aid Society. No doubt Mike told you of my involvement in the class action pending in the Eastern District regarding the Queens House of Detention For Men. Bill advised me that I may be called down as a witness. I will most probably be lodged in the Federal Detention Center at West Street.

Well, I see the Parole Board next week. I was wondering if you managed to catch the ear of that psychiatrist whom you mentioned. I would certainly be interested in getting in to his program. Should he prove responsive you might suggest to him that he contact the NEW YORK STATE DIVISION OF PAROLE on WEST 40TH Street in Manhattan. This way it would (the offer of a program) be ~~more~~ processed much faster and could bring about my release much sooner. As an alternative you could contact the LOWER EASTSIDE INFORMATION & SERVICE CENTER, 165 EAST BROADWAY and throw them a salespitch. They also have various

programs which could be helpful and they also carry a little weight with the Division of Parole. In the meantime I will contact them from this end.

I hope that your trip up here to see me was not a wasted one. My regret is that I was not in a position to offer more information. But I would ask that you deliver my regards to Tony and please keep me informed as to my developments.

Will look forward to hearing from you.

Best regards,

Hap Gary

Alfred Gary #24901

James W

210 South St

Reality House —
2065 Amsterdam

Amos Henricks

Evelyn

928-7950

234-0600

Call Miles Jaffe

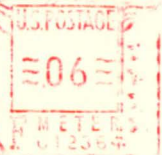
(H) 691-7367

(O) 243-3253

IF NOT DELIVERED IN FIVE DAYS

RETURN TO

BOX 149, ATTICA, N. Y. 14011



P. O. BOX 149

ATTICA, N. Y. 14011

William D. Maynard & Co.
17068



Mr. Lewis M. Steel, Esq.,

of Severo, Messers, Oberman & Steel
Attorneys at Law

351 Broadway

New York City 10013

NYSIS

304288R

August 4th 1971

Dear Lewis,

Received your letter and want you to know that everything is now under control & today released from segregation, and placed in what they call the 'grading Company' which is very satisfactory. Also today I received the books of which I am extremely appreciative.

Adrian Connor was shipped to another prison a few weeks before I arrived; also the Deputy warden Bergen I believe they both in the same institution. [the priest is still here]

August 6th, 1971

Adrian Connor is now at Larchmont State Prison.

Thank you for clarifying & I will try to my utmost to remain cool. I feel that you all are certainly doing all under not-so ideal conditions everything that can be done.

I am working on something as soon as it is completed I will send to you

Respect,

May

P.S.

My regards & appreciation to all

MR. LEWIS M. STEEL
Name DISUVERO, MEYERS, OBERMAN, STEEL

Street & No. 350 BROADWAY

City NEW YORK CITY, State NEW YORK 10013
[ZIP CODE]

RECEIVED
When Replying Sign Your Full Name And Address
Give Inmates Full Name And Number

BOX 149
ATTICA N. Y. (14011)

DATE FEB 16 1971
Date February 8, 1971

Hello Lou:

This is just a short note to advise you that I did receive your letter of January 27.

Providing nothing unusual happens I will be leaving this joint on the 22ND. As you suggested I will give you a call at the first opportunity because I will be interested in talking with you.

Other than that I received a visit from an attorney who is involved in Herman Schwartz's so-called "PRISONERS' RIGHTS PROJECT." The name is Cohen, or Korn; you may know him. I think I mentioned to you before what we here have been trying to accomplish. From what I have been led to believe something positive is taking place. Also I have been receiving mail from the Corp of Civil Liberties Union. Frankly, I think it's all a lot of bull. See you in a couple of weeks. Regards to Miles and Terry.

Alfred Gary
#24901

Power,
Gary (Nap)

present LMS
Trinidad Jaffer, Gang

LMS Notes
Africa 12/29/70

Connor $\Rightarrow$ about $\rightarrow 5' 8'' - 5' 8\frac{1}{2}''$

Connor said he wanted to submit.
I went down, I tried to give
statement.

Gang asked Connor if ^{Maynard} he did
it. Connor said Maynard. Who
did it, he did it.

Connor said to Gang he didn't
see how they ident Maynard
because he (Connor) and
Maynard don't look anything
alike.

Thompson E in evidence, looks
like Connor.

When I asked why he was
down, he said he wanted
to make statements. But he
said he said they wouldn't
let him. When I asked him
who they were, he said "the
officials."

Got on train, handcuffed
together left on Dec 14.

Connor asked where she had come from,
said Attica.

Said he used to ^{sell} marijuana,
worked in Woodside, had a girl
there.

Connor asked what he was doing.
Connor said he had come down
as a witness.

I wanted to testify for somebody,
but the officials wouldn't let me.

One of 2
prisoners
who went
to Auburn
heard
part of
conversation.
Got off
at Syracuse.

10
higher
than
Gory's.

Connor asked if Gory knew
Marginal. Gory said yes.

Said he said he shouldn't have been
arrested.

Connor said he didn't see how he could
do it.

Had trouble with the people; they put
him in reception (the fairs).

Name LEWIS M. STEEL, ATTORNEY
MEYER, OBERMAN AND STEEL

Street & No. 350 BROADWAY (SUITE 310)

City NEW YORK CITY, State NEW YORK 10013
[ZIP CODE]

When Replying Sign Your Full Name And Address
Give Inmates Full Name And Number

BOX 149
DEC 21 1970

ATTICA N. Y. (14011) PM

Date December 20, 1970

RE: PEOPLE VS. MAYAR DEC 24 1970

Dear Mr. Steel:

On December 11, 1970 I was transferred from the New Queens House of Detention at Kew Gardens, to the Tombs for eventual transfer back to Attica State Prison (I was down on a coroner's van for a "Montgomery" type hearing).

On December 14, I was returned by train to Attica, with one Adrian Connors, as well as two other inmates who were returning to Auburn State Prison. We engaged in a rather lively conversation and, as a result, I feel it is my duty to inform you that I have acquired some very important information that may prove useful to you in your efforts. Should it be necessary to submit an affidavit then I would be more than willing to do so. However, that may not be necessary. There is a strong possibility that I may be in a position to appear at my post-conviction hearing. You see sir, I was somewhat successful on my own motions and received a reduction in my original sentence. This makes me eligible for release almost immediately. As a

Supreme Court of The State of New York
County of New York

People of the State of New York
v.

William A. Maynard, Jr

State of New York } ss
County of Wyoming }

Alfred James Gary, being duly
sworn, deposes and says:

1. I AM PRESENTLY A PRISONER AT ATTICA
CORRECTIONAL FACILITIES, ATTICA, NEW YORK 14011. ON
DECEMBER 14, 1970 I WAS RETURNED TO ATTICA FROM
THE MANHATTAN HOUSE OF DETENTION FOR MEN, LOCATED
AT 125 WHITE STREET, NEW YORK, NEW YORK FOLLOWING
A RESENTENCING PROCEEDING.

2. ON THE TRIP BACK TO ATTICA I WAS HANDCUFFED
TO ANOTHER PRISONER BEING RETURNED TO THE SAME
FACILITY. THIS PRISONER'S NAME IS ADRIAN CONNER.
THERE WERE TWO OTHER PRISONERS WHO WERE ALSO
WITH US ON THEIR WAY BACK TO AUBURN CORRECTIONAL
FACILITY.

3. DURING THE COURSE OF THE EIGHT-HOUR TRAIN RIDE I TALKED WITH CONNER. AMONG OTHER THINGS WE DISCUSSED THE WILLIAM A. MAYNARD MURDER TRIAL WHICH HAD JUST BEEN CONCLUDED.

4. ADRIAN CONNER TOLD ME THAT HE HAD GONE DOWN TO NEW YORK CITY FROM ATTICA IN ORDER TO TESTIFY IN THE CASE BUT SAID THAT "THEY" WOULDN'T LET HIM TESTIFY. WHEN I ASKED HIM WHO "THEY" WERE, HE SAID "THE OFFICIALS."

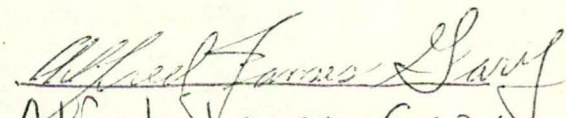
5. DURING OUR DISCUSSION ADRIAN CONNER TOLD ME THAT MAYNARD COULD NOT HAVE COMMITTED THE CRIME. I ASKED CONNER WHY. CONNER ANSWERED "BECAUSE I DID IT." CONNER SAID THAT HE DID NOT KNOW HOW MAYNARD COULD BE CONVICTED BECAUSE "HE DID NOT EVEN LOOK LIKE ME."

6. AFTER ADMITTING TO THE CRIME CONNER REPEATEDLY TOLD ME THAT HE WANTED TO TELL THE AUTHORITIES BUT THEY JUST WOULDN'T LISTEN.

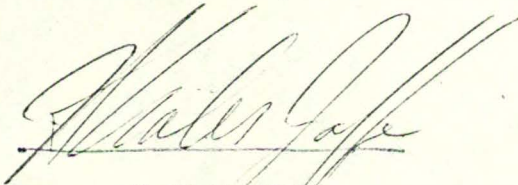
7. I AM MAKING THIS AFFIDAVIT DURING THE COURSE OF AN INTERVIEW WITH MY ATTORNEY, MILES JAFFE, AND WITH MAYNARD'S ATTORNEY LEWIS M. STEEL. DURING THE COURSE OF THIS INTERVIEW, MR. STEEL HAS SHOWN ME A COMPOSITE DRAWING OF THE MAN WHO ALLEGEDLY KILLED SERGEANT MICHAEL KROLL ON APRIL 3, 1967. THIS COMPOSITE HAS BEEN MARKED AS DEFENDANT'S

EXHIBIT E ON OCTOBER 28, 1970. THIS COMPOSITE
DRAWING BEARS AN EXTREMELY CLOSE RESEMBLANCE
TO ADRIAN CONNER. I NOTE THAT IN EXHIBIT E THE
DESCRIPTION LISTS THE SUSPECT'S HEIGHT AS 5'8" TO
5'10" I BELIEVE THIS TO BE CONNER'S APPROXIMATE
HEIGHT. EXHIBIT E DESCRIBES A MAN OF MEDIUM
BUILD, WHICH ALSO FITS CONNER.

8. CONNER APPEARED TO BE VERY CONCERNED
ABOUT THE CASE AND SPOKE COHERENTLY.


Alfred James GARY

SWORN to on
December 29, 1970



H. MILES JAFFE
NOTARY PUBLIC, STATE OF NEW YORK
No. 31-7066310
Qualified in New York County
Commission Expires March 30, 1975