

DECLARATION OF [REDACTED]

I, [REDACTED], declare:

1. I was a witness in the criminal proceedings against Samuel Bernstine, Darnell Hollister and Deandre Mitchell based on two separate shootings in late 2011 and September 2012.
2. The statement that I originally gave at the hospital on September 2, 2012 was accurate in that only one individual approached me outside [REDACTED] Antioch on that date and shot me once in the chest. That individual was not Deandre Mitchell.
3. The statement which I gave to Detective Stenger on September 5, 2012 was accurate regarding the shooting in late 2011 in that I was unable to identify anyone because it was too dark in the vehicle. The shooting happened very fast and I was unable to see into the car and identify whoever was in the car. It was dark in the vehicle and the only thing I was saw before running and ducking was muzzle flash.
4. I never saw Deandre Mitchell during either of the shootings.
5. My previous statements about Deandre Mitchell were just based on rumors I had heard in Richmond.

I declare under penalty of perjury that the foregoing is true and correct, except as to those matters stated on information and belief, and as to those matters I believe them to be true.

Executed this 28 Day of August 2014, at San Francisco, California.

Witnessed by: [REDACTED]

*Anchev Koltunick*