

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff,

Case No. 00-00001-01-PO

*
MICHAEL DEGRAFFENRIED,
Defendant.

AFFIDAVIT OF WILLIE WINBERLY

BEFORE ME, the undersigned Notary, personally appeared Willie Winberly, who being by me first duly sworn, on his oath, deposes and says:

1. My name is Willie Winberly and I make this affidavit from personal knowledge of the matters addressed herein.
2. On June 15, 1999, I was wounded, shot in the leg, in a shooting incident that happened on Florence Street in the City of Tarrant. Another person, Raymond Williams was also wounded and Alexandre Davis was killed by the gunfire.
3. I saw the person who fired the shot that injured me but I did not recognize his face.
4. At the time of the shooting, I knew a guy named Michael Degraffenried who also went by the name Michael D. Michael lived down the street from me and he was a familiar face.
5. While I was in the hospital recovering from the shooting, Detective Williams came to visit me and asked me if I knew the person who shot me. I told Detective Williams that I saw the shooter's face but did not know him or recognize him.
6. After I was released from the hospital, Detective Williams and Detective Greg Hill came to my house and interviewed me again. At that time they mentioned Michael Degraffenried and asked me if Degraffenried was the person who shot me. I told them Degraffenried was not the person who shot me.
7. I was called to testify at the preliminary hearing for Michael Degraffenried. I did not want to testify because I was still traumatized from the shooting and I was only 16 years old. Detective Greg Hill came to my home and escorted me to the hearing where I testified.

8. At the preliminary hearing I testified that a woman was seen by one location police and on the street just the shots were fired. I testified that a girl was driving the car but I did not recognize her then or the faces of any of the others in the car. I do not remember being asked at the hearing of Michael Degraffenried was the person who shot me.
9. The prosecutor did not subpoena me to testify at Degraffenried's trial and I did not attend the trial. I assumed that the information I gave to police and testified to at the preliminary hearing would be revealed at the trial.
10. If I had been called to testify at the trial I would have testified, as I did at the preliminary hearing, that I did not recognize the shooter and the shooter was not Degraffenried.

11. I do not recall Mr. Degraffenried's attorney ever contacting me or speaking with me.
12. I know one of the people who testified that he was present at the shooting scene and that Michael Degraffenried did the shooting. That person is my cousin, Frederick Ward. I know that Frederick Ward was not at the shooting scene because I was there.
13. I saw Frederick Ward after the preliminary hearing and I told him what I had testified to. He told me he testified that Michael Degraffenried was the shooter. I told Ward that was not true and he just shrugged his shoulders. I asked why he lied about Michael being the shooter and he told me that he did not like Degraffenried.
14. The information in this affidavit is true and accurate. I have not been promised anything, bribed or coerced in any way to make this statement and I am willing to testify under oath in a court of law.

FURTHER, YOUR AFFIANT SAYETH NOT.

Willie Wimberly
[Signature of affiant]
Willie Wimberly

Subscribed and sworn to before me on 7/29/19 in Chippewa County, Michigan.
My commission expires: 11/12/2025

Signature: S. Khazi
Notary Public, State of Michigan, County of Chippewa

S. Khazi
Notary Public - State of Michigan
County of Chippewa
My Commission Expires: 11/12/2025
Acting in the County of Chippewa