



ORIGINAL

Pennsylvania Board of Pardons Commonwealth of Pennsylvania Application for Clemency

Important: This application should be completed by incarcerated applicants only. The application must be typed or neatly printed. All questions must be answered. Please answer "N/A" for questions that are not applicable to you.

Official Use Only. Do not complete this Section.		
Application Number: 37051	Board of Pardons Number:	Session Date:

Section 1: Type of Clemency Requested				
<input type="checkbox"/> Commute Death Sentence to Life Imprisonment	<input checked="" type="checkbox"/> Commute Life Imprisonment to Life on Parole	<input checked="" type="checkbox"/> Commute Minimum Sentence	<input checked="" type="checkbox"/> Commute Maximum Sentence	<input type="checkbox"/> Pardon
Sentence: <input type="checkbox"/> Death <input checked="" type="checkbox"/> Life <input checked="" type="checkbox"/> Min/Max Sentence (Minimum Date: _____ Maximum Date: _____)				
Have you previously filed a pardon application in Pennsylvania? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you answered yes, state the date(s) of your previous application(s) and application number(s) if known: 1985, 1988, 1989, 1993, 1998, 2009				
Have you previously filed a pardon application in another state or with the federal government? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Public Hearing 1999 If you answered yes, provide the following: Where filed: _____ Granted: <input type="checkbox"/> Yes <input type="checkbox"/> No Date Granted: _____				

Section 2: Applicant Information			
Last Name: Goldblum	First Name: Charles	Middle Name: Jacob	Suffix:
Date of Birth: 4/9/49	Place of Birth: Mansfield, Ohio	Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Social Security Number: 167-38-7680
Name of Institution: SCI Mahanoy		Inmate Number: AP-2904	
Address: 301 Morea Rd.		Parole Number: 2953-M	
City: Frackville		State: Pennsylvania	Zip Code: 17932
Aliases and Other Names: State every other name by which you have been known. Include your maiden name, names by former marriages, aliases and nicknames. My nickname is "Zeke"			
Representation: Who will represent you if you are granted a public hearing? Note: Incarcerated applicants <u>may not</u> represent themselves. If you do not have representation, please contact: The Interagency Liaison Bureau of Treatment Services Pennsylvania Department of Corrections 1920 Technology Parkway Mechanicsburg, PA 17050 (717) 728-0380		Representative's Name, Address and Telephone Number <div style="border-bottom: 1px solid black; padding-bottom: 2px;">David Goldblum</div> <div style="border-bottom: 1px solid black; padding-bottom: 2px;">611 Old Crossing Drive</div> <div style="border-bottom: 1px solid black; padding-bottom: 2px;">Pikesville, MD 21208</div> <div style="border-bottom: 1px solid black; padding-bottom: 2px;">410-486-9467 410-900-4829</div>	

Section 3: Convictions For Which Clemency Is Requested

Important: Only the convictions referenced in Section 3 will be considered for clemency.

Case #1	Date of Incident: 2-9-76	County: Allegheny	OTN#:	Docket Number: 7601267, 7604325 7604830 7603198
----------------	-----------------------------	----------------------	-------	--

<input checked="" type="checkbox"/> Found Guilty <input type="checkbox"/> Pled Guilty <input type="checkbox"/> Pled Nolo Contendere(No Contest)	Date of Sentence: 10-3-1977 Judge: Donald Ziegler
---	---

State the offense(s) and sentence(s) for this case. Sentences should include any ordered fines, costs and restitution.

Offense(s): 1. 1st Degree Murder 2. Arson 3. Solicitation to Commit Arson 4. Conspiracy to Commit Theft 5.	Sentence(s): 1. Life 2. 10 to 20 consecutive 3. 5 to 10 consecutive 4. Restitution 5. (Offenses and Sentences Continued on Supplement <input type="checkbox"/> Yes <input type="checkbox"/> No)
---	---

Provide the offenses that were nolle prossed, withdrawn, dismissed, dropped or found not guilty:

In your own words, provide detailed facts of this incident, which must include how you were involved.

THREE events resulted in the charges filed against me. My prosecutors used these three events to weave the false narrative that lead to my conviction for first-degree murder.

I have recounted in previous applications for clemency why and how the narrative is false, but since my last application, new information has come to light. In addition, **Willful Blindness**, a book about my case has been written and published (Refer to exhibit 18). Furthermore, a website, freezeke.com, has been established to archive both the truthful analysis of what occurred as well documents, video depositions, and other evidence that support my case.

(Facts of Crime Continued on Supplement Yes No)

Have you paid your fines, costs and restitution? Yes No
If you answered no, state your outstanding balance: _____ Date of your last payment: _____

Have you ever violated your probation or parole? Yes No
If you answered yes, was your probation or parole revoked? Yes No

Is this case currently on appeal? Yes No
If you answered yes, state the court where your appeal is pending: _____

State the names of any co-defendants related to this incident:
Clarence Miller, Thadeus Dedo, & Fred Orłowski

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

These resources may be referenced to support arguments made throughout this application.

The connecting link between the three events was Clarence Miller, his relationship to me, and his relationship to the victim, George Wilhelm, who in a dying declaration, named Miller as his assailant.

I first met Miller in the summer of 1972, when I was a law student working for the Clerk of Courts. Miller was sort of a go-fer who ran errands for judges and constables, and we became casually acquainted. I returned to law school in the fall and did not see Miller again until after I graduated. In January 1975, I purchased a restaurant, the Fifth Avenue Inn, with the help of my parents. One afternoon when I was there, Miller happened to stop in. After that, he came in regularly for meals and takeout orders, and we became reacquainted.

The **FIRST** event was the defrauding of George Wilhelm in 1973 and 1974 by Clarence Miller, Thaddeus "Ted" Dedo, and Fred Orlesky. I was not involved in that crime in any way and was unaware of its commission until more than a year after it occurred.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

~~The **SECOND** event was the arson of the restaurant. I oversaw its operation but greatly underestimated how much of my time it would take to run. I was also working fulltime at an accounting firm and teaching a class at the University of Pittsburgh. A series of bad decisions led me to a point of desperation. When Miller suggested burning down the building for the insurance, I hired him. The fire took place on the evening of November 30, 1975; the building was destroyed, but there were no injuries.~~

~~The **THIRD** event was the killing of George Wilhelm by Miller on February 9, 1976. An argument between the two of them broke out that evening in Wilhelm's car, which was on the eighth-floor rooftop level of the Smithfield-Liberty Parking Garage in downtown Pittsburgh. Wilhelm was in the driver's seat, Miller in the passenger seat, and me in the back seat. Wilhelm punched Miller, and then Miller started stabbing him. Wilhelm got out and stumbled away. Miller followed, repeatedly stabbing him. Then he tumbled Wilhelm over the edge of the building.~~

Rather than falling to the street, Wilhelm landed on the roof of a pedestrian bridge one floor below.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

~~Mortally wounded, he survived long enough to tell the police officer who came to his aid, "Clarence. Clarence Miller did this to me."~~

~~I was present when Miller attacked Wilhelm but had no previous knowledge of nor took any part in the assault. Afterwards, shocked by the violence I had just witnessed and because of my complicity in the arson, I foolishly agreed to give Miller an alibi. I did not want him to be arrested, fearing he would reveal my involvement in the arson, which would prevent my parents from recovering the insurance on the restaurant.~~

~~Contrary to Miller's testimony at my trial, George Wilhelm had absolutely nothing to do with the arson. At the time of the fire, I had never even met Wilhelm.~~

~~Initially, Miller denied to the police that the fraud had been committed, and he told them that the arson of the restaurant was my motive for murdering Wilhelm. Faced with evidence, Miller had to admit the land fraud and his complicity in it. So he said I had been the fraud's mastermind. Years later, lawyers from the~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

District Attorney's Office admitted that at the time of my trial, they never believed that Wilhelm had anything to do with the fire. In spite of this, and without hesitation, they let Miller testify that I hired Wilhelm to set the fire, to create a false motive for me to kill him.

Here are closer looks at these three events. They are referenced to the attached exhibits, as well as documented in the book and website in far greater detail than can be presented here

THE LAND FRAUD

In 1973 or early 1974, George Wilhelm, received a disability settlement of some \$45,000. He then became interested in acquiring a parcel of federally-owned land in North Carolina, where he could dig for semi-precious stones.

Miller and Wilhelm knew each other and had worked together for Republicans during political campaigns, running errands and stapling up posters. Somehow, Miller convinced Wilhelm he knew then US Senator Richard Schweiker and could arrange for the sale of the land. When Wilhelm took the bait, Miller

Section 4: Additional Criminal History For Which Clemency Is Not Requested

Subsection 4A: Adult Charges and/or Convictions

Do you have other charges (convictions and non-convictions) that are not to be included in your clemency request? Yes No
 If you answered yes, complete the following information for each federal and state charge. Charges which resulted in ARD should be included in this subsection.

Date of Incident:	Federal or State Charge(s)?	Offense(s):	Disposition:
		r	

Subsection 4B: Juvenile Charges and/or Adjudications of Delinquency

Do you have any juvenile charges and/or adjudications of delinquency not to be included in your clemency request? Yes No
 If you answered yes, complete the following information for each charge. Charges which resulted in a Consent Decree should be included in this subsection.

Date of Incident:	Name of the County and State:	Offense(s):	Adjudicated Delinquent: Yes or No	Disposition:

Subsection 4C: Non-Traffic Citations

Have you been issued any non-traffic citations (i.e. Harassment, Underage Drinking, Disorderly Conduct) not to be included in your clemency request? Yes No
 If you answered yes, complete the following information for each non-traffic citation

Date of Citation:	Name of the County and State:	Offense(s):	Disposition/Penalty:

Subsection 4D: Traffic Citations

Have you been issued any traffic citations? Yes No
 If you answered yes, complete the following information for each traffic citation.

I had one speeding ticket. I can't recall the circumstances.

Date of Citation:	Name of the County and State:	Offense(s):	Disposition/Penalty:

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

<p>Offenses continued from Section 3:</p> <p>Offense(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>	<p>Sentence(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>
---	---

Facts continued from Section 3:

~~concocted a convoluted scheme with Ted Dedo and Fred Orlosky~~

~~Dedo presented himself as Ken Manella, an aid to Senator Schweiker. Miller testified that three meetings took place in hotel rooms, two in Washington, D. C. and one in Washington, Pennsylvania. At each meeting, Wilhelm handed over several thousand dollars in cash to Dedo. At the final one, on August 24, 1974, Wilhelm was given two "supposed" deeds. Miller was also present at these meetings. (At my trial, Miller testified that I had attended one meeting with him and Dedo, even though we proved I was out of town on business that day.)~~

~~After several weeks went by and Wilhelm had not received formal deeds for the property, he became suspicious. On October 6, 1974, while he happened to be the Senator Schweiker's Pittsburgh office, he asked Flora, the secretary, about Manella. She described him altogether different physically than the Ken Manella (Dedo) with whom Wilhelm had been meeting and dealing.~~

~~Flora phoned the real Ken Manella in Washington, D.C., and Wilhelm told him what had transpired over the past year regarding the land deal. Manella had no knowledge of having any meetings, accepting any money~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

<p>Offenses continued from Section 3:</p> <p>Offense(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>	<p>Sentence(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>
---	---

Facts continued from Section 3:

~~from Wilhelm, or conveying any deeds to Wilhelm. Senator Schweiker's office referred Wilhelm to the FBI. The following day, October 8, Wilhelm went to the Pittsburgh office of the FBI and met with Special Agent Gary Boutwell.~~

~~At first, Wilhelm told Boutwell truthfully about the land deal as he understood it. He also provided the two "deeds" he had been given by Manella (Dedo) at their third and final meeting at the George Washington Hotel in Washington, Pa., where he also handed over the final payment for the land.~~

~~One bogus deed was dated July 24, 1974 between Ken Manella (Dedo), Lands and Forests of North Carolina and George Wilhelm encompassing 650 acres in Clay County, North Carolina. The other was dated August 7, 1974 between Ken Manella (Dedo), Lands and Forests of North Carolina and George Wilhelm for 1536 acres located in Clay County, North Carolina.~~

~~It is important to note that according to both the FBI record and agent Boutwell, who testified at my trial, Wilhelm told the FBI about Miller and Manella (Dedo), but he never referred to me in any way. It is also~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____

Sentence(s):

6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____

Facts continued from Section 3:

noteworthy to again mention that I never met George Wilhelm until more than a year and a half after he filed his report with the FBI.

At my trial, I saw copies of both fake deeds, which were laughably amateurish.

- On the top of the deed where it asks for "party of the first part" and "party of the second part", under "party of the first part," was typed "Ken Manella, Lands and Forests of North Carolina AND "George R. Wilhelm, while the "party of the second part," which refers to the buyer, was left blank.
- On the back of the deed where it has a certificate of residence, rather than Wilhelm's address, Miller's address was typed-in.
- The deed forms were apparently purchased in Pittsburgh and not North Carolina, since the blank for state was pre-printed as "Commonwealth of Pennsylvania." Additionally, small print in the upper-left corner is indicated "P.O. Naly No. 50 Adopted by Bar Association in Pennsylvania. Copyright 1975, P.O. Naly Company."
- In the upper right-hand corner, "Commonwealth of Pennsylvania" was x'ed out, and "State of North Carolina" was typed in. "Carolina" was also misspelled as "Carollna."
- The description of the land was not a "legal description" as contained in all legitimate deeds.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

- The deeds were signed by Ken Manella (Dedo), Clarence Miller, as witness, and George Wilhelm.

~~Had I actually had been part of the scheme, as Miller and the prosecution falsely led the jury to believe, I would have never executed such an amateurish effort. A licensed attorney, I was definitely familiar with the mechanics of a properly executed deed. Had I been involved, I would have made sure that the right deed form was used and that it was filled-out correctly, so as not to raise suspicion of the victim.~~

~~When Wilhelm first spoke to the FBI, he told them the truth as he knew it. According to both the FBI reports and Special Agent Gary Boutwell, who testified at my trial, Wilhelm never mentioned my name or referred to me in any way when he spoke to them. If I had been involved in the land fraud, surely Wilhelm would have mentioned me to the FBI. It is important to note that both the prosecutor and the police were aware of this less than a week after Wilhelm's death and more than a year before my trial began. Miller, who was interviewed several times by both the police and prosecutors, was never asked why Wilhelm did not mention me to any way to the FBI.~~

After talking to the FBI, Wilhelm told Miller what he had done. Somehow, Miller convinced Wilhelm to go

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

back and retract his statement, saying the FBI's involvement would ruin any chance for Wilhelm to get a deed for the North Carolina property. When Miller promised to refund his money if the deal didn't work out, Wilhelm agreed.

On October 9, 1974, Miller and Wilhelm wrote and mailed a notarized letter to the FBI stating that the complaint Wilhelm had just filed was intended as a joke being played on Ken Manella to scare him during the election season of his boss, Senator Schweiker.

At my trial, Miller falsely testified that I was at a meeting in the Brass Rail restaurant with him and Wilhelm, when this letter was being written. It turned out that I was actually out of town that week on business in Reston, VA for my employer.

Interestingly, FBI agent Boutwell, who testified at my trial, stated that he did not believe Wilhelm when the complaint was withdrawn. Boutwell continued to believe that Wilhelm had been defrauded. According to Boutwell, the FBI discontinued their investigation because the U. S. Attorney for the Western District of

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

Pennsylvania, Richard Thornburgh, issued a letter of declination. No referral was made at that time to the authorities in Allegheny County or the City of Pittsburgh for proper follow-up. No explanation has ever been given for this anomaly.

At this point, the matter rested because Miller was able to placate Wilhelm until February 9, 1976, when the killing took place.

THE ARSON

In January 1975, I purchased the Fifth Avenue Inn, a restaurant located near downtown Pittsburgh. My parents provided the money, investing nearly \$70,000 in the business and assuming a \$100,000 mortgage on the building. This money represented a substantial proportion of their savings.

I never should have asked my parents to make such an investment. From the beginning, the business did not do as well as I had expected. I purchased the restaurant in my first year out of law school. I was also working full time at Arthur Anderson and teaching accounting part time at the University of

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

Offenses continued from Section 3:

Offense(s):

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

Sentence(s):

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

Facts continued from Section 3:

Pittsburgh. The restaurant became the straw that broke the camel's back. There simply weren't enough hours in each day for me to get everything done.

~~By that fall, I was completely worn out. I needed to put more time into my career and my marriage. Something had to give. Initially, I tried to sell the restaurant, but nothing developed. I was feeling so frazzled I felt I needed to find an immediate solution. In November, when Miller suggested that a fire would solve my problem, acting foolishly and irresponsibly, I hired him to burn down the restaurant.~~

~~I never told anyone, not my family or my attorneys that I had arranged the arson until years later, after my parents had recovered a large part of their investment from the insurance companies and were no longer imperiled by the mortgage on the restaurant building.~~

~~When I made the decision to have the restaurant burned, I did not have my normal judgment. I was worn out from the demands on me and grabbed for instant relief. I rationalized that no one would be hurt. I hired Miller to do the job because I had no experience or firsthand knowledge of how to do it.~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

<p>Offenses continued from Section 3:</p> <p>Offense(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>	<p>Sentence(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>
---	---

Facts continued from Section 3:

As I stated above, George Wilhelm had absolutely nothing to do with the arson. The lead prosecutor, F. Peter Dixon has admitted that he never believed Miller's account that Wilhelm set the fire. This was corroborated by Assistant District Attorney James Gilmore, at the public hearing held in connection with my 1998 clemency application.

I make no excuses for having the restaurant burned down. It was wrong in all respects and something for which I am deeply ashamed. I was raised to know it was criminal, and immoral. As an attorney, I should have known better. My initial transgression led to other serious mistakes. It caused years of pain and anguish for both the Wilhelm family and my family. It started a horrible chain of events that culminated in a terrible loss of life.

THE HOMICIDE

In January 1976, barely one month after the fire, Miller came to me because I was a lawyer and was beholden to him for the arson. He said he needed my legal advice in connection with a land deal that had

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

gone awry. He told me that someone named George Wilhelm had paid out a lot of money, had nothing to show for it, and was pressuring him.

At first I did not believe Miller and suspected that he was trying to get more money for burning down my restaurant. The primary reason for my suspicion and disbelief was that he was telling me he had committed a fraud on Wilhelm, who he described a good friend. Since Wilhelm knew who he was, I could not see how Miller expected to defraud him and get away. At some point, Wilhelm would have to realize that he had been cheated and that his friend was part of the scheme.

The other reason Miller's story seemed skeptical to me was that he kept speaking in terms of committing the fraud himself, while making vague references to another person. This other person turned out to be Dedo posing as Ken Manella.

I told Miller that his best chance for a quiet solution was to repay the money. When I asked if he had the funds to do that, he said yes. I felt sure that if Wilhelm were repaid, he would not pursue the matter with

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

the authorities again. I agreed to meet with Miller and Wilhelm on the understanding that Miller would come clean and offer to repay the money immediately.

There were two meetings. The first took place on a Sunday afternoon February 8, 1976, at a McDonalds in downtown Pittsburgh. Miller introduced me to Wilhelm. What Miller said at this first meeting started to confirm my suspicion that other people were involved. Instead of coming clean, Miller told Wilhelm that he had been unable to contact Manella and suspected that Manella had skipped out.

When I realized that Miller was not heeding my advice and was lying to Wilhelm, I said I had to leave. I was uncomfortable, because to sit there and say nothing while Miller misled Wilhelm would be implicitly condoning his dishonesty. I had serious doubts at this point about whether the whole story was genuine. I was expecting Miller to ask me for the money to give to Wilhelm. I suspected that the two of them were trying to pull a scam on me by telling a story that made no sense.

I got up and started to go. Miller, knowing that I was disgusted with him, left Wilhelm at the table, and

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):		Sentence(s):
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

followed me to the door of the restaurant. I said if he was not going to take my advice, he should not have involved me in the first place.

Miller pleaded with me to meet with him and Wilhelm again. I wanted nothing more to do with him but felt trapped because he had burned down my restaurant. So, reluctantly, I agreed.

We met again at the same McDonald's the following evening. Since I taught accounting at the University of Pittsburgh, the meeting was scheduled after my class was over. I drove downtown and parked in an alley near the building where my employer's office was. That's where Miller met me. We walked several blocks to the McDonalds, where Wilhelm was waiting.

As we sat down, Miller and Wilhelm immediately began to discuss the land deal. Realizing that this was not going to be a short meeting, Wilhelm said that he had to move his car off the street. Miller and I went with Wilhelm to his car. Miller got in the front passenger seat, I got in the back seat, and Wilhelm drove the car to a nearby parking garage.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

As we proceeded upward in the garage, Miller began telling Wilhelm that he would not be getting the land, but that he would get his money back. Growing progressively more agitated, Wilhelm asked when he was going to get his money. Miller said it would take a while

By then, we had reached the top level of the garage, and Wilhelm pulled into an open space. Wilhelm was yelling, and Miller was trying to placate him. Then they started to fight in the front seat.

After what seemed seconds, I saw a spurt of blood and realized that one of them was bleeding. Then Wilhelm then got out of the car and started stumbling away.

At this point, I realized that Miller had stabbed Wilhelm. Terrified, I got out of the right side of the car and fled to the exit door on the far side of the garage. I watched Miller get out of the car, chase Wilhelm, and keep stabbing at him. When they reached the edge of the building, Wilhelm pulled himself up on the low wall. Then, grabbing his feet, Miller tipped him

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3;
over the edge. I heard a thud.

Having witnessed this brutal assault, I cowered where I stood. Sensing my terror, Miller held out his hands to demonstrate that he had no weapon. Slowly I walked over to where he stood and looked over the edge.

Wilhelm was lying on a ledge one floor below and not moving. I was sure that he was dead. I just had to get away from the whole thing and walked quickly back toward the stairwell. Miller followed me. He was covered in blood and as he tailed me down the stairs, he kept begging me to take him home. I kept telling him no, but he followed me back to my car.

Still shocked, scared, and unable to think clearly, I foolishly acquiesced to Miller's pleas. I agreed to drive him home and give him an alibi. Still not thinking clearly, I agreed to place myself with Miller and Wilhelm at the restaurant before the killing and to say that Miller and I left Wilhelm at the restaurant.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3: Offense(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____		Sentence(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____

Facts continued from Section 3:

After all these years, I have never been able to understand or justify my absurd conduct that evening. The combination of my fear of Miller, my witnessing the killing, and my wanting to insure his silence concerning the arson all contributed to my agreement to provide him with an alibi.

But it turned out that Wilhelm was not dead. Barely alive when the police found him, he told the officer, in what was a dying declaration, "Clarence, Clarence Miller did this to me."

Taken to a hospital, Wilhelm died a few hours later. Despite remaining conscious and having ample opportunity, he never mentioned my name to the police or doctors.

My conscience has always plagued me for not trying to help Wilhelm. First, I ran away from the fight. Then I left Wilhelm on the ledge below. Even though I thought he was dead, he still deserved better than what I did, or more accurately, what I failed to do. The bottom line is, I was cowardly and selfish at that moment. Had I tried to help him, he might have survived. The panic I felt is no excuse.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

THE ARREST

Because of Wilhelm's dying declaration, the police were able to identify and locate Miller the morning after the murder. When detectives brought Miller in for questioning, he initially told them our prearranged alibi.

After the police interviewed Miller, police detectives came to my office to corroborate the story he had given them. I told them the same story, but with a discrepancy regarding where Miller and I met before going to the restaurant. The detectives left my office, returned to the police station, and confronted Miller with the discrepancy. Miller then told them he had been there at the murder, but that I was the assailant. The combination of Miller's statement and my attempt to give him an alibi led to my arrest for murder.

THE POLICE INVESTIGATION

While I lied about my involvement in the fire, Miller lied also.

In order to shift blame on to me and to create a false motive for murder, Miller testified that I hired Wilhelm to

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

set the fire and that Wilhelm was pressuring me for payment for both the fire and the land fraud. It was only after my attorney requested pretrial discovery in connection with the FBI file that the police questioned Miller about the land fraud.

Even though the police and prosecution were aware of and were given copies of the FBI report pertaining to the land fraud and Miller's participation as early as February 12, 1976, just three days after the murder. But it was only after my attorney requested pre-trial discovery in connection with the FBI report on the land fraud, that the police questioned Miller about his involvement in it.

Prior to that request for discovery, Miller never mentioned the land fraud at all to the police. When confronted about it, Miller, true to form, immediately implicated me, claiming I had been the mastermind behind the land fraud scheme.

With absolutely no corroborative evidence, the police and prosecutors accepted what Miller told them. Furthermore, Assistant District Attorney Ted Fagan acknowledged that the police had discovered a copy

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

of a deed for the North Carolina land in their search of Miller's home. Curiously, this finding did not lead to further investigation by the police.

According to the reports and testimony of police detectives who interviewed Miller at his home, barely 12 hours after the murder, he had fresh scratches on his hands, wrists, face, and arms, in addition to a deep laceration on his finger. Incredibly, no photographs were taken, nor was there any investigative follow-up in connection with these suspicious injuries. They clearly indicated a struggle, injuries suffered by Miller while he was attacking Wilhelm.

Additionally, about 10 months **AFTER** I had been convicted, we discovered that Miller had failed three police polygraph examinations regarding his involvement in the murder and arson. These polygraphs were all administered **PRIOR** to my trial but were not disclosed to my attorney.

Throughout the investigation, one significant fact was never in dispute. When the three of us were in Wilhelm's car, he was driving, Miller was in the right front seat, and I was in the back seat. Miller always admitted this to

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

be true.

Miller told the police that we were seated in the car as described above, but that I hit Wilhelm in the head with a wrench, and when Wilhelm then got out of the car to get away from me, that I got out, and chased after him, repeatedly stabbing him.

Miller also told the police what I was wearing the night of the murder. When police searched my house the next day, they found the described clothing, but there was no blood on any of it.

On the other hand, Miller admitted, both to the police and in his testimony at my trial, to have washed his clothing after the killing and tossing his bloody overcoat into a city garbage truck. Miller's neighbor also testified at my trial that he saw Miller wearing bloody clothes in front of his home after the murder.

According to Dr. Perper, the pathologist who did Wilhelm's autopsy, there was no bump, no bruise, nor any blood on the back of Wilhelm's head, as would have been the case had I hit him in the back of the head with a

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:
 monkey wrench, as Miller testified.

Drs. Michael M. Baden and Barbara C. Wolf, well known forensic pathologists were also retained by my attorneys to review the case. At paragraph twenty-one of their report, they stated:

Mr. Miller's testimony indicated that George Wilhelm was struck on the back of the head by Mr. Goldblum with a monkey wrench. The post-mortem examination did not reveal any evidence of a blunt force injury to the back of the head. (Refer to exhibit 1)

Dr. Henry C. Lee, another forensic pathologist also retained by my attorney's, stated at page four, paragraph six, of his report:

Laboratory examination of the wrench found in Mr. Wilhelm's car indicated that no trace of blood, bone, tissues, or hair-like materials was detected. This scientific fact is clearly inconsistent with the testimony by Mr. Miller that Mr. Goldblum clubbed Mr. Wilhelm on the back of his head with a wrench. (Refer to exhibit 2)

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

The police also were not able to find any trace of evidence on the monkey wrench that would have indicated that I struck Wilhelm -- no blood, bone, hair, nor tissue was found on the monkey wrench.

According to the reports and trial testimony of homicide detective Ronald Freeman, who led the investigation against me, there was a trail of blood spatter across the dashboard of the car, with little tails on the droplets indicating the direction the blade had moved during the attack -- from left to right. This evidence clearly showed that the occupant of the right front seat (Miller) stabbed the man in the driver's seat (Wilhelm). This also proved that the victim had to have been stabbed several times while he was still in the car, which was also contrary to Miller's testimony.

Drs. Baden and Wolf at paragraph twenty-two of their report stated:

Blood spatters were observed on the dashboard of the car. These spatters, in the absence of a laceration from a blunt force injury, indicate that the stabbing occurred in the car. This is inconsistent with Mr. Miller's testimony that no stabbing occurred in the car. However, it is consistent with Mr. Goldblum's testimony that he saw Mr. Miller with the bloody grass shears or murder weapon while still in

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:
the car. (Refer to exhibit 1)

Dr. Cyril H. Wecht, a noted pathologist and former Coroner of Allegheny County, was also retained by my attorneys to review the case. At paragraphs twenty-two and twenty-three of his report, Dr. Wecht stated:

Mr. Wilhelm was sitting in the driver's seat; Mr. Miller was in the front passenger seat, and Mr. Goldblum was in the rear seat. As the blood spatters were in front of the victim, not behind him, it is more likely than not that he was stabbed by someone in front of or immediately to the side of him. Given the relative positions of the parties, the physical evidence points to Mr. Miller as being the person who stabbed Wilhelm while in the car.

The pattern of blood distribution on the dashboard evidenced a left to right movement. This pattern is consistent with and establishes that Mr. Wilhelm was stabbed by the person to his right - Clarence Miller. (Refer to exhibit 3)

Drs. Baden and Wolf concurred in their opinion, stating:

The left-to-right direction of the blood spatters on the dashboard are consistent with Mr. Wilhelm being

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):		Sentence(s):
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:
 stabbed by a person sitting to his right in the front passenger seat – the uncontested position of
 Clarence Miller. (Refer to exhibit 1 – paragraph 23)

Dr. Lee likewise concluded that Miller assaulted Wilhelm:

The location and the direction of those blood spatters are inconsistent with Mr. Wilhelm being stabbed
 by a person sitting in the back seat of the vehicle. Given the relative position and the location of each
 party, it is more likely that Mr. Wilhelm was stabbed by the person to his right. (Refer to exhibit 2 - page
 two (2), paragraph one (1).)

Dr. Herbert MacDonnell, a highly regarded forensic expert on the interpretation of blood spatter, issued a
 report dated December 13, 2000. At page four (4), Dr. MacDonnell stated:

Apparently, no detailed photographs showing the small bloodstains reportedly present on or
 around the dashboard of the vehicle in question were taken. The description given by Mr.
 Freeman in his testimony is typical of individuals who are attempting to relate what they observed
 regarding bloodstains. From what he said, it may be concluded that blood was projected onto the

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):	Sentence(s):	
6. _____	6. _____	
7. _____	7. _____	
8. _____	8. _____	
9. _____	9. _____	
10. _____	10. _____	
11. _____	11. _____	
12. _____	12. _____	
13. _____	13. _____	
14. _____	14. _____	
15. _____	15. _____	

Facts continued from Section 3:
 dashboard area as a result of some kind of a bloody object being swung from left to right. This instrument, be it a knife, wrench, hammer, or short club, would almost certainly have to be swung by someone sitting or otherwise positioned in the front seat. Had some bloody instrument been swung by someone in the rear of the vehicle, it is virtually impossible that castoff blood could have left a narrow bloodstain pattern with well-defined tails on the right side as has been described. (Refer to exhibit 4)

The police conducted a thorough investigation of the crime-scene and took many photographs, but somehow they later were not able to produce any photographs of the all-important blood spatter evidence on the dashboard of Wilhelm's vehicle.

At my trial, we learned that the blood spatter had been scraped off of the dashboard by the police Mobile Crime Unit. Years later, Detective Sal Crisanti, an experienced member of the Mobile Crime Unit who was the photographer at the scene of the murder, testified that it was standard procedure to always photograph evidence (the blood spatter) before its removal. At the time of the deposition, he could not specifically recall

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

whether or not dashboard photographs had been taken, but he stated that in his career he never removed blood without photographing it first. Also, apparently no attempt was made to type the blood until the time of trial at which point, it was too late.

According to our crime scene expert, John Balshy, had the police taken photographs of the blood spatter on the dashboard, they could have easily identified who the assailant was to a certainty. See paragraph six (6) of Mr. Balshy's report. (Refer to exhibit 5)

Balshy also pointed out that the crime scene was investigated thoroughly in all other aspects. This investigation was conducted by the homicide department of a major police force of a large city. This unusual absence of the crucial missing dashboard photographs is troublesome.

Miller told the police and testified that I borrowed and wore his gloves and that I committed the murder with these gloves on my hands.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

Dr. Henry C. Lee, a forensic specialist of considerable renown, was retained by my attorneys to review the case. At page three (3), paragraph five (5), Dr. Lee stated:

A pair of black vinyl gloves was recovered from the parking garage with blood stains consistent with the blood type of George Wilhelm. Mr. Miller testified that Mr. Goldblum wore the gloves while committing the murder. However, the only person to whom these gloves were linked through forensic evidence was Mr. Miller. Two hairs taken from the inside of the gloves were consistent with the hand/arm/hair of Mr. Miller but were different from the hair of either Mr. Wilhelm or Mr. Goldblum. These scientific findings exclude Mr. Goldblum as the person who deposited these two body hairs inside of the glove. (Refer to exhibit 2)

On May 22, 2013, Dr. Joshua Perper, noted forensic and medico legal consultant, a former Allegheny County coroner, and Medical Examiner who actually performed the autopsy on Wilhelm delivered a 55-page report on his reexamination of the entire case. In his conclusion, Dr. Perper wrote:

After reviewing the voluminous documentation listed at the beginning of my report, it is my professional opinion within a reasonable degree of medical certainty that Mr. Goldblum did not commit the stabbing

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

Sentence(s):

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

Facts continued from Section 3:

assault of Mr. George Wilhelm, that Clarence Miller who was named by the victim in a dying declaration, indeed carried out the homicidal attack on George Wilhelm, who ultimately confessed that he was involved in the murder, and that indeed Mr. Goldblum had been a passive observer during the homicide and that conviction of homicide, based on the perjury testimony of Clarence Miller. Goldblum's trial and conviction for the stabbing murder of George Wilhelm were as frankly characterized by Mr. Peter Dixon's (the prosecuting attorney in Goldblum's trial) 1998 sworn affidavit as a clear "miscarriage of justice" (Refer to exhibit 6 or exhibit 18, pages 360-361)

Finally, my original trial attorney had a strong feeling there was something wrong with Miller psychologically, and he filed a pretrial request to have him examined by a psychiatrist. The trial court denied this request. At my trial, my attorney asked Miller if he had ever had any medical problems and whether he had ever been hospitalized. Miller dishonestly answered that he had not.

Although police and prosecutors knew about Miller's mental deficiencies three weeks after the murder, we did not learn about it until his trial (nine months after my trial concluded), when several psychiatrists and

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

psychologists who had examined Miller, testified concerning his mental disorders and conditions and brain damage. At least three of these six revealing mental exams were conducted **PRIOR** to my trial and requested by the prosecution. However, inexplicably, neither the results **NOR** the revealing-exam reports were ever shared with my defense counsel.

THE TRIAL

My trial did not begin until August 1977, in part because my attorney filed perjury charges against Miller in an effort to have him declared incompetent as a witness. Miller had been involved in the affidavit he and Wilhelm gave the FBI stating that Wilhelm's initial complaint was a hoax. The District Attorney resisted this effort, and appeals were taken. It took a year before the appeals were turned down.

Throughout the whole procedure, I did not tell anyone the truth about the fire, maintaining I was innocent of all charges.

There were two reasons for this lie. By far the most important to me was that my parents owned both

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

their home and the restaurant building jointly, and there was a \$100,000 mortgage on the restaurant. This meant that if there was a mortgage foreclosure on the restaurant, they could lose their home. I felt responsible for getting them into this mess, and that unless I denied having the restaurant burned down, they would be ruined financially.

In addition, I selfishly felt that to avoid being disbarred and losing all I had worked for, I had to avoid any criminal conviction.

Unfortunately, because I did not tell the truth, I had no explanation for why I tried to give Miller an alibi. Without my admitting that Miller had the fire hanging over my head, the jury understandably concluded that I was involved with Miller in the land fraud and therefore had a motive to want Wilhelm dead.

I never admitted my complicity in the arson until years later, after my parents had recovered some of their losses from the restaurant.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

As wrong as my lying about the arson was, even more damaging to my case were two solicitations for murder for which I was charged. The jury was told of one of them, which had a devastating impact on their evaluation of my character, and was a major factor for my guilty verdict.

While out of jail on bond, I was approached by Andrew Bey, a prisoner I had met in jail. He told me my problem could be solved without a trial if Clarence Miller was dead. He introduced me to an undercover detective posing as a hit-man, and we agreed on a price to have Miller killed.

Thinking back, it is clear I was not in a right state of mind. When the police charged me with the land fraud based on Miller's word alone, I reacted badly and became excessively suspicious. Even though I was out on bond, I had lost my job and teaching position. Isolated and unable to work, I grew increasingly depressed and despondent. Then my wife moved out. I stopped taking the tranquilizers and antidepressants I had been prescribed, because I felt that my medicated state had contributed to her leaving.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

To this day, I cannot fathom what was going through my mind that caused me to agree to hire a hit-man. I ~~think about what might have happened and am thankful that no one was hurt. As mentioned above, at~~ the time I was suffering both major personal problems and mental health issues that affected my judgment and balance. I do not mention this as an excuse for my reckless and out-of-character behavior. Even though the solicitation charges were eventually dropped, I am profoundly sorry and take full responsibility for my aberrant behavior.

It is important to consider the second solicitation charge filed against me. It was made after I was back in jail for several weeks. Another convict, Ronald O'Shea, said I had hired him to murder not only Miller, but three other police officials, including Detective Freeman, who led the investigation against me. O'Shea's story was patently incredible, and the District Attorney dropped the charges before my trial. Years later, in 1996, O'Shea filed a sworn affidavit, stating that that he was approached by lead detective Ronald Freeman, who told him:

"He would intercede on my (O'Shea's) behalf with the DA on a burglary charge if I (O'Shea) would

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

cooperate with the police by trying to get Globule to solicit me (O'Shea) to have Freeman and two other officers killed." He continued, "I falsely gave Freeman the information he needed in order to file solicitation charges against Goldblum. When I told Goldblum about the police 'set-up' and when the police found out that I did that, the charges against Goldblum were dropped." (Exhibit 7)

One final interesting point was raised by the undercover officer in the first solicitation who testified at my trial. He testified that as he was leaving our meeting, I warned him to be careful about Miller. When he asked why, he said I told him, "Because I saw him kill a man."

APPEALS AND SUBSEQUENT EVENTS

I was convicted of first-degree murder on August 31, 1977, but it was not until Miller's trial the following May that we learned he had been given at least six psychological evaluations after Wilhelm's death, all of which questioned his ability to be truthful. Sometime after that, it was also discovered that Miller had been given at least three polygraph tests, only one of which had been properly entered into the master polygraph log.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

~~Miller's attorney tried to have statements he had made to the police suppressed because he had been involved in an accident as a child from which he suffered brain damage. An expert psychologist and an expert psychiatrist both testified to Miller's brain damage and resulting memory impairment. The attempts to suppress Miller's statements were unsuccessful, and he too was convicted of first-degree murder in Wilhelm's death and sentenced to life in prison.~~

When my attorneys discovered this new evidence of Miller's mental condition, they filed a Petition with the Supreme Court of Pennsylvania for a remand to the trial court for a hearing to determine whether or not I was entitled to a new trial based on after-discovered evidence. This request was denied.

After Miller's direct appeal was turned down, he filed a Petition under the Post Conviction Hearing Act, claiming that his lawyer had been ineffective for not raising an insanity defense. In his petition, Miller wrote:

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

(A5) That the statements I gave the police were not true and not of my making or my free will, but instead a product of the police interrogator's own design and personal conviction.

(A6) That the statements I gave to the police and signed that I saw Charles Goldblum stabb [sic] George Wilhelm are not true because at that point I blacked out and remember nothing. I wasn't even aware of my own existence let alone anything that happened to George Wilhelm. (Refer to exhibit 8)

We petitioned for remand again, and this time it was granted. Then, on the advice of his attorney and the District Attorney's Office, Miller withdrew his PCHA petition. The District Attorney has never offered any explanation of what part they played in this decision nor why they were advising Miller at this point.

At the hearing, the experts testified that Miller had a mental defect resulting from an injury suffered in an accident as a child. They explained that Miller had an impaired memory and as a result filled in memory lapses with "confabulation," the medical term for unconscious lying. According to the experts, Miller's test

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

results showed a significant memory deficit. The hearing went well, and my lawyers felt that we would be granted a new trial.

Unfortunately, they were wrong.

We then retained a new lawyer, who filed Post Conviction and Habeas Corpus Petitions. These too were unsuccessful.

In 1996, I filed a second Post Conviction Hearing Petition. It questioned the manner in which the police investigation had been conducted, the destruction of evidence, and the failure of my trial lawyer to investigate the blood spatter evidence. That application was accepted for public hearing.

One of our crime scene experts told us that if the police had conducted a complete and objective investigation, Wilhelm's assailant could have been specifically identified beyond question. This was not done, and no good explanation has been given. Judge O'Brien turned down my petition without an

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):		Sentence(s):
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:
evidentiary hearing.

This decision was reversed on appeal, and remanded for a hearing. In the interim, Judge O'Brien retired, and the case was assigned to Judge McDaniel, who took an unusual step.

She only allowed testimony from my trial attorney, Dr. Wecht, and Toby Wolson, an expert for the Commonwealth. Judge McDaniel did not permit Dr. Lee, Dr. Baden, Dr. Wolf, Dr. McDonnell, or Mr. Balsby to testify.

We found out through a deposition, that during an interview with Warden Richard Gigliotti and Attorney General Fisher, who were both members of the Board of Pardons at my public hearing in 1999, Miller had confessed to participating in the murder.

Judge McDaniel stated that the remand order mandated excluding my witnesses; however, there was no such limitation in the language of the remand order. The only limitation in the order was that the hearing

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:
 was to cover only the claim of ineffective assistance of counsel. Neither Judge McDaniel nor the Superior Court cited any prior case authority to support the ruling. In nearly all cases involving a claim of actual innocence, a petitioner should be allowed to make a full record. I have never been given that opportunity. The Courts have not treated my case fairly.

~~Because of this decision, conclusions have been made that are fundamentally and factually wrong.~~

Because we were not allowed to call our experts, the courts wrongly decided that no conclusion could be drawn from blood spatter without a picture of the spatter. The Commonwealth's witness, Toby Wolson, testified to this.

We checked on this assertion. According to Dr. MacDonell, Dr. Lee, and Dr. Wecht, Mr. Wolson's conclusion is unquestionably and absolutely wrong. Conclusions based on the clear description of the

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

~~blood spatter contained in Detective Freeman's testimony are deemed appropriate. When we filed affidavits with the Court, we were not permitted to call these witnesses to dispute Mr. Wolson.~~

Although the police were responsible for taking and preserving these exculpatory photographs, their error mean I have never been permitted to properly address these blood spatters in court.

~~Wolson later testified that if the photos did show the blood spatters as Detective Freeman described them, he would have agreed with the other experts that Miller was the assailant, and not me.~~

Ultimately, Mr. Wolson's erroneous opinion became the key reason the courts have used to turn down my petitions. Based exclusively on his testimony and ignoring the professional judgments of internationally recognized forensic experts, the Courts have decided that I could not prove anything as a result of the description of the blood spatter in Detective Freeman's detailed dashboard blood spatter testimony from my trial.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

This has resulted in rewarding the police and prosecutors for their improper conduct and investigation. At the least, their investigation was substandard because no photographs were taken of this extremely vital piece of blood spatter evidence; either as a result of neglect, oversight, or perhaps intentional corruption.

However, it is equally plausible that photographs of the blood spatter were in fact taken and then discarded in order to impede and hinder my ability to prove my innocence. No disclosure was made to defense counsel. The petition was unsuccessful in State Court.

In 2007, we then filed a successive petition for Habeas Corpus. While the Third Circuit permitted us to proceed, ultimately we were unsuccessful. One of the judges in the Third Circuit, Senior Judge Louis Pollak, dissented because I had never been allowed to fully present my case. In his dissent, Judge Pollak opined:

Without a federal evidentiary hearing, the court must rely on factual determinations that were developed from an inadequate hearing and, I believe, are significantly weakened by the record

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

<p>Offenses continued from Section 3:</p> <p>Offense(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>	<p>Sentence(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>
---	---

Facts continued from Section 3:
 when viewed in its entirety. Goldblum proffers a wealth of evidence supporting his allegations. But ~~no court -- state or federal, has held a hearing adequate to address this evidence;~~ I therefore believe the District Court abused its discretion in failing to do so.

Judge Pollak concluded:

~~The law entitles Goldblum to an evidentiary hearing. I would remand this case to the District Court with an order to conduct a hearing on whether the petitioner has made a showing of "actual innocence" sufficient to establish subject matter jurisdiction over his habeas petition. I would do so because Schlup and Cristin afford Goldblum such protections—protections whose importance is powerfully illustrated by the circumstances presented by this case. (Refer to exhibit 9)~~

~~My case was one of the most important of the 1970s. The case file was voluminous, and three copies were kept in the police archives.~~

~~In 1995, when my attorney requested the police records contained in my homicide case file, she was~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3: Offense(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____		Sentence(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____

Facts continued from Section 3:

informed by the City of Pittsburgh that they were ALL missing. My case is one of the most prominent of the 1970s. That ALL three copies of such a large and significant police file would turn up missing, is not plausible.

Later in 1995, my attorney brought in investigators Mr. Balshy and his partner, Richard Jeffries to examine the Coroner's files relative to George Wilhelm's death. At that time, the entire file was in the Coroner's Office but they were only permitted to see part of the file. This denial to see the entire file was not legal. State law provides for complete access. After Dr. Wecht took office as Coroner in January of 1996, my attorney was notified that the Coroner's file was now MISSING.

It was common knowledge that Dr. Wecht had written a letter to the Board of Pardons in support of my application for commutation in 1993. I strongly suspect that someone did not want the record to be in the Coroner's Office when Dr. Wecht took office.

Several months later, we asked the Pittsburgh Police for their separate file kept in the Mobile Crime Unit.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

Again, we were told that this record was ALSO MISSING. We also discovered that separate files kept in the Police Photo Lab were ALSO MISSING.

The saga of the missing files amounts to all THREE voluminous police homicide files, the Coroner's file, the Mobile Crime Unit file, and the Photo Lab file – that totals SIX files associated with my case kept in several different secure locations going missing in totality!

In a letter dated November 1, 2004, Dr. Wecht wrote:

"On average, the Allegheny County's Office generates approximately 7,000 files each year on cases ... Since the time I returned to office in 1996, I would estimate that nearly 65,000 case files have been generated without any others having been reported missing. I do not believe, for one moment, that the missing files were happenstance. Quite simply, the files were stolen from this office for purposes known only to the thief, but most likely to prevent my administration or any other person or agency from scrutinizing any misconduct, which had most likely occurred in these

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3: Offense(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____		Sentence(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____

Facts continued from Section 3:
 cases. The odds of this scenario being accidental are infinitesimal." (Refer to exhibit 10)

Dr. Wecht asked the County Police to investigate the missing Coroner records. Their investigation led to no charges being filed. Some years later, we later learned that the County Police, after investigating for a full week, had not made a case file. According to Detective Elizabeth Hoover, who participated in the investigation, a memorandum known as a "Blue Special" had been submitted to her supervisor. The County Police claim this memorandum was purged a few years after completing the investigation of the Coroner's Office. I question the claims that no case file was established and that the "Blue Special" memorandum was purged.

In 2004, we retained an expert to determine whether or not the missing records could be considered random events. Dr. Stephen E. Fienberg, a Professor of Statistics and Social Science at Carnegie Mellon University, conducted an analysis of the first four missing records. We had not as yet learned that the Allegheny County Police "blue special" memorandum had been purged within a few years after the investigation was terminated.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

Dr. Feinberg summarized his findings:

If the probability is 1/10, the upper bound on the probability that all four files are missing is 0.0001. If the probability is on the order of 1/100, an upper bound on the probability of losing all four files totally at random is 0.00000001. I therefore conclude that finding four missing files at random is an extremely rare event. The alternative to assuming that we have observed such a rare event is to conclude that there is a connection among the files being lost, i.e., that they were not lost at random. (Refer to exhibit 11)

In 2016, we also queried the coroner's office to obtain the transcript for February 18, 1976, but have been told that the transcript of the inquest document does not exist in their archive.

All the files concerning this case went missing from several different archive locations. This is not just a coincidence. In all likelihood these files were intentionally destroyed. While I cannot state who specifically took the files from their archives, it can certainly be presumed that only police or other government

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:
workers had access to these records.

I have never been given my day in court on this issue. The District Attorney has always opposed our requests for discovery, and information. They also were able to convince the Courts to limit the scope of inquiry. It is logical to ask why they have always opposed complete disclosure unless someone in their office or the Police Department has something to hide.

In summation, I do not claim a massive conspiracy directed against me, and I do not have any express proof that anyone in particular has done anything wrong. However, the following facts and circumstances cannot be disputed:

- My case was clearly one where the police had to determine whether Miller or I was the assailant. Therefore, caution and care were called for.
- The prosecution could not produce pictures of the blood spatter on the dashboard. Either the pictures were not taken, or they were taken, but came up missing at the time of trial. The crime

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

scene photographer has stated that it is standard procedure to always photograph such evidence before it is moved or destroyed.

- The police did not type the blood found on the dashboard and offered no explanation.
- Four days after his arrest, Miller failed a polygraph test, and at least two more over the next several months. None of these polygraphs were shared with my defense, and only one was entered into the Master Polygraph log.
- At the time of his arrest, detectives noted scratches on Miller's face and arms and a laceration on one finger. These were never photographed nor Miller questioned about them.
- Wilhelm expressly named Miller in his dying declaration. The police and prosecutors said that this meant that Miller set the victim up. This interpretation of the dying declaration is highly unorthodox.
- Crucial evidence was not shared with my defense, including the result of at least three psychiatric, psychological, and neuropsychiatry examinations given to Miller only six, seven, and eleven days respectively after his arrest. If the jury had been given all of the evidence and findings contained in Miller's exam reports, in all likelihood, they would have found him an

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:
~~unbelievable witness.~~

- ~~• A false charge for solicitation to commit murder was filed against me, but after I was convicted, it was dismissed on motion of the Commonwealth. The witness in the solicitation, Ronald O'Shea, who originally testified at the preliminary hearing for the Commonwealth, later admitted in an affidavit that the charge against me was false and that he had been given the idea and information by Detective Ronald Freeman.~~
- ~~• All three copies of the case file for an important homicide went missing from police archives.~~
- ~~• The police Mobile Crime Unit file on the case disappeared.~~
- ~~• The police photo lab records on the case disappeared~~
- ~~• The master polygraph archive and log were falsified to hide three tests given to Miller.~~
- ~~• The Coroner's file, intact in December 1995, ended up missing one month later when Dr. Cyril Wecht took office. It was well known that Dr. Wecht had expressed his doubts about the case.~~
- ~~• The prosecutors, by their own admission, presented testimony that they themselves did not believe to be true. Both F. Peter Dixon, the trial prosecutor, and James Gilmour, who represented the District Attorney at my last commutation hearing stated that they did not believe Wilhelm had~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
---------	-------	----------------

Offenses continued from Section 3:

Offense(s):

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

Sentence(s):

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

Facts continued from Section 3:

anything to do with the burning of my restaurant.

- ~~In early 1995, an article about my case was published in the Pittsburgh Post Gazette. When the reporter, Mike Bucsko, questioned how my file was lost, he was threatened by Police Commander Ronald Freeman, who told Mr. Bucsko that if the missing police records were mentioned in the article he would never get information from Freeman again.~~
- ~~In late 1995, another reporter from the Pittsburgh Post Gazette, Tim Meenes spent a day at CSI Pittsburgh, where Miller was housed. When Menees asked Miller what he was in for, he replied, "I killed a man." When Menees asked why, Miller replied, "For asking too many questions!" Miller also said, "Crime pays! I love it here."~~
- ~~By his own admission, my trial prosecutor, F. Peter Dixon knowingly permitted false testimony from his star-witness, Miller, who was easily manipulated by both the police and prosecutor, for the purpose of unjustly pinning the murder on me.~~
- ~~At my only Board of Pardons public hearing granted in 1999, Dixon voluntarily traveled to Harrisburg to passionately testify regarding my innocence of the murder and land fraud. He was not compensated in any manner and voluntarily testified on my behalf solely to right a terrible "miscarriage of justice" and~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

unfair trial that occurred in my case.

- ~~At my trial, the prosecution's main motive for murder was my involvement in the land fraud to defraud Wilhelm. In order to shift blame for the murder on to me, Miller was permitted to falsely testify that I was involved in the land fraud scheme and thus had a motive to murder Wilhelm. Unfortunately, the jury believed Miller's lies.~~
- Ted Dedo, the co-conspirator in the land fraud who posed as Ken Manella, voluntarily offered his testimony during my trial, that I was not in any way involved in the land fraud scheme. He was unable to testify via subpoena because he faced a pending trial on the land fraud. His attorney, Paul Laughlin, informed the Court and prosecutor that Dedo would testify on my behalf if granted use-immunity for his testimony. Unfortunately, immunity was not granted. Thus, Dedo's exculpatory testimony was not heard by the jury. It would have countered Miller's false testimony and exonerated me from a motive to murder Wilhelm. I was denied a fair trial based upon my inability to call the only witness who could have countered Miller's damaging testimony which would have excluded me from involvement in the land fraud.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):		Sentence(s):
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

Surprisingly, soon after I was convicted, Dedo's State charges for the land fraud (the reason that he was unable to testify in my defense) were dismissed under speedy-trial rule. How this happened is questionable considering how basic it is for prosecutors to track time to avoid such occurrences. After Dedo's charges for the land fraud were dismissed, and he was clearly "off the hook", my investigator contacted him, but he refused to talk. Dedo expressed a fear of the police, particularly Detective Freeman. We recently discovered two investigative reports in which Dedo actually expressed this fear due to the fact that he was sucker-punched to the ground after the Coroner's Inquest for Wilhelm by Commander Charles Lenz, who was then Freeman's supervisor. (Refer to exhibits 12 and 13) We also very recently came in to possession of an affidavit by a witness, Attorney Ernest Orsatti, who observed this vicious and unprovoked attack and incident of witness intimidation. (Refer to exhibit 14)

Finally, my case was unique and complicated, sadly involving both police corruption and prosecutorial misconduct, in which both the prosecutor and police were fully aware of my innocence of the murder and land fraud as facts. Clarence Miller, the prosecution's star-witness, was methodically and purposely taken advantage of and easily manipulated by the police and prosecutor for the purpose of craftily manufacturing

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:

OTN#:

Docket Number:

Offenses continued from Section 3:

Offense(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Sentence(s):

- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____

Facts continued from Section 3:

false motives for murder for the jury to hear. Miller stated this fact in his 1980 PCHA petition. Years later, after reviewing the entire case and newly discovered evidence, both the original trial prosecutor, ADA F. Peter Dixon and the original trial judge, The Honorable Donald Ziegler, who later became a Federal Judge, both admitted publicly that a "miscarriage of justice" had occurred, that I did not receive a fair trial, that I was not involved in the murder, and that I should be immediately released from prison. Statements such as these from two of the key players in my trial are utterly unheard-of. (Refer to exhibits 15, 16, and 17)

Recent discoveries

Even more recently, another important new item of evidence turned up.

On Aug 3, 2016, the FBI released its report of the investigation conducted into the land fraud, under the third FOIA request we filed for this document. The earlier versions had been more heavily redacted. This time, providing proof that Fred Orlosky, one of the named participants, had since died, we requested a less redacted version. Though still redacted, it revealed important new information.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

Remember that Miller accused me of masterminding the land fraud, and based solely on his assertions, ~~the prosecution presented it as my motive to assault Wilhelm. Miller also asserted that Wilhelm was the arsonist who burned my restaurant, which provided me with additional motive to want to silence him~~

Had both motives been shown to be false, I would not have been convicted.

WHAT WE KNOW: The Land Fraud

Although still heavily redacted, the report revealed new information.

We knew that the FBI had decided not pursued the land fraud case in October 1974 after Wilhelm ~~retracted his earlier statement.~~

We also knew that on February 12, 1976, three days after the attack on Wilhelm, the US Attorney's office forwarded the FBI's 1974 information about the land fraud to Pittsburgh police and prosecutors, without either a request or authorization.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
<p>Offenses continued from Section 3:</p> <p>Offense(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>		<p>Sentence(s):</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> <p>13. _____</p> <p>14. _____</p> <p>15. _____</p>

Facts continued from Section 3:

According to the recent FOIA report, on April 12, 1976, five days later, the FBI began to consider ~~reopening their 1974 land fraud investigation, and subsequently contacted Orlosky and Dedo.~~

To mitigate his involvement, Orlosky agreed to cooperate with the FBI investigation and, according to the new FOIA file, we learned that he voluntarily submitted to TWO polygraph examinations on September 29, 1976. The FOIA file we received does not provide details about the 20 questions Orlosky was asked ~~nor his answers. The report notes only that, "It is the opinion of the examiner that Orlosky was being truthful in his answers."~~

We are working to get those documents, but in the meantime, it is safe to assume the FBI would have asked if Zeke had participated in the land fraud. We know this from an interview with Orlosky on April 10, ~~1984 during which he said I was never involved in it.~~

If Orlosky 's polygraphs would have cleared me from involvement in the land fraud, we have a legal claim for **AFTER DISCOVERED EVIDENCE** and a **BRADY VIOLATION** because my defense was not

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):		Sentence(s):
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:
provided with exculpatory information.

The FOIA file clearly shows the Pittsburgh Police and the FBI were working together at that point and exchanging investigative information. The FBI should have notified the DA and Freeman that Orlosky cleared me, but they withheld that information. Or did they?

We also know from the recently obtained FOIA file that Miller was wired once and met Dedo on Smithfield Street in front of Murovich/Stump's office. The FBI was trying to indict Dedo. Miller would have been interviewed and told by the FBI what questions to ask Dedo so he would incriminate himself. We don't have that recording. We don't have the questions and answers to Orlosky's interview or polygraph.

While we do not have Orlosky's Grand Jury testimony, the FOIA files show that the FBI did contact city police and asked whether "it would interfere with their murder case if they gave Orlosky immunity or gave him polygraphs." And further, "Freeman told them that it would not interfere with their case."

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		
Offense(s):		Sentence(s):
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

~~Now, if the FBI felt corroboration for Miller's testimony was necessary, why didn't Freeman and Dixon immunize both Dedo and Orlosky?~~

The answer is simple, they knew that Orlosky and Dedo would have cleared me in the land fraud, eliminating their first motive for murder.

WHAT WE KNOW: The Arson

We know that the police and district attorney's office did not believe Miller when he claimed that Wilhelm was the arsonist, (But they let him testify without corroboration anyway).

~~We know that the Pittsburgh area had over a million residents at the time the crime was committed, and not one witness came forward to say they ever saw me and Wilhelm together, prior to the meetings at McDonalds.~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

We know that the police gave Miller at least three polygraph tests, and he failed them all. The last ~~reported polygraph (May 25, 1976) stated that Miller was lying about not being involved in the arson.~~

We know the police did an extensive investigation of Wilhelm's background and found him to be an honest person with absolutely nothing to tie him to the arson. The police and prosecutor never presented any evidence or corroboration for Miller's assertions about my involvement with the fraud or Wilhelm's involvement with the arson.

On the contrary, they had both polygraph tests from Miller and statements from psychologists who examined him, that he was lying and could not be believed. Furthermore, we know that Dixon and Freeman did not offer immunity to Dedo or Orlosky. We know that, if the FBI told Freeman in September of 1976 that Orlosky had cleared me, he had good reason for not giving Dedo or Orlosky immunity. That would have ended their effort to convict me.

If Orlosky or Dedo said they never did a walk-through with me at the restaurant prior to the arson, as

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

Miller asserted, then the prosecution's second and final motive for me to murder Wilhelm would have evaporated.

Because I had no motive or reason to bring harm to Wilhelm, by refusing to release details about Orlosky's polygraph questions and answers, the FBI is contributing to my wrongful incarceration.

~~Everyone charged in this complex case has since died, except me. Peter Dixon has also died. The criminal statute of limitations for any individuals who might have been involved in the "miscarriage of justice" that was perpetrated on me has long since expired. No one can be injured, so the FBI can't hide behind privacy any longer. They should be ordered to release the entire file.~~

~~This was a most unique and complicated case, sadly involving both police corruption and prosecutorial misconduct during which both the prosecutor and police were fully aware of my innocence of the land fraud and the murder as facts. Miller, who had been solely named in the victim's dying declaration, was the prosecution's star-witness. Miller was methodically used and purposely manipulated by the police~~

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3: Offense(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____		Sentence(s): 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ 12. _____ 13. _____ 14. _____ 15. _____

Facts continued from Section 3:

and prosecutor to manufacture false motives for murder for the jury to hear. Miller stated this fact in his 1980 PCHA petition.

Years later, after reviewing the entire case and newly discovered evidence, both the original trial prosecutor and the original trial judge, the Honorable Donald Ziegler (who later became a Federal Judge), admitted in several public documents and depositions, that a miscarriage of justice had occurred, that I was not involved in the murder, and that I should be immediately released from prison. Admissions such as these from two key players are utterly unheard-of.

All of the above notwithstanding, I acknowledge my mistakes and take full responsibility for them. They played a role in the series of events that lead to the death of George Wilhelm. I had absolutely no reason to attack or hurt George Wilhelm. He had nothing to do with the arson, and I did not defraud him. However, I did run away during the attack on him and did try to cover up for Miller after the attack. My decision to have the restaurant burned down was totally wrong, as was my agreeing to have Miller murdered. These were significant failures on my part.

Section 3: Convictions For Which Clemency Is Requested (Supplement)

Case #:	OTN#:	Docket Number:
Offenses continued from Section 3:		Sentence(s):
Offense(s):		
6. _____		6. _____
7. _____		7. _____
8. _____		8. _____
9. _____		9. _____
10. _____		10. _____
11. _____		11. _____
12. _____		12. _____
13. _____		13. _____
14. _____		14. _____
15. _____		15. _____

Facts continued from Section 3:

~~While the police and prosecutors conducted themselves unethically to a great extent I brought this on myself. My mistakes in judgment played a big part in the cascade of events that culminated in Miller suddenly and unexpectedly killing Wilhelm. I fully acknowledge and deeply regret that. The panic I felt at witnessing the brutal attack and the circumstances that followed are no excuse for my mistakes.~~

~~I take full responsibility for my mistakes. Even though I had no part in the murder of George Wilhelm, my mistakes in judgment played a role in the series of events that led to his killing by Clarence Miller. I did run away after the attack, and I did try to cover-up for Miller. These mistakes were significant failures on my part, and I was absolutely wrong.~~

Section 5: Purpose of Application

For what reason(s) are you seeking clemency? (Check all that apply.)

- Age
- Health
- Re-enter the Community
- Rehabilitated
- Spend More Time with Family/Friends
- Other (please specify) Claim of innocence

With regard to your selected reason(s), please specify in detail why you are seeking clemency.

~~AGE – I will be 68 years old on April 9, 2017, having been incarcerated since 1976, nearly my entire adult life. During 40 plus years of confinement, I have maintained a good record, having received positive recommendations from all my wardens. I have paid a substantial penalty for my mistakes. No worthwhile purpose would be served by keeping me in prison. At this advance stage in my life, coupled with the skills I have learned while incarcerated, I have useful qualities to offer on the outside.~~

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

~~I have faced up to my mistakes without making excuses. For me, this was the important first step. The rest has little meaning unless we fully acknowledge our mistakes. While not easy, it is essential.~~

I both understand and deeply regret the unfortunate consequences of my failures. The arson led to further involvement with Miller. It hurt other property owners. It caused years of financial peril and uncertainty for my parents. Because I had my restaurant burned down, I set in motion a series of events that led to loss of life. I am ashamed that I ever even considered having Clarence Miller killed.

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

As a minimum

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.

In the same manner as I have positively influenced others while imprisoned, I hope to do volunteer work on the outside. I can help borderline young people by helping them make better choices. To the extent that I am able, I would like to become involved with organizations such as the Prison Society, which have re-entry programs to ex-offenders.

HEALTH - I am not in the best of health. I have cardiac arrhythmia, am very arthritic, and have degenerative discs and stenosis in my spine. I wear foot braces and use a cane. I underwent major surgery to drain a cyst in my chest. I may need additional surgery for this problem.

I would like to reference a quote by Lt. Gov. Mike Stack speaking at a meeting of the Pennsylvania Prison Society. "It is stupid for taxpayers to continue to spend exorbitant amount of money keeping people

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

My biggest regret is that I did not come to the aid of George Wilhelm while he was being savagely attacked by Clarence Miller. I failed to come to the aid of another. I panicked and ran away.

Forty years is a long time, and I have had plenty of opportunity to think about my decisions and inaction in that moment. As mentioned above, this where one's rehabilitation starts, honest self-reflection.

I have maintained a good prison record for 40 years and have worked to not become isolated nor bitter while incarcerated. I have always been a voice of reason and patience. To stay connected to the outside world, I read a daily newspaper and also watch the television news on a daily basis. I read a lot. This helps me stay connected to the outside world. I maintain active correspondence and communication with friends

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.
behind bars -elderly prisoners — who are unlikely to re-offend — place an enormous financial burden on the state.”

~~I am one of the elderly prisoners in declining health to whom Lt. Governor Stack referred.~~

RE-ENTER THE COMMUNITY - I have worked hard to stay connected to the outside world. I read a newspaper and watch the television news daily. I have always been community-minded during my incarceration. I have always been a voice of reason and patience. I find this gratifying. I have skills the outside community can put to good use.

There would be little expense to the Commonwealth if I am released. I will live with my family who will

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?
and supporters. I am involved in efforts to gain my freedom.

During my incarceration, I have been continually involved in many positive activities.
As a peer facilitator and educator, I encourage other inmates to take responsibility for what they have done. As mentioned above, I believe holding one's self accountable is the critical first step to rehabilitation. Once this happens, people are more willing to work to improve themselves and lead productive lives. I have been a positive influence on men who might otherwise re-offend.

For many years, I was a tutor in the Laubach Literacy Program teaching inmates how to read. As a peer educator on my block, I tutored prisoners, preparing them to take the GED examination. I trained and served for the past 13 years as a peer facilitator in the Long Distance Dads program under the Chaplain's

(Response Continued on Supplement Yes No)

Inmates eligible for parole:
What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency. support me. They are eager to welcome me back after so long an absence.

My network of loyal friends also misses my presence in their lives. They have supported my many efforts to secure my freedom, and they hope that this application will lead to clemency

REHABILITATED – I have participated in numerous programs during my decades in prison. For many years I was a tutor in the Laubach Literacy Program. I have been a Peer Facilitator in the parenting class at my institution since its inception. I am a peer educator in my block.

My 40-plus years of involvement have taught me to share, teach, mentor, and be a positive influence upon others. As mentioned above, this helps me personally. It makes me feel useful and that I am making a positive difference in people's lives.

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

Office, which has been very rewarding to me. I was a facilitator for the Citizenship Program until it was phased out.

I have written poetry. The Pennsylvania Prison Society published a pamphlet of poems that I wrote. I also won second place in the PEN contest.

While at SCI Huntingdon, I worked in the Dental Clinic, the Industries Shipping Department, and participated in the Building Trades Program as an apprentice. I completed more than 4000 hours in the Apprenticeship Program in the Electric Shop. Also, while at SCI Huntingdon, I took college courses to stimulate my mind. I chaired several committees for Lifers, including the Legislative and Picnic Committees. I chaired a

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.

I understand the unfortunate consequences of my poor judgment. Starting with the arson of my restaurant on November 30, 1975 and culminating with the killing of George Wilhelm on February 9, 1976, my mistakes were serious.

More than 40 years has given me a lot of time to think about my lack of action when I watched Miller kill Wilhelm. It is hard to live with the fact that I did not come to Wilhelm's aid so long ago. I did not try to stop the attack, and he lost his life. Whether it was my shock at seeing so violent an assault or my fear of being attacked myself, I was wrong not to come to Wilhelm's aid. This failure has plagued my conscience. I hope his family will forgive me. At this point in time, I can not go back and change what happened in those few moments. I can not undo my mistakes and try to prevent the tragedy.

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

Christmas project in cooperation with the Salvation Army to Thanksgiving food baskets for local needy families, which was a great success. I was also instrumental in establishing the greeting card project for the organization. I was very active in the Jaycees. I served as Picnic Chairman, Treasurer, Vice-President, President, and Chairman of the Board of the Jaycees. I was awarded the highest honor bestowed by the U.S. Jaycees, known as the "Ambassador." This award requires the recommendation of Jaycee officers at local, state, and national levels. Very few Jaycees in any chapter, institution or otherwise, are given this prestigious award.

At SCT Mahanoy, where I have been housed since 1997, I worked as a clerk in the library, mostly in the Workplace Project. Due to my disability, I was no longer able to continue working in the library. I then

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.

As previously mentioned, I also regret my first mistake in having the restaurant burned. It was reckless, selfish, and wrong. People lost jobs, and someone could have been hurt. I should have known better.

My regrets are a key part of my personal rehabilitation. Over the years, facing up to my mistakes has become very important to me. It is a practice I share with young prisoners I counsel.

~~SPEND MORE TIME WITH FAMILY/FRIENDS~~ - I stay in close touch with my family and friends by phone, mail, and now email. My family keeps me connected to the world. I am one of five children, and my siblings and I have maintained close ties over the decades. I also have some good friends who have stuck with me over the years and help support my legal efforts. All of these relationships

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

became a peer educator. I worked on the Job Fair Committee of the Resident Benefit Organization and also served one year as vice-president. As mentioned above, I am a peer facilitator for the parenting program, was a peer facilitator for the Citizenship Program, and a Laubaeh tutor.

Many prisoners with long sentences have little personal incentive to do anything worthwhile. Believing they will never be released, they give up. Some of us do not.

I have made use of every opportunity afforded to me in education, in meaningful work, and in volunteerism to improve myself, and have used these skills to help others in many useful and fulfilling ways. I have always been community-minded during my years in prison and have found my contributions to be

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.
I have been critical to maintaining myself, but now we are all getting older. It would mean a lot to my loved ones and me if I were to be freed and could more easily be with them. My Jewish faith means a great deal to me. I want to be able to regularly attend Synagogue and celebrate Jewish holidays.

OTHER (Claim of Innocence) – Lastly and as importantly, I am innocent of the murder of George Wilhelm, as well as the land fraud charges. I seek to leave prison because I did not attack Wilhelm in any way and had neither reason nor motive to do so. Neither Miller nor I had any pre-arranged plan to attack or murder Wilhelm. As explained in my previous answers, we have submitted a considerable amount of evidence and proof that strongly shows my innocence of these charges.

Furthermore, new evidence that has come light in recent years, including verification of the

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?
gratifying and fulfilling. With many years of education and experience, I am prepared to re-enter the outside community and be an asset to society.

I am also fortunate that my family has stood by me all of these years. Were I to gain my freedom, they will continue that support and help reacclimatize me to life outside of prison.

Lt. Gov. Mike Stack stated at recent meeting of the Pennsylvania Prison Society: "It's not really smart to keep these people in prison forever...if they've demonstrated they can make a positive impact."

If this Board deems me worthy of clemency, I will do all I can to make "a positive impact"

(Response Continued on Supplement Yes No)

Inmates eligible for parole:
What purpose will clemency serve that parole will not?

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.
attack on Wilhelm.

I have served far more time in prison than is commensurate with the crimes that I actually committed (arson solicitation to commit arson, and providing a false alibi) and was charged with. I am innocent of all other crimes (murder and conspiracy to commit theft), as strongly voiced many times in the past in letters to the Board of Pardons, Governor, and sworn affidavits by the trial judge, the Honorable Donald Ziegler, and the trial prosecutor, ADA F. Peter Dixon.

As explained previously, I did not, in any way, participate in the attack on George Wilhelm, nor was I in any way, involved in the land fraud perpetrated against him. I did not hire George Wilhelm to burn down my restaurant, nor was I beholding to him in any way.

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 5: Purpose of Application (Supplement)

With regard to your selected reason(s), please specify in detail why you are seeking clemency.

As such, it is clear that I had absolutely no reason or motive to attack him. I was wrongfully convicted of crimes that I did not commit due to the knowingly-permitted false and uncorroborated testimony of Miller plus a storm of manufactured motives for murder (which are now provable) crafted by the police and prosecutor and spoon-fed to their star witness, Miller. In addition, there was a concerted effort to put all the case records beyond my reach, in order to hide the truth of what happened.

Finally, courts have not been fair to me. Since my conviction, I have pursued numerous legal options. Unfortunately, I have exhausted all legal remedies but have never been granted any form of redress.

With no explanation, I have been repeatedly denied the opportunity to present my claims. The courts consistently refused to look into the missing files, the questionable police investigation, and acts of

(Response Continued on Supplement Yes No)

What efforts have you made to rehabilitate and improve yourself?

(Response Continued on Supplement Yes No)

Inmates eligible for parole:

What purpose will clemency serve that parole will not?

(Response Continued on Supplement Yes No)

Section 6: Submitting Your Application

- Read the Filing Instructions before you submit your application for filing.
- The application with your original signature, copies and the optional supporting documents must be mailed or hand delivered to the following address:
**Pennsylvania Board of Pardons
333 Market Street, 15th Floor
Harrisburg, PA 17126-0333**
- Your application will not be accepted or filed without the filing fee. See Filing Instruction 6 for information regarding the filing fee.
- Emailed applications will not be accepted or filed.
- Do not permanently bind your application and the optional supporting documents.
- Written notification must be provided to the Board of Pardons office if you decide to withdraw your application at any time.

Section 7: Signature

My signature is verification that I have completed this application truthfully and accurately, and I understand that my statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

By my signature, I acknowledge that I understand the following:

- Only the convictions provided in Section 3 of this application will be considered for clemency by the Board.
- This application will not be accepted or filed until all questions have been answered.
- This application will not be accepted or filed without the filing fee.
- This application will not be accepted or filed until the rules of the Board of Pardons have been met.

Charles J. Goldblum
Applicant's Signature:

DEC 8, 2016
Date:

In accordance to the Board's Regulation 37 Pa. Code § 81.282:

The applicant may be represented by legal counsel or another person designated by the applicant. The applicant may also be represented by a legal guardian, next friend or other person authorized by law to act on behalf of the applicant. If confined, the applicant may request representation from the Department of Corrections.

David K. Goldblum
Signature of a legal guardian, next friend or other
person authorized by law to act on behalf of the applicant:

12/12/2016
Date:

PENNSYLVANIA STATE POLICE
CENTRAL REPOSITORY
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110
(717) 787-9092

COMPILED: 03/30/2006
PAGE: 1

USE OF THE FOLLOWING CRIMINAL HISTORY RECORD FOR *** SID/119-05-43-9 ***
REGULATED BY ACT 47, AS AMENDED.

DOB: 04/09/1949 SEX: M RAC: SOC: 167-38-7680 FBI:

NAME: GOLDBLUM, CHARLES JACOB OTN: Z603246-0
ARRESTED: 02/10/1976 PAPPD0001 PITTSBURGH PD OCA: 116419
DISPOSITION DATE: 08/30/1977 COMMON PLEAS DOCKET: 7601267

CC2502A MURDER OF THE FIRST DEGREE - H1 FOUND GUILTY
STATE CORRECTION
LIFE

NAME: GOLDBLUM, CHARLES JACOB OTN: Z603215-4
ARRESTED: 04/20/1976 PAPPD0001 PITTSBURGH PD OCA: 116419

CC0903 CRIMINAL CONSPIRACY DISPOSITION UNREPORTED

NAME: GOLDBLUM, CHARLES OTN: Z603214-3
ARRESTED: 06/11/1976 PAPPD0001 PITTSBURGH PD OCA: 116419

CC3301 ARSON AND RELATED OFFENSES DISPOSITION UNREPORTED
CC0902 CRIMINAL SOLICITATION

NAME: GOLDBLUM, CHARLES JACOB OTN: A191014-5
ARRESTED: 11/19/1976 PAPPD0001 PITTSBURGH PD OCA: 116419
DISPOSITION DATE: 11/09/1984 COMMON PLEAS DOCKET: CC7608920

CC0903 CRIMINAL CONSPIRACY QUASHED/DISMIS/DEMUR SUS
CC0902 CRIMINAL SOLICITATION QUASHED/DISMIS/DEMUR SUS

NAME: GOLDBLUM, CHARLES J OTN: A194130-6
ARRESTED: 12/31/1976 PAPPD0001 PITTSBURGH PD OCA: 116419

CC0902 CRIMINAL SOLICITATION DISPOSITION UNREPORTED

CUSTODY INFORMATION:

RECEIVED: 10/05/1977 PA002015C SCI PITTSBURGH OTN: Z603246-0

+++++

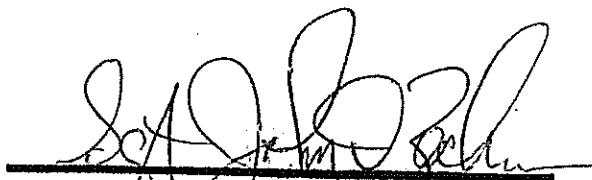
<<<<<<<<< ADDITIONAL IDENTIFIERS >>>>>>>>>>

** DNA DATABASE SAMPLE COLLECTED - REF ACT 185 OF 2004 **

F = FELONY, M = MISDEMEANOR, S = SUMMARY AND THE NUMERIC = THE DEGREE.

ARREST(S) SUPPORTED BY FINGERPRINT CARD(S) ON FILE.

RESPONSE BASED ON COMPARISON OF REQUESTER FURNISHED INFORMATION AND/OR FINGERPRINTS AGAINST A NAME INDEX AND/OR FINGERPRINTS CONTAINED IN THE FILES OF THE PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY ONLY, AND DOES NOT PRECLUDE THE EXISTENCE OF OTHER CRIMINAL RECORDS WHICH MAY BE CONTAINED IN THE REPOSITORIES OF OTHER LOCAL, STATE OR FEDERAL CRIMINAL JUSTICE AGENCIES.



THIS IS TO CERTIFY THAT THIS IS A TRUE AND
CORRECT COPY AS CONTAINED IN THE FILES
OF THE PENNSYLVANIA STATE POLICE,
CENTRAL REPOSITORY.