

In Re.

DOMINIC M. FRANZA

AFFIDAVIT OF SERVICE

State of New York)

SS.:

County of Albany)

Jeffrey Teitel being duly sworn deposes and says that deponent is over the age of eighteen years and is not a party in this proceeding. Deponent served a true copy of Addendum to Full Pardon Application with Exhibits, such service having been made in the following manner, stated herein, and said person being the proper and authorized person to be served in this proceeding,

Emma Muirhead, Assistant to Counsel - Agent for Service, on behalf of
Hon. Kathy Hochul, Governor of New York
Executive Chamber, State Capitol - Albany, NY 12224
10:10 A M, July 05, 2023

Deponent further states upon information and belief that said person so served in not in the Military service of the state of the State of New York or of the United States as the term is defined in either of the State or Federal Statutes.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age</u>	<u>Height</u>	<u>Weight</u>
<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White	<input checked="" type="checkbox"/> Light	<input type="checkbox"/> 20-30	<input type="checkbox"/> 5'-5'5"	<input checked="" type="checkbox"/> 100-150
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black	<input type="checkbox"/> Medium	<input type="checkbox"/> 31-40	<input checked="" type="checkbox"/> 5'6"-6'	<input type="checkbox"/> 151-200
<input type="checkbox"/> Other		<input type="checkbox"/> Dark	<input checked="" type="checkbox"/> 41-50	<input type="checkbox"/> 6'1"-6'5"	<input type="checkbox"/> 200-250
			<input type="checkbox"/> 51-60	<input type="checkbox"/> 6'6"+	<input type="checkbox"/> 250+
			<input type="checkbox"/> 61-70		

Sworn to before me this 7th day of
July, 2023



Hilary Teitel
Notary Public, State of New York
Qualified in Albany County
No. 01TE5049179
Commission Expires September 11, 2025


Jeffrey Teitel

DOMINIC M. FRANZA
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
DIN # 92A3659
NYSID # 06332501Q

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Hon. Kathy Hochul
Governor of New York
Executive Chambers
The Capitol
Albany, N.Y. 12224

ADDENDUM
TO
FULL PARDON APPLICATION

Dear Gov. Hochul:

I hereby make this **Verified Addendum** in further support of my **FULL PARDON APPLICATION** served on your Honor, on March 2nd of 2023. This Addendum is supported by irrefutable new information from a N.Y. State Parole Board Commissioner which further proves, I had nothing to do with the shooting's of Mrs. Franza and Mrs. Mendez, based upon information provided by Mrs. Mendez.

1. Within my Full Pardon application I revealed the following trial testimonies (Attached hereto as Exhibit "1" [Full Pardon Application]):

- A) That, Mr. Nelson Dacosta's wife left him in June of 1990, taking the Children to Chicago (Ex. "1" ¶'s 10-11).
- B) That, on July 8th of 1990, Mr. Dacosta made a police report, complaining to police that he received a threatening phone call, threatening to kill his family and him (Ex. "1" ¶ 12).
- C) That, eight days later on July 16th of 1990, never opening her door, Mrs. Mendez answered her door. It being two men announcing themselves as police officers, showing badges. The men asking for Mr. Dacosta. Mrs. Mendez stating, as her apartment is on the first floor, seeing the men outside, one of the men having a canvas bag (Ex. "1" ¶ 13).

- D) That, on July 17th of 1990, Mrs. Mendez saw a floral delivery man outside, holding a box of flowers with a red ribbon. The man wearing a large white jacket, sneakers, white pants and having a white painter's cap (Ex. "1" ¶ 15).
- E) That, after seeing the floral delivery man, fifteen minutes earlier, Mrs. Mendez answered her door. Thereafter, Mrs. Mendez and Mrs. Franza being shot, by this floral delivery man all dressed in white as Mrs. Mendez stated (Ex. "1" ¶ 17).
- F) That, Mrs. Theis heard three to four loud bangs above, as Mrs. Mendez's apartment is above the apartment she was in (Ex. "1" ¶ 18).
- G) That, standing outside of 485 West 187th Street, Mr. Benitez heard three loud bangs, and fifteen seconds later seeing two men running out of the building side by side, at full speed. One of the men clutching a canvas bag (Ex. "1" ¶ 20).
- H) Based upon the above I asserted it was not a floral delivery man who shot Mrs. Mendez and Mrs. Franza, it being the two men from the day before claiming to be police officers with badges (Ex. "1" ¶ 35).

2. During my April 19th of 2023 Parole Interview, I summarized the above facts, greatly focusing on Mrs. Mendez's direct encounter with these claimed police officers with badges as only she had this encounter, further focusing on her shooting account. Further asserting it was not a floral delivery man that did the shooting, it being the two men who had badges looking for Mr. Dacosta from the day before (Ex. "1" ¶'s 24-28). The proof being, the day before the shooting one of the men having a knapsack and the witness in the street, the day after, seeing a man having a knapsack. That these same individuals were the ones asking for Mr. Dacosta (Ex. "2" [4/19/23 Parole Interview Transcript]: pp. 6-8).

3. Commissioner Segarra, asked me where I received this information from, informing I received my information from the

discovery materials provided by the prosecutor. Commissioner Segarra asked me, the story I got from reading the documents was it said at trial, answering (Ex. "2" pp. 8-9):

A. No, absolutely not. What they testified to at trial was the floral deliveryman, all dressed in white, is the one the perpetrated the shooting, when, in fact, it was not.

Q. It was not, because the documents that she provided also said it was someone she had seen before, that she thought were police officers, because they had badges.

4. It is beyond question, based upon documents that a she provided, independent of any documents I provided in support of my Full Pardon Application, Commissioner Segarra acknowledged the shooting was not perpetrated by a floral delivery man all dressed in white, because it was "also said it was someone she had seen before, that she thought were police officers, because they had badges." The she is Mrs. Mendez as she was the only one who could of made this statement / identification, as she was the only one who saw them the day before the shooting, committing perjury at trial as she said she never saw them again (Ex. "1", See Exhibit "11" [Trial Transcript] within the CD in support of my Full Pardon application / See Web Site mentioned on page one look at Conceded Documents Link Exhibit "11" [Trial Transcript]: [Mendez]: 259-264). It is clear, the Board of Parole was in possession of documents which revealed this information, the content of which was revealed to me. Once again, I claim I never had anything to do with the shooting's, as proven. Note, however, contrary to this revealing I was

denied parole.

5. Of mention, as mentioned in my Full Pardon Application, there was no evidence presented connecting me to these two individuals who were involved in the shooting's (Ex. "1" ¶ 38). I had nothing to do with the shooting.

WHEREFORE, inclusive of this additional finding I ask your Honor to immediately GRANT my FULL PARDON APPLICATION, as your Honor is the only one who can remedy the wrong that has been committed.

Most Respectfully

Dominic M. Franza

VERIFICATION

State of New York)
County of Dutchess) ss.:

Dominic M. Franza, being duly sworn, deposes and says: I am the maker of this Addendum in support for a Full Pardon above named; I have read the foregoing application to the Hon. Kathy Hochul and I know its contents; the same is true to my own knowledge, except as to those matters I believe it to be true.

Dominic M. Franza
Dominic M. Franza
92A3659

Subscribed to and sworn to before me
this 5th day of June, 2023

Jessica Starsiak
Notary Public

