

Appellant now submits his declaration in support of the issue(s) supra.

III DECLARATION

1. My name is Stephen Miller, I am the defendant in this appeal.
2. I am over the age of majority and am competent to testify.
3. I make this declaration in support of my Statement of Additional Grounds, for Appeal No. 494485
4. I was wrongly convicted of assault of another by shooting off a gun in my yard.
5. My trial attorney did the absolute bare minimum on my behalf during trial and in preparation for trial.
6. The trial attorney made no effort to try to reduce my charges or made no efforts in effecting a plea agreement. I agreed to plead guilty to brandishing, or reckless endangerment, or even firing a firearm w/in city limits.
7. The trial attorney failed to call any witness on my behalf, failed to interview any suggested witness on my behalf and allowed my own mother to become a state witness due to his failure to interview her on issues such as my invited residence at her home, the site of the incident.
8. The trial attorney failed to include questions to me about my written statement during trial.
9. Trial attorney failed to argue the fact that the police report conflicted with testimony that Hernandez said he saw me shoot the gun upwards, not at lopez(victim).
10. Trial attorney failed to tell me my sentence range before trial were I to be found guilty.
11. During trial, Trial Attorney failed to ask for recess when I could not stand up to speak to the jury due to medical reasons or explain to the jury my medical condition.
12. The trial attorney failed to impeach the victim(witness) LOPEZ on such matters as his status as an undocumented/Illegal or his credibility to testify.
13. Subsequent to Trial Conviction, LOPEZ was^{is to be} deported, his children were taken by CPS for abuse, Further, Mr. LOPEZ is accused of molestation by my daughter when she was 12 yrs old in a recent disclosure, all of which tells me that my inclinations on LOPEZ were correct. SWM.

DATED THIS 4 day of April 2017


Stephen Miller.