

STATE OF TEXAS §
COUNTY OF LUBBOCK §

AFFIDAVIT

“My name is Philip Wischkaemper. I am an attorney licensed to practice law in the State of Texas. I was appointed by District Judge Felix Klein to represent Jesus Ramirez in a capital murder pending in Lamb County, Texas. I was co-counsel with David Martinez.

During the trial of this cause, Jose Medrano, an inmate of the Lamb County Jail gave an affidavit to investigator Greg Parrott stating that Jesus Ramirez made various inculpatory statements to him while they were both incarcerated in the Lubbock County Jail. In his affidavit to investigator Parrott, he stated that another inmate, Eli Mungia, was in the cell next to him and heard the inculpatory statements of Jesus Ramirez. During the trial, investigator Parrott faxed copies of the affidavit to the Federal Correctional Institute in Florence Colorado and asked a supervisor to take the affidavit to Eli Mungia to see if would discuss it with us. Eli refused. This was during trial and none of us had time to go to Colorado to discuss the case personally with Eli. After the trial, however, I arranged a phone call from Eli and asked him, after having read the pertinent parts of the statement to him, whether he heard Jesus Ramirez make the remarks that were attributed to him. Eli replied that he was, indeed, housed next to Jose Medrano but he certainly did not hear to conversations outlined by Medrano in his statement or in his testimony at trial.

Also after trial, I was contacted by Mark Fesmire who had been contacted by two inmates of the Lamb County Jail who wanted to talk with him. The inmates were Frankie Pulido and Billy Baigen. Attorney Fesmire and I traveled to Littlefield to discuss the case with both inmates, however, Frankie Pulido had previously been released and was on his way to his home in Georgia. I was able to take a statement from Billy Baigen, a copy of which is attached to this affidavit and

incorporated herein for all purposes


I later spoke with Frankie Pulido in Georgia by phone. Frankie informed me that when Jose was asked why he lied in Court against Jesus Ramirez, he, Jose, just looked at the floor and said he "just had to do it" "Besides, they were not one of us", meaning, they were Mexican Nationals and not American Citizens. When I asked Frankie Pulido if Jose Medrano admitted to lying under oath concerning his conversations with Jesus Ramirez his reply was "yes"

Further Affiant sayeth not.



PHILIP WISCHKAEMPER

SUBSCRIBED AND SWORN TO before me this 3rd day of June, 1998.



Notary Public, State of Texas

2-12-2001