

AFFIDAVIT

STATE OF FLORIDA)
S.S.)
BROWARD COUNTY)

BEFORE ME, the undersigned authority, personally appeared, MICHELLE L.

CHAFITZ who, upon being duly sworn, deposes and states:.

1. I was enrolled as an undergraduate student at Assumption College. I graduated with a Professional Degree of Paralegal Studies.
2. The Criminal Law class was taught by Mr. James R. Lemire.
3. The Criminal Law class was held in the Spring Semester of 1998. There were 12 students in class.
4. During said class, Mr. Lemire spoke about a case in which he was the Prosecutor, *Commonwealth vs. LaGuer*.
5. Mr. Lemire did not speak of another case he handled as the prosecutor, only those that he was a defense attorney.
6. Mr. Lemire said there was not a lot of evidence. He said there were two things that made a difference that he felt won the case: One was the victim's testimony and two; the jury did not like Mr. LaGuer because he was black.
7. Mr. Lemire spoke of a sock being in evidence; but it could not be admitted into evidence or was not used as evidence linking Mr. LaGuer to this crime.
8. Mr. Lemire said he thought the victim was mentally ill.
9. Mr. Lemire said the victim had poor vision, either she could not see close up or far away.
10. Mr. Lemire said that he questioned Mr. LaGuer's guilt. Mr. Lemire said Mr. LaGuer could have been released if he showed remorse and went through sexual offender's therapy.
11. Mr. Lemire said that Mr. LaGuer "allegedly" called the victim at the Nursing Home where she resided, impersonating a priest.

12. Mr. Lemire said that Mr. LaGuere had had some contact with him directly.

FURTHER AFFIANT SAYETH NAUGHT.

Michelle Chafitz
Michelle Chafitz

SWORN TO AND SUBSCRIBED before me on this 10th day of APRIL 2001, by Michelle Chafitz, who is personally known to me or has produced _____ (type of identification) as identification.

Marilyn C Swank
NOTARY PUBLIC, STATE OF FLORIDA

MARILYN C. SWANK
PRINT NAME

My commission expires:

