

FILED  
OREGON JUDICIAL DEPARTMENT  
WASHINGTON  
98 SEP 18 AM 10:26

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF WASHINGTON

STATE OF OREGON, )  
 ) No. C973456CR  
Plaintiff, )  
 ) AFFIDAVIT OF JOHN MANNING  
v. )  
 )  
BILLY LEE OATNEY, JR. )  
 )  
Defendant. )

STATE OF OREGON )  
 )  
County of Washington)

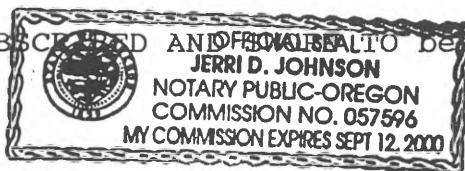
I, John P. Manning, being first duly sworn on oath, depose and  
say: I am one of the attorneys for the defendant herein and I  
make this affidavit in support of defendant's motion for a new  
trial.

Defendant's attorneys are not in possession of a transcript  
of the trial.

To the best of my recollection, after a hearing on the  
Motion to Suppress which is the subject of this motion, the court  
denied the motion based upon the Ballot Measure 40 "relevant  
evidence" provision.

  
John P. Manning

SUBSCRIBED AND SWORN TO before me this 10<sup>th</sup> day of September, 1998.



  
Notary Public for Oregon  
My commission expires: 9-12-2000

JOHN P. MANNING OSB #76235

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