

AFFIDAVIT

STATE OF MISSOURI)
)SS
COUNTY OF Boone)

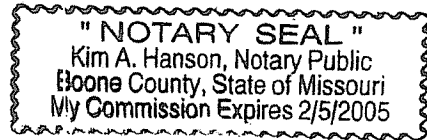
Before me, the undersigned authority, personally appeared Dallas Mallory, who being by me duly sworn, as follows:

My name is Dallas Mallory, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

Dallas Mallory
Affiant

In witness whereof I have hereunto subscribed my name and affixed my official seal this 6th day of December, 2004.

Kim A. Hanson
Notary Public



MY COMMISSION EXPIRES: 2/5/05

On 12/01/04 Jim Miller who I know to assist in the representation of Ryan Ferguson interviewed me. I reviewed copies of the police reports pertaining to me, specifically the interviews I gave to police on 03/10/04 and 09/14/04.

During the interview of 03/10/04 I told police that I had not seen Chuck Erickson or Ryan Ferguson in the downtown area of Columbia Missouri on the night of 10/31/01-11/01/01. When the police asked me if I knew Chuck Erickson I responded that I did not as I did not know his name, but after seeing a picture of him I remembered who Erickson was. The police officers began yelling at me and calling me a liar in reference to not seeing Erickson in the downtown area on Halloween 2001. The police officers began threatening to charge me with murder if I did not tell the truth. I continually told them I was telling the truth. The police then told me that Erickson had stated that he saw me downtown at which time I told them that I was dressed as a police officer. They left the room and returned saying that Erickson had told them that he (Erickson) had just told them that I was dressed in a police uniform. I told the police that he must have seen me, but I did not remember seeing him. I also told police that I was also present at a party earlier in the evening dressed in the same police costume and Erickson was there also. I informed the police that I had been drinking Captain Morgan Spiced Rum since approximately 3:00P.M. on 10/31/01 and estimated that I consumed close to two large bottles of Rum. During this interview I was very scared and became emotional as the police continued yelling, calling me a liar and threatening me with being charged with murder. They also told me that if I left, they would put a hold on my car, and would come and talk to me then.

On 10/31/01, I attended a Halloween party where I dressed as a police officer. Jim Miller showed me a picture of the party in which I am present with Chuck Erickson. I estimate that this picture was taken at approximately 8 P.M. on 10/31/01 and I had consumed at least one large bottle of Captain Morgan by this time. I do not remember how I got downtown that night nor do I remember how I got home. I do know that I did not drive the entire evening as I had no driver's license due to a DWI conviction and I had sold me 1962 impala and had no car at the time.

I reviewed the interview that I gave with police on 09/14/04 with Jim Miller. On page 1, paragraphs 4,5,6 and 7 the report reflects that I first told police of conversation between Erickson and myself on the night of 10/31/01-11/01/01.

The report says that I saw Erickson being "figity and pushy" and Erickson saying "something about a fight". In paragraph 7 the report reflects that I first told the police about Erickson telling me, "we beat someone down". I never told the police this as they told me that Erickson had told them that he (Erickson) had told me this information. I do not ever remember Erickson telling me this nor do I ever remember seeing Erickson or Ryan Ferguson in downtown Columbia Missouri on 10/31/01 or 11/01/01.

I was so scared at the second interview, 09/14/04 from the abuse I was subjected to in the first interview, 03/10/04 that I was saying what the police wanted to hear to avoid the threat and abuse again.

On the date of this interview, 12/01/04, I still get nervous and scared just thinking about the treatment I received from police investigators on 03/10/04.

From reviewing both reports supplied by Jim Miller I did not say the above-mentioned inconsistencies to them, they in fact told me this information and recorded in the reports as information I had given them. When I was interviewed they said that Erickson gave this information to them.