



---

At Wilbert Gay's trial the prosecution called ten witnesses to testify. The first nine witnesses consisted of one homicide detective, two street cops, one evidence technician, the victim's coworker, his sister, wife, neighbor and a deputy medical examiner. None of these witnesses contributed anything to the prosecution's case as far as Wilbert Gay's involvement in a conspiracy to commit murder. The police described the scene of the crime. The detective was one of a number of officers that arrested the codefendant (the shooter). The coworker testified that he saw the victim as he left work for the day get into a car with two men, but could not identify the two men. The medical examiner described the manner of the victim's death. His sister said when she had last seen her brother and where he lived. The wife pointed out they were married three months before he was murdered, but were separated at the time of his death. The neighbor said that the codefendant and another man had come to her apartment inquiring about the whereabouts of the victim. She also stated that she had never seen the defendant, Wilbert Gay, Jr. before. For the tenth witness the Philadelphia Assistant District Attorney had the audacity to put on the stand at Gay's trial one of the convicted detectives (felons) to testify to the "legality" of the statement that he and three of the other convicted detectives had obtained from Gay. Wilbert Gay's court appointed attorney didn't call one witness and Wilbert Gay didn't take the stand. Gay's court appointed attorney acted as if he had no knowledge of the fact that the detective who testified about the legality of the statement that he had obtained from Wilbert Gay was a convicted felon and therefore made no attempt to impeach his testimony.

In the prosecutions closing argument, with a case based only on an exculpatory statement, and no corroborating evidence she had to create the illusion that Wilbert Gay had agreed with the codefendant to commit the murder. One way to do that is to assume a fact that is not supported by evidence or to distort a fact so that an inference can be made that supports your case. For example, one of the first things she said in her closing argument was, "The two men went and picked up the deceased at his job. They took him for a joy ride, apparently, and they were going to retaliate for the theft that they believed or Jerry (the shooter) believed that the deceased had committed." There is no way to logically infer from the fact that a man gets into a car occupied by two men that the two men have conspired to kill the third man or in any way harm him. At another point in her closing argument the prosecutor states, "At one point while they were in the car the defendant had words with the deceased." She states that twice in her closing argument. Nowhere in the statement is it stated that the defendant had words with the deceased. Actually, it was the codefendant (the shooter) that had words with the deceased. In the prosecution closing argument there are numerous examples of these types of reasoning and misstatements of fact. Wilbert Gay's trial was a bench trial and the judge declared that he was guilty of conspiracy to commit murder. When the convicted homicide detective's appeals were denied they were sent to a federal prison in Florida to serve their sentences.

Wilbert Gay appealed his case on the basis of ineffective council, that there was insufficient evidence to find him guilty and that the prosecution committed numerous Brady Violations. A Brady violation is when the prosecution fails to reveal evidence which would tend to support the defense's contention that the defendant is not guilty. Such as the prosecution's failure to reveal the fact that the detective who testified to the legality of the statement that he obtained from Wilbert Gay Jr. was a felon. The Pennsylvania Appeals Court to date has failed in their legal responsibility to give Gay's issues a fair and impartial hearing.

Additional details about the railroading of Wilbert Gay, Jr. by the Pennsylvania criminal injustice system can be found on our [moveon.org](https://moveon.org) petition. We ask that you please support our campaign by signing our online petition at:

[https://petitions.moveon.org/sign/justice-for-wilbert-gay?source=s.icn.em.mt&r\\_by=12090685](https://petitions.moveon.org/sign/justice-for-wilbert-gay?source=s.icn.em.mt&r_by=12090685)

Thanks, Cleve Parmer Justice for Wilbert Gay, Jr. Committee