

Miss Chaneya M. Kelly
5000 Pilgrim Road
Baltimore, MD 21214

November 2, 2013

Attn: Honorable Andrew M Cuomo

Governor of the State of New York
Executive Chambers
State Capitol Building
Albany, NY 12224

Dear Governor Cuomo,

I appreciate the time you dedicated to reading the letter I submitted on behalf of my father (Daryl Kelly Sr.) back in January of 2012. At the present moment I am writing you because I feel completely insulted by the State of New York and its judicial system. I asked in my original letter that you consider granting my father clemency or a pardon for a crime that I (the 'victim') am saying **HE DID NOT COMMIT**. Instead of being taken seriously, my fathers case was put up for review by a committee. The leader of that review board is Frank Phillips. I do not like the way the review was handled, the way I was handled, nor do I like the way there was no one taking this review seriously. As for the way I was handled, I feel as though I was being interviewed to find a way to cover up the shady procedure of the prosecution. Every time I told them that my father did not commit any of the malicious crimes that he was convicted of, they treated me as if I was lying. They kept asking me if I was sure that it did not happen. They asked me was I sure it didn't happen more than they asked me if it did when I was nine years old. I let them know I could not possibly remember everything since it was 15 years ago but I know that nothing traumatic has ever happened to me and if it did then I would have remembered (even if I tried to suppress it). I recently spoke to retired DA Robert Masters and he did let me know that the end result was 'the case was not to be disturbed.' and I do not understand how.

In a recent letter my father sent to you, he mentioned how you said "We need to ensure fairness in the justice system..." and that statement alone means a lot to a case like my fathers. There was absolutely no fairness in the justice system. How is it at all possible for my father to be convicted of a crime that has NO physical evidence? If you or anyone on your staff has actually read the transcripts of the case, there are so many red flags! (An example is of how could my father have sodomized my anus but there was no scars, tears, or redness?). My father also quoted you saying '...this is not a numbers game for a prosecutor. It's not the more convictions the better.', but when you look at the judicial side of the case, everyone made out pretty successful except the family of the wrongfully accused. I truly believe that the only way justice will be served is for you to find the wrong, correct the wrong, and cut out the culprit. Finding the wrong is determining who is at fault, correcting the wrong would be to grant my father a pardon and expunge his record for the time he spent for this unjustly conviction, and lastly cutting out the culprit would be to remove Frank Phillips from his position. This is not the only wrongful conviction that the state of New York has had under this man. His work seems to be careless and messy. If he truly wanted to use his power for good, my father would have never been wrongfully convicted and so would a few other men and women of the great State of New York. I surely hope you understand my frustration and feel my pain. Thank you for you time and Thank you for you decision.

Signed
A Fatherless Daughter
Chaneya Marshall Kelly