


EXHIBIT 14

County of Harris)
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State of Texas)
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AFFIDAVIT OF JAMES DANIEL JORDAN


My name is James Daniel Jordan. I am a resident of Harris County, Texas. I am over the age of eighteen and I am competent to make this affidavit. All the facts stated here are within my personal knowledge.

1. Charles and I were raised together in the neighborhood. We were inseparable. For a time he lived with me, my father, and my step-uncle. He was like a big brother to me, and in his own way, he tried to keep me out of trouble. We have been through everything together.
2. Most of the time we got into fights, it was Charles' way of trying to keep me out of trouble. For example, Charles did not like hard drugs. He did like valium, marijuana, and alcohol, but he wanted nothing to do with shooting up heroine or cocaine, or sniffing paint - anything that dangerous. Once Charles attacked me when he found me sniffing paint.
3. There was another time when Charles got angry with me for something I had done. There was a woman in the neighborhood who had been a friend of John Phillips' father. One night a friend and I were drinking with her, and she had sex with both of us. I believe it was consensual sex. After that, she came by Linda McClain's house one day, saw that I was there, and left again. She told Charles and others who were there that I had raped her that night, and when Charles heard that, he got very angry with me. He got in my face and demanded to know what I had done, and started preaching about why rape was wrong.
4. Charles' violence when we were teenagers was very connected with his drinking. He could usually control himself much better when he was sober. I do not think he ever would have hurt Grandma, Mrs. Franklin, if he had been sober. I certainly do not think he could have raped her, even if he was drunk. He wasn't like that.
5. When Charles was about 16, I told him that he and Kari could go rest and shower at my house when they needed to. Before I had told my mother, Alicia, that I had made that promise to Charles, she came home one day at lunch and found them in the living room. When I heard Charles had hit my mother, I went after him, but he told me that he had not meant to. He said that Kari and Charles just wanted to leave, but Alicia wanted to have them arrested, and was calling the police. Charles felt cornered and afraid of being



arrested. After that, I did not attack Charles. My mother really disliked Charles, and I think she did want him arrested. That didn't excuse him from hitting her, but he was very sorry. 1


6. When I last knew Eric Bengé and Lee Rose well, before their grandmother was killed, they would enter and leave their house through a side window all the time. For example, they would use the window any time they did not want to wake up their grandmother.



7. If Charles was your close friend, he would just go into your house and made himself at home - make himself something to eat, take a shower, go to sleep. I have never known Charles to steal from a close friend. He never stole anything from my mother's house. 2

8. ~~When Charles and I were teenagers, whenever Charles' mother, Betty, spoke to him, he listened to her. He never gave her any argument. She may have been one of the only people he listened to.~~


9. Charles was a loner sometimes, but he had his own way of being compassionate. He was good around children. When we were teenagers, I had a little sister who was four or five years old. He was always nice to her, and used to bring her candy. Charles liked children and spent a lot of time with them, especially Cynthia Wright's daughter, Candice. He was very attached to her.



10. Sometimes Charles was very compassionate with women. I had a girlfriend named Tyme Martin, and we fought all the time. Sometimes it was pretty violent. But whenever I touched her in front of Charles, he always stood up for her and attacked me. Tyme always liked him for that. 3

11. I understand that Karianne Wright, Charles' ex-girlfriend, testified at trial that once I was beating up Tyme and Charles would not intervene until I called Kari a bitch for trying to stop me. That is not true. I have never called Kari a bitch, and Charles always defended Tyme.


12. I have heard that Karianne also testified that Charles once beat up Glenn Bethune. I was there on that day, and Charles just threw Glenn down to the ground. That was the end of the fight. Charles and Glenn were pretty close friends at the time.



13. I understand that Karianne also told a story about Charles beating up Elliot over and over with a two-by-four. That is not what happened. Charles did attack Elliot, but he hit him a few times with his fists, then took off running. Charles did not typically fight with weapons. 4

14. I believe that Karianne Wright still feels hurt and angry about how Charles treated her.

15. Sometimes when we were teenagers, especially during a fight, Charles would seem to go

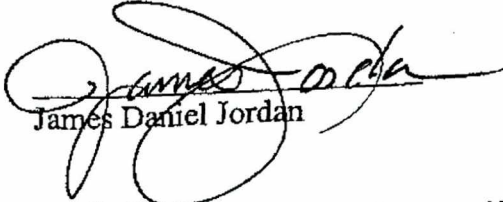


into a state - he would not be himself, he was so full of rage. He would get aggressive or violent, and then a few minutes later say that he did not remember what he had done. This would usually, maybe always, happen when Charles was drinking. 5

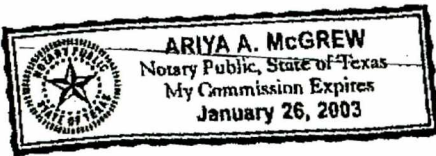
16. I have known Edward Bangs since I was fifteen or sixteen years old. His father owned and operated a gas station and mini-mart in our neighborhood. Edward had serious issues with violence. Every now and then he would trip out and do something violent. The second week I knew Edward, we were drinking at his house one day when his dad got angry about something Edward had done. Edward went into a rage and kicked out every window in the house.
17. One of the first times I met Edward, he was high on fry, which is marijuana dipped in embalming fluid. Edward really liked fry - he was a fryhead. When I last knew Edward, about two years before Mrs. Franklin was killed, he was hanging around Lee Rose and Eric Benge and shooting a lot of cocaine. He seemed to be out of control. At that time, Lee and Eric were selling marijuana out of their house to their circle of friends.
18. I visited Charles in jail once after he was arrested for Mrs. Franklin's murder. I asked him whether he had done it, and he didn't say no. I always considered that a confession, but what Charles said was that he had no memory of having killed her or of part of the night.
19. Mr. Gutierrez, the state prosecutor, came to see me one day about two weeks before Charles' trial started. At the time I was serving time for convictions for a bad check and marijuana possession. He tried to persuade me to help him win a death sentence for Charles by warning me that otherwise Charles might serve only fourteen or fifteen years in prison. I did not refuse to testify, but I told Mr. Gutierrez that not everything I would say about Charles would be bad: for every bad thing that was ever said about Charles, there was always a good thing, too.
20. In June of 1994, I was subpoenaed by the state to testify at Charles Raby's trial for capital murder. I was held in a holding cell for three or four days during the trial.
21. One day that I was waiting to testify, Charles and I were put in the same holding cell. I told him that his lawyer should call me to the stand. He said he would tell his lawyer to do so. Later on, we were in the same holding cell again, and Charles told me that he had asked his lawyer to call me to testify, but he had said it was a bad idea. I was never called to testify by either side.
22. No defense lawyer or investigator representing Charles ever tried to contact me before the year 2001, when I spoke with one of Charles' lawyers. Had someone asked me about this in 1994, I would have told that person everything that I have said in this affidavit.


Under the pain and penalty of perjury, I swear that the above is true and correct to the best of my

knowledge. I give this statement of my own free will.


James Daniel Jordan

SWORN TO and SUBSCRIBED before me on this the 25th day of April, 2002, to certify which witness hereof my hand and seal of office.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 1/26/03