

AFFIDAVIT OF LEE W. TART

I, Lee W. Tart, of _____, affirm that the following statements are true and accurate to the best of my recollection:

1. I am a retired United States Marshal, having concluded 29 years and 10 months of honorable service in the United States Marshals Service. Before I was with the United States Marshals Service, I was a North Carolina State Highway Patrolman for three years. My career in law enforcement totals 32 and ½ years.

2. I currently operate a process serving business here in North Carolina.

3. I have known James B. Britt since approximately 1957.

4. I was serving as a United States Marshall during the time of the trial of Jeffrey MacDonald in 1979. I remember the trial going on, and worked at it as a United States Marshal on a few occasions.

5. About two and a half years ago, on a trip to Oxford, Mississippi with Jim Britt, I could tell that he wanted to talk to me about something- that something was troubling him. He told me about what he had observed at the Jeffrey MacDonald trial and that he thought what he heard and saw was irregular and very bothersome to him. He said that a witness he was escorting, Helena Stoeckley, had told him that she was in Jeffrey MacDonald's house on the night of the murders, and that she had seen a hobby horse in the house. He told me he was present when Helena Stoeckley made these same statements to Mr. James Blackburn during her interview with the prosecution. He told me that he had witnessed James Blackburn telling Helena Stoeckley he would indict her

6. He has since discussed the same thoughts and recollections with me and on each of the other occasions, his words were consistent with the first time he told me. He continued to be more and more troubled about what he should do with this information, once he had told me about it.

7. I have known James Britt for over three decades. I know his reputation for truthfulness and honesty in this community and in North Carolina. James Britt would tell nothing but the truth.

8. I have seen a definite change in the Jim Britt I know so well, since he came forward and told Mr. Wade Smith what happened at the trial. He is at peace with his conscience now, and feels very relieved.

Lee W. Tart

Signed and sworn this ___ day of _____, 2005.

Notary Public

My commission expires _____.