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June 15, 2004

Hon. David R. Homer
United States Magistrate Judge
c/o Inmate Litigation Unit
United States District Court
100 S. Clinton Street
Syracuse, New York 13261-7367

Re: Collins v. Division of Parole
Docket No.: 9:03-CV-590



Dear Judge Homer:

I was just re-reading the Attorney General's response to my Petition for a Writ of Habeas Corpus. In the Attorney General's response, he states that they have not provided to this Court a copy of my grand jury minutes.

The Attorney General's Office in its Answer stated that they have provided to this Court all papers related my application for a writ of prohibition titled Collins v. Lamont, 273 A.D.2d 528 (3rd Dept. 2000). Exhibit "D" attached to the Petition has my grand jury testimony.

I was not given a copy of my Record on Appeal, but the grand jury minutes should have been included in the Record on Appeal as my attorney had them in his possession and quoted from the grand jury minutes in making my arguments.

The Attorney General's Office further states that they could not provide my grand jury testimony because of N.Y. Crim. Proc. Law § 190.25 (4)(a). This section clearly states, "Nothing contained herein shall prohibit a witness from disclosing his own testimony."

Respectfully yours,


Charles E. Collins, III

CC: Gerald J. Rock
Assistant Attorney General
The Capitol
Albany, New York 12224

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June 17, 1964

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Dear Mr. [Name]
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Respectfully,
[Signature]

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