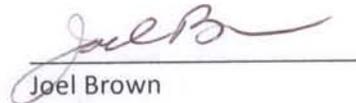


AFFIDAVIT OF JOEL BROWN

1. My name is Joel Brown. I am an attorney licensed to practice in the state of Arizona. I am currently employed at the Maricopa County Public Defenders Office in the Capital Unit.
2. As a young lawyer, I was assigned the case of *State v. Samuel Villegas Lopez*. Mr. Lopez's case was my first capital case. At the time I represented Mr. Lopez, I had never been trained on how to present a case in mitigation. Back then, we did not have trial teams or mitigation specialists like we do now. When I look back now on how we did things back, then it seems like we were in the dark ages.
3. Mr. Lopez was a quiet client. He was not demanding. He was not a difficult client.
4. I did not have an investigator assigned to the case. I was by myself. I had no concept of mitigation. I did not conduct a mitigation investigation. The evolution in capital work from then to now is unbelievable.
5. When Sam was convicted of first degree murder and the case was going to proceed to a sentencing phase, I asked some of the senior lawyers what to do. They told me to call some family members to be character witnesses. I did not even know that I had done anything wrong until Judge D'Angelo started to make a record about the fact that I did not present any mitigation.
6. Current counsel for Mr. Lopez has shared with me a number of declarations from family members and from a neuropsychiatrist who evaluated Mr. Lopez for federal court. I believe that the mitigation evidence in these declarations is very valuable mitigation. I wish I had presented it at Mr. Lopez's sentencing hearing.
7. I know Judge Robert Doyle. I do not remember ever speaking to him about Mr. Lopez's case.

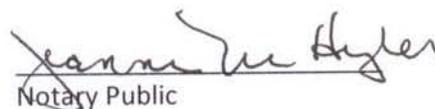
Further affiant sayeth not.

Dated this 10 day of February, 2012 in Phoenix, Maricopa County, Arizona.


Joel Brown

Subscribed and sworn to before me this 10 day of February, 2012.




Notary Public