PETITIONER'S EXHIBIT #56
Affidavit of Heather Dawn Cliett

Rosemary M. Jones Official Court Reporter #317 420 West Hale Ave. Osceola, AR 72370-2532 870-563-2007

AFFIDAVIT OF HEATHER DAWN HOLLIS

State of Arkansas)
) ss.
County of <u>(rittenden)</u>



Before the undersigned Notary Public, duly qualified and acting in and for said county and state, appeared Heather Dawn Cliett, to me well known to be the affiant herein, who stated the following under oath:

- "1. My name is Heather Dawn Hollis. My maiden name was Heather Dawn Cliett. I was born on 178.
- My family and I lived in West Memphis, Arkansas for a number of years. I lived there throughout 1993. I was there when three young boys were found killed in Robin Hood Woods in May of 1993.
- At the time, I knew Chris Byers, one of the young boys who was killed. I
 attended junior high school with Ryan Clark. Ryan was the step-son of John
 Mark Byers. Chris Byers was John Mark Byers' son.
- I had actually seen Chris Byers at my family's house in West Memphis on May 5,
 1993, the day the three boys were reported missing. He had arrived on his bike.
- 5. I had been at school on May 6, 1993, the day after I last saw Chris Byers. I walked over to the Byers house that day with a couple of friends of mine, including Nicole Tubbs and Dana Christopher. Ryan told me that Chris had been found murdered. At first I thought he was joking, and then I realized he was serious. I was very upset when I heard that news.

- 6. I attended Chris Byers' funeral.
- 7. I knew all three of the boys who were arrested for having killed Chris Byers and his two friends in Robin Hood Woods. I had actually gone out with one of them, Jason Baldwin. I had known Damien Echols as well. I also knew Jessie Misskelley.
- 8. Jason was a very sweet boy when I knew him. He was quiet, polite, and kind.
- Damien Echols like to call attention to himself, but in my view he would not have intentionally hurt anyone.
- 10. Jessie Misskelley was generally viewed as being sort of crazy. As far as I knew, Damien and Jason did not hang around with Jessie at the time of the 1993 killings in Robin Hood Woods.
- 11. At the time that the killings took place, one of my best friends was a girl named Jennifer Bearden. I was also cordial with another girl Holly George at the time, though I was closer with Jennifer.
- 12. I had learned that Jennifer was trying to set up Holly to date Jason Baldwin. I was interested in Jason at the time. All of this happened before the three young boys went missing and were killed. After it was clear that Holly would not be going out with Jason, I started dating him. This happened beginning about two months before the three young boys went missing.
- 13. Jason and I would hang out together, and like many young people in West Memphis at the time, we would go by Skateworld, which was a skating rink in West Memphis that many young people used to hang out at. That is where I first saw Jason and Damien. Both of them had long hair. At the time, I was

- interested in guys who wore their hair long.
- 14. I remember that Jason's mom would drive him over to my house so that we could spend time together. From time to time my mother would give us rides as well.
 Jason did not have a car.
- 15. Jason and I were typical teenagers when we were going out together. We spent a lot of time talking, holding hands, and going to the few places that teenagers around West Memphis could go to. There was nothing about Jason that caused me to believe that he was violent, or was interested in satanism or devil worship and other things that were later talked about in connection with the killings of the three boys.
- 16. Though I lived in West Memphis, and Jason lived out in Lakeshore, when Jason and I spent time together, we never went into Robin Hood Woods. I never had any personal knowledge of Jason either talking about Robin Hood Woods, or going there.
- 17. When Jason and I were not together, we would talk a lot on the phone. I had a phone that allowed three-way conversations, and I often would connect calls between Jason, myself, and either Jennifer Bearden or Damien Echols. Sometimes I would just talk to Jason alone. There were other times when I would call Damien and talk to him.
- I recall being on the phone with Jason and Damien the night the three boys disappeared. It was late at night and I was in bed acting as though I was asleep.
 My recollection was that I was on the phone with one or both of them until about 12:30 a.m. to 1:00 a.m. That would have been the early morning hours of May 6,

- 1993, which was the day on which I found out that Chris Byers had been found dead.
- 19. My memory was that during at least some of the phone conversation Jennifer Bearden had been connected by my three-way calling system, and that she talked to Damien Echols. I used to view Jennifer Bearden as Damien's other girlfriend. I was aware that Damien was going out with Domini Teer at the time.
- 20. After the killings happened, I had a number of contacts with the investigating police officers. I told them about having been on the phone with Jason and Damien that night. My memory is that the police were not really interested in my account of the phone calls. I also explained to them that I was on the phone very late that night, and that I had used a pillow to hide the fact that I was on the phone from my mother who used to look in on me from time to time in my bedroom.
- 21. At the time that the killings of the three boys happened in 1993, I was very familiar with Robin Hood Woods, which is where the police said their bodies were found. My family had moved into the general area of the Woods when I was 3 or 4 years old. We lived on Wilson for a while. We later moved to Holiday Drive which is another street just a few blocks from Robin Hood Woods.
- 22. When I was growing up, from the age of about 9 to the age of about 14, I played in the Woods. As kids we called the area on both sides of the big pipe that ran across 10 Mile Bayou near the truck wash Robin Hood Woods. We played on both sides of the pipe, meaning on the side nearest to the highway, as well as on the other side, which was nearer to the houses. The truck wash was on the frontage road right next to the highway side of Robin Hood Woods.

- 23. I used to ride my bike on the side of Ten Mile Bayou closest to the apartments. I also played on the other side of the Bayou by crossing over the big pipe on foot, and then going into the Woods on the truck wash side of the pipe. That was the side that the three young boys were found on May of 1993. When I played on the truck wash side, I was always on foot. Until I was about fourteen years old, I went into the Woods about 2 or 3 times a week. A lot of kids from my neighborhood went into those Woods from time to time.
- 24. Depending on the season, we would see frogs, snakes and turtles in the Woods, on both sides of the pipe. I remember once being near the pipe with a friend named Michael Russell who told me not to try to touch one of the turtles near the edge of the Bayou because it was a snapping turtle.
- 25. There were also a lot of stray dogs in the Woods. As I got older, it seemed to me that 4 or 5 of these dogs lived in the Woods. That would have been around 1992 and 1993. They were straggly and unkept in that they seemed to be wild.. They seemed as though they didn't have owners. You would see those same dogs in the Woods a lot. I saw them sometimes on the truck wash side of the pipe.
- 26. When I went out with Jason, he only came over to my house one time. His mother drove him there and back. We never went into Robin Hood Woods together. I never saw Jason Baldwin, Jessie Misskelley, or Damien Echols in Robin Hood Woods the whole time I went into the Woods. Those boys were not from our neighborhood.
- 27. Shortly after the three young boys were found dead, I remember that a West Memphis police woman named Diane Hester picked me up, and we went into

Robin Hood Woods. I took her to a place called Devil's Den, which was a part of Robin Hood Woods that I had been to with friends of mine, including Ryan Clark, Chris Byers's brother.

- 28. The place that was called the Devil's Den was where I had seen the three boys who had been killed on several occasions riding their bikes. After I had taken Diane Hester there, I remember being very upset. I did not go back to school that day.
- 29. I believe that the second time I had contact with the police it was again Diane

 Hester who called me. I believe that on that occasion I was driven to the police
 station by my mom. They talked to me at some length. I remember telling them
 either on that occasion, or at some other time, that I had been on the phone with

 Damien and Jason the night the three boys disappeared.
- 30. My memory is that Holly George was not on the three-way call that I arranged. I did not really like Holly at that point, and I would have been much more comfortable talking to Jason, Jennifer and Damien. I believe that I told the police that Holly George was with me on the phone with Damien and Jason on the night the three young boys went missing in May of 1993. I was not on the phone with Holly that night. The reason that I did not tell the truth to the police was that Jennifer Bearden was my best friend at the time, and she had asked me not to tell the police that she had been on the calls with Jason and Damien. Jennifer told me that she was worried about what her mother would do if she found out that Jennifer's name had come up as being on the calls. So after the police asked me to name who was on the calls, I gave them Holly's name instead of Jennifer's.

- 31. I know that at the time that I was questioned by the police, people around me who knew I knew Jason and Damien were very upset. John Mark Byers had told me, at one point after the killings, that I was not welcome in his house anymore. It may be that when the police talked to me I played down the amount of time that I had spent on the phone, but I believe that I did tell police officers that I had spent a lot of time on the phone with Damien and Jason the night the three kids were killed.
- 32. One of the other things I did as a teenager was to play softball. Diane Hester, the police woman I discussed earlier, had been a softball coach in West Memphis.
- 33. I was playing in a softball game on the day that Damien Echols showed up with Jason and some kids in the crowd at the game started shouting at Damien. They were saying things to him about having killed kids, and he was saying things back to people in the crowd. It was typical of Damien, and it was clear to me that he was calling attention to himself. Since I knew I had been on the phone with him the night of the killings, I did not believe that he had anything to do with the situation.
- 34. I was surprised when I later found out that some girls who I knew who were at the game claimed that Damien had said something about having killed children or words to that effect. The girls who reported those things did not know either Jason or Damien the way I knew them.
- 35. Also, anyone who knew about the softball games would have understood that many people in West Memphis used to come by during the softball games to socialize and talk. It was a common place for people to hang out. By the time

the softball game happened, there were already rumors floating around West

Memphis about the police being interested in investigating Damien for the
killings. A number of people thought that Damien was weird, because of the way
he dressed, and because of his hairstyle and the way he carried himself. It would
have been expected at a gathering like one of those softball games that some of
the people would have gotten into it with Damien at that point in time.

- 36. After Damien, Jason, and Jessie had all gone to trial and been convicted, I lived with Ryan Clark, Chris Byers' half-brother, for a few years. During that time, Ryan and I talked about things that had gone on in Ryan's household, including the way that Chris Byers had been beaten from time to time by his father.
- 37. Had I been called to testify at the time of the trials of these cases, I would have been able to testify about my recollection of events, the phone calls that I have described here, and other matters that I knew about.
- 38. The foregoing information is true and correct. If I were called as a witness today, I would testify under oath as to all of the matters set forth in this affidavit."

Further the affiant sayeth naught.

IN WITNESS WHEREOF, I hereunto set my hand this _24 day of

April, 2008.

HEATHER DAWN CLIETT HOllis &

Subscribed and sworter before me this

gore me this 24 day of Apri (, 2008.

Notary Public

My commission expires:

8.17.2016