

Exhibit 25

State of Tennessee)
County of Franklin)

AFFIDAVIT

I, Diane R. Clarke, having been duly sworn or affirmed, do hereby depose and say:

1. My name is Diane Clarke. I am over the age of 18 and am of sound mind and body.
2. On April 4, 1989 I was a Sergeant in the Brevard County Sherriff's Office.
3. My partner Deputy Mark Rixey and I were the first officers to respond to the orange grove crime scene on the night of the murder. I remember that night clearly.
4. We got the dispatch call at 1:13 a.m. on April 4, 1989. Kim Hallock, who called 911 reporting the possible shooting of Mr. Flynn. I directed Deputy Wade Walker III to pick up Ms. Hallock from Oak Park Trailer Park, where she went to call 911, to lead us to the correct location because we could not find the grove where Mr. Flynn was shot.
5. Deputy Rixey and I found Mr. Flynn lying face down with his hands tied behind his back, but alive and lucid. Despite being lucid, when I asked several times who shot him, he only responded that he wanted to "go home." He was calm and not hysterical. He never mentioned any black man or unknown assailant. Mr. Flynn stopped breathing more than once and I resuscitated him.
6. We called the paramedics, but they did not arrive until 14 minutes later. So much time elapsed because of Ms. Hallock's inconsistent locations.
7. Deputy Rixey and I secured the crime scene upon finding Mr. Flynn. It was pitch dark. I could not see my hand in front of my face.
8. Other suspicious facts were that Ms. Hallock drove from the orange grove all the way to Oak Park Trailer Park, which is more than two miles from the orange grove crime scene, to call for help after supposedly escaping from an armed assailant. Between the orange grove crime scene and the Oak Park Trailer Park, there were numerous houses and at least one public telephone. She could have stopped at any one of these places to call for help for Mr. Flynn, who was shot and lying in the grove.
9. Additional information implicating Ms. Hallock includes the fact that, in her initial statement that was transmitted over the police radio, she never

mentioned an abduction. Ms. Hallock changed her story several times that night.

- 10. Deputy Rixey and I reported to Chris White, who was the prosecutor in this homicide case, that based upon the evidence that we saw as the first responders on the scene, it appeared Ms. Hallock had probably shot Mr. Flynn. To my knowledge, neither the prosecutor or lead investigators Fair and Nyquist ever followed up on this information.
- 11. After telling the prosecutor Chris White that Ms. Hallock killed Flynn in April 1989, I was never been approached by any member of Mr. Green's defense team concerning Ms. Hallock killing Flynn until April 2010.

Further affiant sayeth naught.

Diane Clarke
Diane Clarke

6-15-10
Date

Sworn and subscribed to me on this 15th day of June, 2010, by Diane Clarke, who is personally known to me or provided the following identification:

Driver's Lic.

Helen S. Hayes
Notary Public



State: Tennessee

County: Franklin County

My Commission Expires: 10/23/2012