

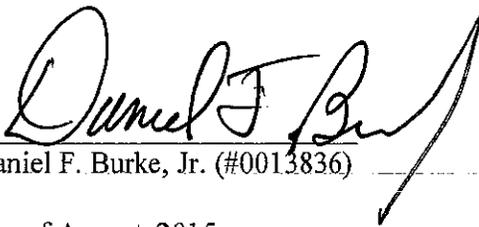


However, with the benefit of hindsight, I believe that Mark Pickens should have been provided more experienced and better trained counsel than me for his capital appeal.

5. When Mark Pickens' direct appeal was scheduled for oral argument, I immediately contacted the Office of the Ohio Public Defender to seek assistance with preparation for this event. Attorneys within that office assisted my co-counsel and me with our preparations. During the course of these preparations, I candidly admitted to myself and others that I should not have accepted the appointment to represent Mark Pickens on his capital appeal, given my inexperience with this type of appellate litigation.

6. In conclusion, I believe that I was not qualified by either experience or training to handle Mark Pickens' capital appeal, and that prejudiced Mark Pickens' right to effective counsel on his appeal.

Further Affiant sayeth naught.

  
Daniel F. Burke, Jr. (#0013836)

Sworn and subscribed in my presence on this 19<sup>th</sup> day of August, 2015.

NOTARY PUBLIC STATE OF OHIO  
MY COMMISSION HAS NO EXPIRATION  
DATE. SECTION 147.03 RC

 0067668  
Notary Public

