

IN THE MATTER OF THE

APPLICATION OF JAMES

NICKOLOPOULOS FOR TERMINATION

OF SENTENCE

"Exhibit C"

Affidavit Gust Nickolopoulos

State of Utah, County of Salt Lake:: ss

I, Gust Nickolopoulos, on my oath depose and say: that I am of the age of 80 years; that I am the father of James Nickolopoulos who is asking for termination of his sentence on the plea of guilty of involuntary manslaughter, and I am also the father of Peter Nickolopoulos and as well the grandfather of Helen and Antonia Tryfonopoulos, their mother, now deceased, being my daughter.

For ~~41~~ years I have been a widower and have had no home save and except, for the last ~~13~~ years when I have lived with my son Peter and his family of which my son James was a part; that ~~43~~ years ago by reason of my age I became unable to do manual labor or earn a livelihood and since which time I have been dependent on my two sons. I have never felt that I was a particular burden to my children until the time that James had his present trouble, but when this came about it cost so much money and my boys lost their store and all they had in James' defense that I have felt that my living with my son Peter is a great burden to him because he himself is not well, earns only small wages as a laborer, and has a family consisting of his wife and seven young children.

I further depose and say that my son James, the Applicant, has always been an industrious, very moral, Christian, peaceable man. I can state positively that he has never been arrested, or even accused of being involved in any unlawful act. He is a man who has never been married but his whole life seems to be wrapped up in caring for his immediate relatives of whom his nieces Helen and Antonia above referred to are a part.

Shortly before the homicide, I remember on at least two occasions, one of which was within the hearing of my son James, of having heard