

# Inmate tape casts doubt in murder case appeal

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It seems that before their June marriage, convicted killer Ricky "Rolex" Welborn forgot to tell Ameenah Jones a few things.

Like that he was serving life without parole, not 15 to 30 years. Or that he had exposed himself to another life term by confessing that he - not two North Philadelphia men serving life - was involved in the 1995 murder of 52-year-old businessman Thomas Keal during a botched robbery.

On Friday, recordings of several tense telephone calls between the newlyweds - Welborn, 34, in Frackville Prison and Jones, 26, in West Philadelphia - became key evidence in the appeal seeking a new trial for the pair convicted of killing Keal.

Assistant District Attorney Laurie Williamson argued that a July 31 call between Welborn and Jones proves that Welborn lied when he told the Pennsylvania Innocence Project in 2011 that he and a man he would not name shot Keal for resisting the robbers. If that were true, it would exonerate the men convicted of the murder, Eugene Gilyard and Lance Felder.

In the call, Welborn says he gave the statement after Gilyard's and Felder's families promised \$10,000.

But lawyers for Gilyard and Felder, both 34, focused on two tapes from July 30 where Welborn tells Jones that he wanted to clear the two men because they were innocent.

In them, Welborn also struggles to reassure Jones he cannot be convicted of Neal's killing because, despite his Innocence Project statement, he will not testify and will invoke his Fifth Amendment right against self-incrimination.

Friday's daylong hearing before Common Pleas Court Judge Rose Marie DeFino-Nastasi capped four earlier days of testimony.

Among the witnesses were three friends who said they were with Gilyard and Felder - then teenagers - selling drugs outside a Chinese takeout at 17th and Atlantic Streets when Keal was shot blocks away about 2 a.m. on Aug. 31, 1995.

Defense attorneys David Rudovsky and Jules Epstein, representing Gilyard and Felder, have argued that none of their witnesses testified at trial because they were afraid of retaliation from Welborn and the other gunman, who were enforcers for a drug operation run by Felder's older brother.

Gilyard and Felder were not arrested until January 1998 and then on the basis of a photo identification by Keal's daughter, Tonya, who caught a glimpse of the shooting from her

apartment above her father's seafood store. Her testimony was the only evidence against the pair; there was no physical evidence.

On Friday, Williamson also introduced three letters purportedly written by Welborn last month to Gilyard's and Felder's relatives demanding they pay the promised \$10,000 and threatening to go to the District Attorney's Office.

Rudovsky said Welborn was trying to placate his angry wife and cover himself after he realized his Innocence Project statement could get him charged in Keal's murder. The letters, though written to Gilyard's and Felder's relatives, were addressed to nonexistent people at bogus addresses, Rudovsky said. Welborn knew the letters would be returned to Frackville and read by prison officials.

"If you were promised \$10,000 in 2011, why would you wait two years to start complaining about not getting it?" added Rudovsky.

The next step in the appeal is oral arguments before the judge on Oct. 8.

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