

FUNDAMENTAL FAIRNESS DENIED

(Part Two of Three)

In June of 1983, the record of evidence shows I was forced against my will to stand trial with an attorney the judge knowingly rendered ineffective, to challenge the trumped up evidence being used to make me falsely appear overwhelmingly guilty of premeditated first degree murder. Since then, I have compiled a record of evidence showing a pattern of how I was not the only one railroaded, tried and convicted in a kangaroo court, through the illicit actions of a vigilance committee operating under the protection of an enterprise of racketeers profiting off Florida's capital punishment scheme. Criminals functioning within the legal community who give the appearance of being upstanding members of society. While they collusively abuse their power and authority at the expense of those unfortunate enough to have been caught in their snares. I am one of their victims, an innocent who has survived thirty years locked away within the dungeons of death row. Who now has the ability to call upon the court of public opinion to help bring this criminal enterprise to justice...

In September of 1987, the Governor of Florida signed my death warrant. As I sat on death watch waiting to be executed, I learned my attorneys found the initial eyewitness statements, as well as the blood test results showing only one blood type (mine) had been found on my person. Both these pieces of evidence refute what was presented at my trial as overwhelming evidence as to guilt. Something I had no way to refute during my trial due to these pieces of evidence being withheld to illicitly obtain a conviction. Needless to say I was ecstatic to finally have proof of my innocence, and knew I was going to be vindicated. Only that did not happen as I began to realize just how corrupt a faction within

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the legal system is when the trial judge ruled denying me an evidentiary hearing on the guilt/innocent issues. Stating even if she threw out the eyewitness testimony and blood evidence, there was still the testimony of the couple which she reasoned was enough on its own to obtain a conviction. Therefore she would only grant me a stay of execution to weigh the sentencing issues. There was a lot of criminal misconduct/obstruction of justice taking place during this period of time to suppress and oppress the evidence of my innocence. Along with the fact that when I stood midway through the farce and mockery of my trial to shout I was being railroaded; I actually was being railroaded! Most of the evidence of the obstruction taking place at this time, I would not be able to put together until years later when proof of it began to emerge.

The first solid pattern of judicial misconduct and collusion to obstruct justice (racketeering) became evident shortly after I was taken off of death watch ^{when} ~~and~~ I seen on the world news there was another capital murder case being appealed out of Clearwater, Florida. This case was also ~~about~~ alleging police misconduct on the same detective I allege railroaded and framed me for the murder of Butch. I knew then why the judge denied me an evidentiary hearing on the evidence that clearly proves I did not receive a fair and impartial trial. They did not want two capital murder cases bringing charges of police misconduct coming to light at the same time. What I did not know, and would not find out until almost a decade later is there was much more compelling evidence as to why they did not want the evidence of police misconduct coming to light in my case. (By the way the other capital murder case alleging police misconduct was won, and ended with the vindication of the person falsely imprisoned).

The most compelling piece of evidence I did not know about in 1987, can now be used to indict the trial judge and those in col-

lusion with her for obstruction of justice. I discovered this evidence in 1996, while speaking with another death row inmate here from Clearwater, Florida. As we spoke, I asked him if he knew the couple involved in my case. To my surprise he said Yes, and that they were involved in his case too, in which their roommate was killed in 1985. He then told me he was innocent, but got convicted due to this couple. I was stunned by what I heard him telling me. He also said, he had a copy of a deposition the female of the couple gave in his case. I asked to read it and to my surprise the female of the couple was relating how her and her boyfriend cooperated with the states attorney to testify against me. Once more I was ecstatic, as I had just found the last piece of evidence needed to vindicate myself of any kind of murder. I just knew the trial judge would no longer be ~~be~~ able to vouch for the credibility of this couple and would have to admit I did not receive a fair and impartial trial. Especially since I had been denied access to the initial eyewitness statements which prevented me from developing the male of the couple as the person ^{The} ~~they~~ eyewitnesses actually seen kill Butch.

Now let's look at how the discovery of this 1985, evidence of this couple being involved in a second murder of one of their roommates, helps to vindicate me, and bolsters the evidence of judicial misconduct/complicity to obstruct justice...

First, I need to point out two other pieces of incriminating evidence of judicial misconduct/complicity to obstruct justice. as I prosecute my case of being denied fundamental fairness before this court of public opinion...

Number one: shortly before my death warrant was signed in 1987, two other capital murder cases from the same judicial court district as my case were receiving major media coverage when evidence emerged that someone else may have been

the killer in the case of two brothers convicted and sentenced to death. It appeared there was evidence the ex-boyfriend of the victim in the case of these two brothers may have killed another ex-girlfriend in another state shortly after the first murder. The two brothers were given a deal because of this new evidence and were set free from death row. At that time I was unaware of how similar the evidence of the couple in my case being involved in the murder of another one of their roommates was to this case. Now it infers evidence of judicial misconduct/obstruction of justice to cover up the similarities!

Number two: also taking place during this period of time evidence emerged of widespread corruption going on within this judicial circuit to obtain convictions by any means possible. When a jailhouse snitch who was used to achieve over fifty convictions, ten of which were sentenced to death, came forward to name names of those within the legal system using his service. The two prosecuting attorneys who tried my case were on the list of having used the acknowledged false testimony of this jailhouse snitch. Which now can be used to implicate these two prosecuting attorneys of being guilty of misconduct and obstruction of justice in my case!

Today as I TIE all the evidence together based on the misconduct of suppressing the evidence of the couple in my case being involved in another murder of one of their roommates. A host of evidence emerges to compound my allegations of judicial misconduct in collusion to suppress and oppress the simple fact of my not receiving a fair and impartial trial. To the degree of assuring I would also not receive a fair and impartial appellate review!

Number one: when my appeal of newly discovered evidence discrediting the couples testimony came before the trial judge. She flip flopped on her 1987 ruling by stating even if she threw out the testimony of this couple (who she still felt to be ^{credible} ~~credible~~) there.

was the blood evidence and eyewitness testimony which she reasoned would be enough to obtain a conviction, and therefore denied me an evidentiary hearing once more on the guilt/innocence issues.

Number two: on appeal before the Florida Supreme Court, it was basically easy to point out how the ruling the trial judge made denying me an evidentiary hearing was erroneous. Since the evidence showed the couple admittedly cooperated with the states attorney, through coercion, to change their initial statements of having no knowledge of the murder in order to incriminate me. While the withholding of the initial eyewitness statements prevented me from developing the male of the couple as the person the eyewitnesses actually seen kill Butch. Only the attorney mandated to represent me before the Florida Supreme Court in oral arguments; Deliberately sabotaged my case by telling the court my case was not a first degree murder, due to the fact I was drunk at the time of the crime. (This argument was not even in the appeal and was something I would have never agreed to!). It even shocked the conscience of one judge on the court as he mentioned how I had maintained my innocence and was now admitting guilt through a diminished capacity defense. Because of this attorneys deliberate sabotage the Florida Supreme Court denied my appeal. When I learned what this attorney had done, I immediately brought charges against him to the Florida Bar. Only to be told by the Florida Bar attorney, unless I had it in writing the attorney would not change how he argued my case before the Florida Supreme Court; There was nothing the Florida Bar could do. Here is the most compelling evidence of obstruction of justice in my case, and the Florida Bar attorney joined in!

Number three: the group of attorneys mandated to represent indigent death row inmates on appeal work collectively on appeals. I knew these attorneys were also working on two

other appeals of men falsely convicted due to prosecutorial misconduct and the rumor was they would both be vindicated. What I did not know at this time was that the trial judge in my case had been appointed to reside over one of these appeals and would later rule there was sufficient evidence of prosecutorial misconduct to vacate that mans conviction. Yet, this very same judge had no qualms summarily refusing to grant me an evidentiary hearing on the overwhelming evidence of prosecutorial misconduct, proving beyond a doubt, I did not receive a fair and impartial trial in her courtroom. When viewed cumulatively there is substantial evidence this judge worked in collusion with the group of attorneys mandated to represent death row cases to sabotage the evidence of her misconduct in my case before the Florida Supreme Court. To insure her integrity would not come into question in her refusal to grant me an evidentiary hearing. As this judge knew the level of prosecutorial ^{misconduct} that took place in my case left compelling evidence the actual killer was allowed to go free to kill again, and frame another for the murder. So she did not want to admit to this level of prosecutorial misconduct which would likely create a major scandal that would open the floodgates to all the evidence of widespread corruption within her judicial district.

The evidence I did not receive a fair and impartial trial is overwhelming, and so is the evidence I did not receive a fair and impartial appellate process. In my next blog entry (part three) I will expound more on the evidence of racketeering that taints Florida's death penalty scheme beyond repair and calls for its abolition...