

Daniel Gwynn Blog Update
Date: 10/21/13
Subject: "Prosecutor Misconduct"

Prosecutor Misconduct

Mr. Paul Riley, trial prosecutor, made knowing false misrepresentations, lied and hid evidence in the prosecution of Daniel Gwynn. He misrepresented material evidence of another case where the Gwynn case witnesses were involved, as being unrelated to the Gwynn case; when to the contrary, there existed a wealth of favorable evidence that could've impeached the credibility & reliability of the prosecution witnesses' inconsistent accounts & identifications. He lied about:

--the witnesses directing the police to the Lupton case photo array for Gwynn's photo, as there's no record of any such statement made by the witnesses;

--Lupton's photo array being non-existent, due to the fact that Gwynn's photo was retrieved from it for the arson investigation photo line-up;

--Lupton photo array being 3 years prior, when in fact, it was actually a year prior.

He hid:

--evidence tending to impeach its witnesses who ID'd Gwynn, particularly that they ID'd another person as "Rick" (Lupton), and that one of them ID'd the wrong man in open court;

--evidence tending to show that "Rick" or another associate of "Rick"/Lupton could've committed the murder for which Gwynn has been convicted;

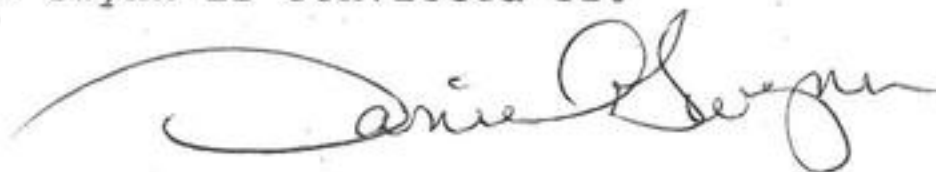
--how Gwynn became a suspect;

--Gwynn's photo array, claiming it's non-existent;

--that the prosecution's witnesses testified in another murder trial 3 days before the arson, where they were threatened by that defendant & his associates to prevent their testifying;

--that another witness from that case was threatened by that defendant & associates to prevent her from testifying, and that she was the victim of a very similar arson;

--that Lupton attempted to hire someone from the prison to dispatch the prosecution's witnesses, and that person came forward prior to the arson Gwynn is convicted of.



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Prosecutor Misconduct. (cont.)

Mr. Paul Riley violated Mr. Gwynn's Constitutional rights, and deprived him of a fair trial, by knowingly misrepresenting, lying & hiding material evidence favorable to Mr. Gwynn, evidence that would've had a significant impact on the outcome of the trial. Mr. Gwynn was entitled to rely on the prosecutor's representations, and to treat the prosecutor's submissions as truthful. Yet here, Mr. Riley chose to play Hide-and-Seek with favorable evidence tending to demonstrate Gwynn's innocence.

A handwritten signature in black ink, reading "Daniel Gwynn". The signature is written in a cursive style with a large, sweeping initial "D" and a long, horizontal flourish extending to the left.