

LA CROSSE COUNTY WISCONSIN CASE NO. 00-CF-106

To Whom May Take Concern,

I was convicted, and incarcerated now for 13 years. Before trial, I asked the public defender, who represented me, the very first day I've met him to hire a psychiatrist for my criminal case; because I don't remember what happened, and because of my unusual behaviors (I have copy of a letter that I wrote to the Public Defender Office, with their authentic stamp on it).

I don't remember the events of the commission of the crime. I was found in a pool of my own blood at the crime scene, and because I lost alot of blood, the police drew blood sample from me 3 hours later. I was transported to the hospital unconscious.

Despite this enormous amount of evidence of bizarre behaviors and unusual conduct which compelled the police to draw blood for investigation of intoxication. Every attorneys appointed to represent me, denied the request for a psychiatrist's assistance, on the premise that "We need proof of blackout"(amnesia), before the judge will allow an expert psychiatrist to testify about "Blackout".

I continued after conviction to search for evidence of blackout, and the reason for my bizarre behavior, because of my attorneys' advice.

Attorney Thomas Olson, at post conviction in an affidavit for test the blood sample wrote:

"Defendant maintained from the onset that he must have consumed some toxic substance which caused his bizarre uncharacteristic violence..."

"The District Attorney's office previously agreed that fairness required the state to stipulate for the testing for formaldehyde, but the blood sample could not be tested for this toxin."

Even after that motion by Mr. Olson, I continued in my search for the reason of my first and last blackout, and bizarre behaviors.

In 2009, I found an article by Duke's University professor of psychiatry (Aaron M. White). Mr. White wrote an article for the National Institute of Alcohol and Alcohol Abuse. The article gives a history of chronological alcohol blackout and state clearly that:

"Marijuana's THC causes blackout all by itself." No psychiatrist or published psychiatric work stated that before my trial. That is new evidence for my case.

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Now 13 years later, I've found a psychologist in the Wisconsin D.O.C. who I've discussed my criminal case with (like my attorney was supposed to do). Immediately the D.O.C. psychologist (psychiatrist) was, like myself astonished, by the amount of evidence right in the police reports. He concluded that:

"Even though THC was not known by the medical community to cause blackout, when I went to trial in 2000, alcohol did, and that there was enough evidence in the record to mobilize a psychiatrist." Looking at the police reports, and Honorable Barbara Crabb **opinion at** habeas corpus (see Case NO 05-C-479-C West. Wis Dist. Crt).

The psychiatrist wrote a short report about the two sessions that we had, and he is willing to testify as to the credibility of my alcohol and drug amnesia.

At trial the prosecutor and judge (a former prosecutor) made sarcastic and sardonic remarks, stating that: "I lied". The prosecutor brought witnesses who lied testified that "I did not drink alot", or smoke marijuana. But the police reports betrayed their testimonies (the bizarre behavior)(see Barbara Crabb's opinion).

I was acting so bizarre and unusual that the police was compelled to draw blood sample, and THC was found in the blood sample, even though I lost alot of blood, and stayed in the hospital for 3 hours, before the blood sample was draw, and had about 20 metal staples to the back of my head, due to the injuries I've suffered (all in the hospital release instructions).

Since my attorneys made me believe that I had to have proof of "Blackout" before a judge would allow an expert to testify on my behalf. I found in my search new evidence that THC caused blackout, and in combination to alcohol, the chances of the blacout impairments will be increased.

Now I also have the much needed expert opinion, after discussing my criminal case with him, that: **"My version of blacking out is credible."**, which is exactly what the attorneys failed to do. THC was in the blood sample, and evidence that I consumed alcohol is also in the record (R.81:231).

I need help for representation, to present this new mitigating evidence, and evidence of lack of intent at the commission of the crime. The Wisconsin Public Defender Office in Madison denied me the help and representation needed for this criminal case.

All the information that I will provide to you will corroborate every details of the story that I told in these pages. My story can be easily be investigated. Please help in any way your organization can. Respond to: Childeric Maxy #332930, SCI, 100 Corrections Drive, Stanley WI 54768-6500.

P.S. one should not stay in Prison for a crime he does not remember he committed; and he should not go to jail simply because he was too poor to hire a lawyer!!!