

Daniel Gwynn Blog Update
Date: 2/6/17
Subject: "Wronged Again"

When an innocent man on death row has half a chance to prove that he is innocent, or at the very least overturn his sentence, it seems the DA's office goes above & beyond their code of ethics to ensure the conviction stands and the truth never exposed. Why is this? I've always presumed that the government operated with some integrity--truth & justice.

It's bad enough that at my trial, when we requested the Discovery material (DA's evidence) to prepare a proper defense, the prosecutor withheld boxes of exculpatory evidence. Even after the judge instructed him to make sure we got to see the evidence requested, the prosecutor continued to obstruct our acquiring any additional evidence. He went so far as to state that the evidence no longer existed! This lie caused us to stop looking for the evidence, and we dropped our legal strategy that would've won my acquittal.

On appeal, it was one request for discovery after another either obstructed by the DA's office or denied by the state appellant courts. They claimed that I wasn't entitled to any additional discovery material. I'm literally facing a death sentence, which the appellant courts are designed to review for Constitutional & procedural adherence. Instead, I am yet again deprived of my rights & justice so that my conviction stands and that I remain in the system. It's crazy how the law & facts of my case got obscured during this process. One court presumed facts not in evidence; another declared no merit to the defective representation I received; and another assumed evidence of the crime that wasn't even proven by the prosecutor.

It's taken me 15 years to get into a court not hampered by the state's systemic biases & prejudices, and was granted a order for discovery. The DA's office continued to obstruct my acquisition for the full disclosure of the evidence by dragging their feet, changing attorneys, filing frivolous appeals of the court order, and withholding documents under the guise of "work product." From the beginning the DA's office obstructed my obtaining evidence to mount a proper defense & appeal. What are they so afraid I'll find? The TRUTH....

