

**Miscarriage Of Justice: 20 Yrs. WITHOUT State Habeas Counsel
Crandell Ojore Mckinnon**

The State of California
& C.S.Ct.

vs.

C. Mckinnon

As of March 11, 2019, I will have twenty years of being Unjustly stranded on San Quentin State Prison's death row for acts I had "No Involvement In" nor "Any Knowledge Of"?

This is significant and the purpose for this cry for HELP! I am making this clarion call to the People to procure your support and advocacy in Helping to Free me from this Unjust and Lethal predicament. For the past twenty (20) years I have been WITHOUT State Habeas Corpus Counsel or better said, "DENIED" State Habeas Counsel. I ask you to bear with me as I lay out the "Miscarriage of Justice" and "Obstruction of justice," being imposed against me.

First and foremost the State is obligated by law (see cal. Govt. Code §68662 (West 2009)) to appoint me State habeas corpus counsel. After being found (Unjustly) guilty of special circumstances the State was required to appoint me "Direct Appellate Counsel," and simultaneously "State Habeas Counsel," however, my direct appeal counsel was not appointed until January 2005 (6 years later), and my direct appeal was upheld and finalized in August 2012.

According to the: Supreme Court Policies Regarding Cases Arising from Judgments of Death: Policy 3; 2. Compensation Standards: 2-1 (parag. 2) - "This court's appointment of habeas corpus counsel for a person under a sentence of death shall be made simultaneously with appointment of [direct] appellate counsel or at the earliest practicable time thereafter."

Under California Law and the California Supreme Court (C.S.Ct.) Policies the State acknowledges "My Right" as an indigent inmate to "Qualified" habeas corpus counsel. Thus by their own policy

requirements, "Qualified" State habeas counsel should've been appointed simultaneously in January 2005, along with my direct representative or soon thereafter, yet fourteen (14) years after my direct appointment I continue to be WITHOUT COUNSEL! Twenty years or fourteen years by whichever measure is "grossly unreasonable". In light of the fact condemn inmates who have arrived on the row years and in some cases a decade after me have been appointed both direct and habeas counsel (see U.S. District Ct. Judge Cormac J. Carney argument in: Ernest D. Jones v. K. Chappell (2014 WL 3567365 (C.D. Cal) and my Motion for Appointment of Counsel).

With this knowledge and information I took it upon myself to file an "Application for Appointment of Counsel" (May 2012) with the C.S.Ct.; denied relief, I pursued appointment in the U.S. District Court (of Calif., Western Div.; June 2012), filing a Motion for the Appointment of Counsel, pursuant to 18 USCS §3599 and Local Rule 83 - 17.3:

"A prisoner under a judgment of death may file a petition for writ of habeas corpus or Request For Appointment of Counsel... Upon such filing, the case shall be randomly assigned to a district judge through the district wide Death Penalty Assignment Wheel. After filing and assignment, the matter shall be immediately referred to the Capital Case Committee For Appointment of Counsel."

Likewise, this motion was denied.

Back in 1999 I began a Letter Writing Campaign to acquire "Qualified" Counsel, and maintained regular inquiries with the C.S.Ct. regarding appointment. A decade or so later I was made aware of the causes of my difficulties to acquire Qualified Pro Bono Counsel and why there were only 30 to 40 habeas attorneys representing the entirety of California's death row. This had to do with the conditions and restrictions placed on attorneys, who were hired by the C.S.Ct. and their requirement to enter a contract with the Court (see Calif. Rules of Court: Rule 8.605. Qualifications of counsel in death penalty appeals and habeas corpus proceedings; and Supreme Court Policies...; Policy 3.

Standards Governing Filing of Habeas Corpus Petitions and Compensation of Counsel...), who also decide who is and who is not "Qualified." Once qualified and retained, the Court restricts compensation for work done on behalf of their client and most importantly, place limitations on counsel's representation of their client. Basically "obstructing justice" and violating my right to due Process under the Fifth and Fourteenth Amendments of the U.S. Constitution and Article I, sec. 7, sub. (a), and 15 of the Calif. Constitution.

In 2015, my C.A.P. (Calif. Appellate Project - agents of the Court) representative informed me my case file has been overlooked by State habeas counsel because there's not enough paper— volumes of trial transcripts; the least amount of paper require less work hours and less compensation (paper/money).

Eventually I found two Highly Qualified habeas appellate attorneys open to representing me, but only if I were able to personally retain them. They had no interest in being employed by the C.S.Ct., due to the "restrictions, limitations, and dysfunction" with the C.S.Ct. With this information on February 2, 2016, I sent a request to the Court asking to have funds allocated to retain habeas counsel on my behalf. February 8, 2016, Robert D. Reichman, Automatic Appeals Monitor replied:

"In the alternative, you may personally locate and retain (hire) any active Calif. Bar member to represent you, but that would not be an expense that could be paid by this Court, which only pays qualified appointed counsel. If a Calif. Bar member that you locate and retain is qualified to be appointed (see Calif. Rules of Court, Rule 8.605 (e),(f)), then this Court could pay that attorney to represent you if he or she is later found to be qualified and is appointed as your State habeas corpus counsel of record."

If the Court is allowing attorneys an option of what cases to choose from (according to C.A.P.), this is proof the Court had no interest in appointing me counsel at the "earliest practicable" time. In addition, it's obvious to me, the Court is intentionally punishing me for exercising my due diligence in seeking out

representation and being committed to holding the Court to the Law.

For these reason stated above I come to the People to ask for your support, advocacy, and donations to support my efforts in retaining Qualified State Habeas Counsel, who's sole interest is seeking Justice for their client, however that may manifest itself. I am confident everyone who read the Facts and Evidence against me will come away convinced "I'm INNOCENT" or at worst there was a purposeful and willful "Disinterest in Justice" carried out against me; and now the C.S.Ct. is further obstructing justice, simply because I'm "Actively" Campaigning for Counsel, My Life, Justice, and to Procure My Freedom.

I invite everyone to visit my Homepage to educate yourself on my Unjust and Wrongful Conviction. There you can read the Pre-Trial documents, read my writings, view my art, and learn how you can Support Me! All Funds Raised Go Toward My Defense:

Homepage: <http://crandellmckinnon.wixsite.com/freeojore>

Tribulations of A Geto Kid (Poetry Book \$15): <http://www.lulu.com/shop/ojore-dhoruba-khafra-ajamu/tribulations-of-a-geto-kid/paperback/product-23361419.html>

Donations: Pay Pal - ifundjustice@gmail.com

Group: <https://www.facebook.com/groups/1977117892606078/>

Asante sana for all your Support and Donations, I Appreciate everyone who acts on my behalf and offer a show of Human Kindness!!!

From my stance on maa, a voice from Death Row.

#FreeOjore #SUPPORTJ40 #INNOCENCEMATTER #DEFENDLIFE #IAMOjore