

ACTUAL INNOCENT ACCOUNT
OF WILLIAM E. IRVING

FOR HUMANITY!, FOR COMPASSION, FOR JUSTICE TO BE UNBLIND
NOT ONLY TO THOSE WITH CHOIRBOY BACKGROUNDS, I EXTEND
THE HAND OF MY ACCOUNT IN DIRE NEED OF ADVOCACY TO EXALT
ME FROM TWENTY TWO YEARS AND COUNTING OF FALSE CONVICTION.
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I WAS JAILED DEC. THIRTY FIRST, 1997 FOR THE MURDER OF
MR. JIMMY VERGE, AND CONVICTED ON OCTOBER SEVENTH, 1998
BY THE USE OF FABERCATED EVIDENCE AND FALSE TESTIMONY
BY THE KANSAS CITY, MO. POLICE DEPARTMENT AND JACKSON
COUNTY PROSECUTORS OFFICE.

1. EYEWITNESSES JONNY JONES AND LAMON E. CLARK, BOTH MADE
KNOWN TO TRIAL COUNSEL MS. LAURA O'SULLIVAN BEFORE TIME
OF TRIAL, IDENTIFIED OTHER PERSONS THAN MYSELF AS THE
MURDER OF MR. VERGE, NEITHER WAS CALLED NOR DILIGENTLY
INVESTIGATED.

2. TRIAL COUNSEL MS. O'SULLIVAN ENGAGED IN AN ENDEPTH AND
UNETHICAL INVESTIGATION OF HER CLIENT INTO UNCHARGED AND
PREVIOUSLY CHARGED CASES IN WHICH SHE DID NOT HANDLE AND
DELIBERTAEELY RENDERED NONDILIGENT REPRESENTATION TO ASSIST
THE PROSECUTION WITH CONVICTING ME. AT OUR FIRST MEETING
AND AFTER REVIEWING MY CRIMINAL HISTORY DOCUMENT IN WHICH
CASES HAD BEEN DISMISSED MS. O'SULLIVAN STATED: YOU'VE
BEEN GETTIG LUCKY SO FAR! COUNSEL'S ACTIONS LIKELY AMOUNTED
TO LEGAL MALPRACTICE. A CONFLICT OF INTEREST EXISTED AND
WAS BRUNG TO THE ATTENION OF THE COURT IN A MOTION TO
DISMISS AND REPLACE COUNSEL HIGH LIGHTING THE GROUND.
I WAS NOT BRUNG BEFORE THE COURT FOR ANY HEARING ON THE
MOTION AND IT WAS DENIED BY JUDGE LEE WELLS.

3. ALIBI WITNESSES JASON BROOM, CLETIS CROWLEY, AND DONALD
DUNN WAS NOT CALLED NOR DILIGENTLY INVESTIGATED EVEN THOUGH
JASON BROOM SUBMITTED AN AFFIDAVIT BEFORE TIME OF TRIAL
VERIFYING THAT I WAS AT A PARTY AT THE RED DOOR LOUNGE
AT THE TIME THAT THE MURDER OCCURRED.

4. & 5. CRUCIAL WITNESSES ATTOTNEY CECIL WILLIAMS, MARIJORIE
TROTTER, DAVID STEWART, JAMEL SUMMORS, AND LAJOYCE WOODS
WERE NOT CALLED AND NEVER INVESTIGATED BY COUNSEL ALSO.

6. MEDICAL RECORDS FROM RESEARCH MEDICAL CENTER SUPPORT
MISIDENTIFICATION, VERIFYING AT THE TIME THE MURDER I
HAD SIGNIFICANT AND HIGHLY NOTICABLE INJURIES., CUTS FROM
A BOX CUTTER RAZOR FROM MY UPPER LEFT EYE DOWN TO MY LEFT
LIP, LEFT TEMPLE, LEFT UPPER LIP, AND TOP OF LEFT HAND
RUNNING DOWN THE TOP LENGHT OF IT DOWN THE SECOND LEFT
FINGER WHEREWHICH MY LEFT HAND HAD STITCHES AND A HIGHLY
NOTICABLE WHITE BANDAGE UPON IT AT THE TIME OF THE MURDER.
NO ONE MADE IDENTIFICATION OF ME OR THE MURDER AS HAVING
THESE INJURIES. MOTION FOR IMPERMISSIBLE IDENTIFICATION
WAS DENIED BY JUDGE LEE WELLS ,

7. DETECTIVES AND WITNESSES TESTIFIED THAT I OWNED A 1982 BUICK LESABRE VIN#1G4AN6945CX143497, AND LICENSE PLATE: 041-BWN WERE REGISTERED TO THE BUICK IN MY NAME, FOR MY ADDRESS OF 4131 CHESTNUT, KANSAS CITY, MO. 64130. OFFICIAL DOCUMENTS FROM THE STATE OF MISSOURI DEPARTMENT OF REVENUE, MOTOR VEHICLE REGISTRATION, P.O. BOX 100 JEFFERSON CITY, MO. 65105-100 MANDATE I DID NOT OWN THE BUICK AND THAT LICENSE PLATES DID NOT REGISTER TO THE BUICK NOR IN MY NAME OR FOR MY ADDRESS-BUT TO: ZAKIYA R. RAY, 14451 E. 77TH STREET, KANSAS CITY, MO. 64131.

TRIAL BEGAN 10/5/98. I WAS CONVICTED MAINLY BY TESTIMONY OF TWO (2) WITNESSES ADMITTING INVOLVEMENT IN THE CRIME, ONE OF WHICH: Raymond D. Yates, EYE WITNESS LAMON E. CLARK IDENTIFIED AS THE PERSON WHO SHOT AND KILLED MR. VERGE, AND THE OTHER: MARCUS W. WOODRUFF ADMITTED TO ATTEMPTING TO ROB MR. VERGE BEFORE HE WAS MURDERED AND IN WHICH EYE WITNESS JONNY JONES GAVE A DESCRIPTION THAT FIT WOODRUFF AS BEING THE ONE WHO SHOT AND KILLED MR. VERGE. NEITHER WOODRUFF OR YATES WERE CHARGED WITH THE MURDER OF MR. VERGE, AND BOTH WERE INVOLVED IN OTHER CRIMES IN WHICH NO CHARGES WERE FILED AGAINST THEM (I.E. WOODRUFF WAS CAUGHT RUNNING FROM A DRUG HOUSE WHILE LIKELY THROWING CONTRABAND OF DRUGS AND GUNS DURING A RAID OF A KNOWN DRUG-HOUSE ON OR ABOUT 1/20/98; YATES ON OR ABOUT 12/19/97 OR 12/20/97 WAS APPREHENDED FOLLOWING A SHOOTING AT 41ST AND PROSPECT AVENUE THAT ENDED IN A POLICE CHASE THAT CONCLUDED AT 34TH AND BENTON WHERE YATES WAS WRESTLED DOWN WITH A .12 GAUGE SAWED-OFF SHOTGUN, PLACED UNDER INVESTIGATION AND RELEASED WITH NO CHARGES BROUGHT). IT IS BELIEVED THAT BOTH WORKED DEALS THAT HAVE BEEN COVERED UP TO GIVE FALSE TESTIMONY, IN WHICH NEED TO BE UNEARTHED TO PROVE A BRADY VIOLATION USING THE FREEDOM OF INFORMATION ACT. I HAVE BEEN GIVEN SEVERE COMPLICATIONS IN OBTAINING THESE DOCUMENTS FROM KANSAS CITY, MO. POLICE DEPARTMENT AND THE JACKSON COUNTY PROSECUTORS OFFICE TO-DATE. (PROSECUTORS FILE#316822)

WOODRUFF INITIALLY DENIED ANY INVOLVEMENT IN MR. VERGES' MURDER, THEN CHANGED HIS TESTIMONY LIKELY AFTER BEING THREATENED WITH DRUG AND GUN CHARGES BY POLICE. WOODRUFF WAS CONVICTED OF ANOTHER MURDER SEVERAL YEARS AFTER MR. VERGES MURDER. EYE WITNESS JONNY JONES' DESCRIPTION OF THE KILLER FIT MARCUS W. WOODRUFF. JONES STATED: "THE PASSENGERS IN THE BROWN TRUCK, THREE DARK SKINNED BLACK MALES, ALL WEARING DARK CLOTHING EXITED THE VEHICLE AND ONE OF THEM SHOT THE DRIVER TWO TIMES." THIS FITS WOODRUFF WHO IS VERY DARK COMPLEXIONED AND AT THE TIME OF THE MURDER WAS TWENTY-ONE (21) YEARS OLD HAVING BEEN BORN 12/22/75 (I.E. MARCUS W. WOODRUFF, 5446 NORTON, KANSAS CITY, MO. 64130), I WAS TWENTY-SEVEN (27) YEARS OLD AND AM VERY LIGHT COMPLEXIONED WITH THE SIGNIFICANT INJURIES DESCRIBED AFORE WHERE MY STITCHES WERE REMOVED AFTER THE DATE OF MR. VERGES MURDER HAD OCCURRED.

ROSA HORTON CLAIMED TO BE A PASSENGER IN MR. VERGES' CAR. INITIALLY SHE TOLD POLICE SHE HAD BEEN TAKEN HOME WITHOUT INCIDENT NOT BEING INVOLVED IN ANY CAR WRECK OR WITNESSING ANY MURDER, THEN SHE CHANGED HER STORY AFTER LIKEY BEING CAUGHT WITH DRUGS OR DRUG PARAPHENALIA AND COERCED BY POLICE. SHE HAD BEEN HEAVILY DRINKING AND DOING DRUGS FOR APPROXIMATELY 20-HOURS STRAIGHT BEFORE AND UP TO THE MURDER OF MR. VERGE. SHE GAVE AN IMPERMISSIBLY SUGGESTIVE IDENTIFICATION OF ME.

AFTER THE JURY WAS SWORN, JUROR MRS. DORIS COLE, WHILE EXITING THE JURY ROOM FELL DOWN SEVERAL STAIRS AND DIED THAT NIGHT IN HER SLEEP (LIKELY FROM INJURIES OBTAINED IN THE FALL). THE NEXT MORNING BEFORE TRIAL BEGAN THE WELLS INFORMED THE JURY OF MRS. CLOES' DEATH WHOM BECME PREDISPOSED AND ENFLAMED, ANF THUS TAINTED THE JURY PANEL. NO NEW JURY WAS AFFORDED OR MISTRIAL WAS SAUGHT/DECLARED. IN OPENING ARGUMENTS TRIAL COUNSEL MS. LAURA O'SULLIVAN GAVE FALSE TESTIMONY BY MISINFORMING THE JURY THAT I OWNED THE BUICK LESABRE AND THAT I WAS AT THE SCENE OF THE CRIME WHEN I NEVER TOLD HER THAT.

PROSECUTOR MS. DAWN PARSON, WITHOUT ME TAKING THE STAND INFORMED THE JURY THAT I WAS A CONVICTED FELON. NO OBJECTION FROM COUNSEL OR COURT. MS. PARSON UNETHICALLY VOUCHED FOR WITNESS RAYMOND YATES' CREDIBILITY IN CLOSING ARGUMENTS . NO OBJECTION FROM COUNSEL OR COURT. MS. PARSON ALSO UNETHICALLY MADE AN IMPROPER COMMENT THAT SHIFTED THE BURDEN OF PROOF STATING: "NOW LETS TALK ABOUT THE DEFENDANT -'S EVIDENCE. IN OPENING STATEMENT THEY TOLD YOU WILL DID'NT CARE ABOUT THE CAR ACCIDENT BECAUSE HE WAS GOING TO GET HIS CAR POUNDED OUT. NO EVIDENCE OF THAT." NO OBJECTION FROM COUNSEL OR COURT. MS. PARSON AND PEGGY GUSTAFSON# 43358 WITHHELD EVIDENCE FAVORABLE TO THE DEFENSE REGADING DEALS TO YATES, WOODRUFF, AND HORTON (ALSO KNOWN AS ROSA REVELES), AND THAT OTHERS COMMITTED THE MURDER OF MR. VERGE. IT WAS STIPULATED THAT A FINGERPRINT LIFTED FROM THE ROOF OF MR. VERGES CAR, LIKEY BELONGING TO THE PERSON WHO COMMITTED HIS MURDER BECAUSE HE WAS PREVENTED FROM EXITING THE VEHICLE BEFORE HE WAS KILLED, WAS STIPULATED AS NOT BELONGING TO ME , BUT WAS NEVER TESTED TO BEOLNG TO YATES OR WOODRUFF. CRIMINALOGISTS MANDATED MY FINGERPRINTS WERE INCONCISISTENT WITH THE MURDER SUSPECT. ANOTHER CAR WITH DAMAGE AND PAINT TRANSFER CONSISTENT WITHTHE ACCIDENT WITH MR. VERGES' CAR POLICE EXAMINED AND LET GO. JUDGE WELLS AND MS. O'SULLIVAN FAILED TO INSTRUCT THE JURY ON SECOND DEGREE MURDER. I HAVE MOTOR VEHICLE REGISTRATION DOCUMENTS, RESEARCH MEDICAL CENTER DOCUMENTS, EYE WITNESS STATEMENTS, AFFIDAVITS FROM ALIBI WITNESS JASON BROOM NOTARIZED BEFORE TRIAL, ETC.. RECENTLY I OBTAINED COMPLETE DEFENSE FILES AND DISCOVERED DOCUMENTS VERIFYING THE THE JURY VERDIT FORM WAS NEVER SIGNED BY THE JURY FORE-PERSON, WHICH WAS DISCOVERED BY POSTCONVITION COUNSEL

MS. ROSALYNN KOCH#27596, YET WAS NOT INCLUDED ON HER DIRECT APPEAL AND MAY AMOUNT TO JUDICIAL DEFECT OR DEFAULT.

CONVICTION WAS AFFIRMED ON 10/12/00. MOTION TO SET ASIDE OR TO CORRECT THE JUDGEMENT (29.15) WAS FILED, CONVICTION WAS AFFIRMED ON 12/9/03. MOTION TO RECALL THE MANDATE WAS FILED WITH THE COURT OF APPEALS, WESTERN DISTRICT, AND DENIED ON 11/2/04. FEDERAL HABEAS CORPUS PETITION (2254) WAS FILED 11/17/04 IN U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI, CLAIMS WERE RULED AS "TIME-BARRED" AND NOT RULED UPON ON THE MERITS OF THE CASE, EVEN THOUGH PETITION WAS FILED BEFORE THE DATE PROVIDED TO ME BY POST-CONVICTION COUNSEL MS. RUTH SANDERS#53256 OF 12/9/04. THE OTHER AVENUE I MAY HAVE AVAILABLE PER ACTUAL INNOCENCE OR NEWLY DISCOVERED EVIDENCE IS STATE HABEAS CORPUS. THE OTHER POST CONVICTION I HAD ARE: TARA L. JENSEN#47144, ANDREW A. SHREOEDER#43711 AND MS. SUSAN HOGAN#33194 (IN TRIAL SITTING SECOND CHAIR TO O'SULLIVAN). GARY EMERSON WAS MS. O'SULLIVANS' INVESTIGATOR.

I AM AN INDIGENT ACTUAL INNOCENT PRISONER. I EXTEND THE HAND OF MY ACCOUNT IN A PLEA FOR ADVOCACY, IN THE NAME OF VINDICATION! AN ACCOUNT CAN BE SET UP AT: www.JPay.com TO CORRESPOND PER E-MAILS. I CAN RECEIVE BLOGS AT MY BLOGGING CITE: <http://betweenthebars.org/blogs/315>, or by snail-MAIL AT:

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MY OUTSIDE CONTACT PERSON IS:

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CASE CITATION IN SUPPORT OF ACTUAL INNOCENCE ACCOUNT

1. FAILURE TO INVESTIGATE/CALL EYE-WITNESSES. BRYANT V. SCOTT, 28 F.3D 1411 (5TH CIR. 1994) (FAILURE TO INTERVIEW EYEWITNESS TO A CRIME MAY STRONGLY SUPPORT A CLAIM OF INEFFECTIVE ASSISTANCE OF COUNSEL); GAINS V. HOPPER, 315 F.2D 1147, 1149 (5TH CIR. 1978) (AFFIRMING HABEAS RELIEF INTERNALIA, COUNSEL FAILED TO INTERVIEW EYEWITNESSES).

2. ABUSE OF DISCRETION. MISSOURI V. GARVEY, 328 S.W.3D 408, 417 9mo. app. e.d. 2010) (TRIAL COURT ABUSES ITS DISCRETION WHEN ITS RULING IS TRULY AGAINST THE LOGIC OF THE CIRCUMSTANCES BEFORE IT AND WHEN RULING IS ARBITRARY AND UNREASONABLE AS TO SHOCK OUR SENSE OF JUSTICE AND INDICATE A LACK OF CAREFUL CONSIDERATION).

3. FAILURE TO INVESTIGATE/CALL ALIBI WITNESSES. BROWN V. MEYER, 137 F.2D 1154, 1158 (9TH CIR. 1988) (FINDING COUNSEL DEFICIENT FOR FAILING TO INVESTIGATE AND CALL POSSIBLE ALIBI WITNESSES); GROOMS V. SOLEM, 923 F.2D 88 (8TH CIR. 1991) (WHEN ALIBI WITNESSES ARE INVOLVED, IT IS UNREASONABLE FOR COUNSEL NOT TO TRY TO CONTACT WITNESSES AND "ASCERTAIN WHETHER THEIR TESTIMONY WOULD AID THE DEFENSE").

4&5. FAILURE TO INVESTIGATE/CALL CRUCIAL WITNESSES. HENDERSON V. SARGENT, 926 F.2D 706, 711 (8TH CIR. 1991) (COUNSEL HAS A DUTY TO INVESTIGATE ALL WITNESSES WHO ALLEGEDLY POSSESS KNOWLEDGE CONCERNING THE DEFENDANTS' GUILT OR INNOCENCE) (QUOTING LAWRENCE V. SARGENT, 900 F.2D 127, 130 (8TH CIR. 1991)).

6. MISIDENTIFICATION. FERGUSON V. DORMIRE, 413 S.W.3D 40 (MO. APP. W.D. 2013) (STATE FAILED TO DISCLOSE THAT NEITHER FERGUSON NOR STRICKSON WAS THE PERSON SHE SAW WELL ON THE NIGHT OF MR. HEITHOLT'S MURDER).

7. FALSE/PERJURED TESTIMONY. STRICLER V. GREENE, 526 U.S. 260, 280-81, 109 S.Ct. 1936, 144 L.Ed.2d 286 (1999) (THE PROSECUTION MUST NEVER KNOWINGLY USE PERJURED TESTIMONY TO OBTAIN A CONVICTION); GIGLIO V. U.S., 405 U.S., 150, 153, 92 S.Ct. 763, 31 L.Ed.2d 104 (REVERSAL REQUIRED IF THERE IS ANY REASONABLE LIKELIHOOD THE USE OF FALSE TESTIMONY COULD HAVE AFFECTED THE JURY).

8. FAILURE TO DISCLOSE EVIDENCE OF DEALS. BRADY V. MARYLAND, 573 U.S. 83, 87 S.Ct. 1144, 10 L.Ed.2d (1963) (THE DUE PROCESS CLAUSE REQUIRES THE PROSECUTOR TO DISCLOSE TO THE DEFENCE ANY EXCULPATORY EVIDENCE WHICH COMES TO HIS/HER ATTENTION); U.S. V. BAGLEY, 473 U.S. 667, 676, 105 S.Ct. 3375, 87 L.Ed.2d 481 (1985) (SUCH EVIDENCE IS MATERIAL "IF THERE IS REASONABLE PROBABILITY THAT HAD THE EVIDENCE BEEN DISCLOSED TO THE DEFENSE, THE RESULTS OF THE PROCEEDINGS WOULD HAVE BEEN DIFFERENT"); U.S. V. AGURS, 427 U.S. 97, 107 (1976) (SUCH EVIDENCE IS APPLICABLE EVEN THOUGH THERE HAS BEEN NO REQUEST BY THE ACCUSED, AND THE DUTY ENCOMPASSES IMPEACHMENT EVIDENCE AS WELL AS IMPEACHMENT EVIDENCE); KYLES V. WHITLEY, 514 U.S. 419, 433-34 (1985) (THE RULE ENCOMPASSES EVIDENCE "KNOWN ONLY TO POLICE AND NOT THE PROSECUTOR. THE INDIVIDUAL

PROSECUTOR HAS A DUTY TO LEARN OF ANY FAVORABLE EVIDENCE KNOWN TO OTHERS ACTING ON THE GOVERNMENTS' BEHALF IN THIS CASE, INCLUDING POLICE).

9. BAISED/TAINTED JURY. SHEPPARD V. MAXWELL, 88 S. CT. 1507, (1966) (THE STANDARD FOR GRANTING MISTRIAL IS WHETHER DEFENDANTS' RIGHT TO A FAIR AND IMPARTIAL JURY HAS BEEN IMPAIRED).

10. CONFLICT OF INTEREST. MICKENS V. TAYLOR, 535 U.S. 162, 122 S. CT. 1237, 152 L. ED. 2d 291, 2002 U.S. LEXIS 2146 (THE APPEARANCE THAT THE PROCEEDING WILL NOT RELIABLY SERVE ITS FUNCTION AS A VEHICLE TO DETERMINATION OF GUILT AND INNOCENCE, AND THE RESULTING CRIMINAL PUNISHMENT WILL NOT BE REGARDED AS FUNDAMENTALLY FAIR, "REVERSAL MUST BE DECREE WITHOUT PROOF OF PREJUDICE"); HYMAN V. BROWN, 197 F. SUPP. 3D 413, 2016 U.S. DIST. LEXIS 90798 (UNDER CLEARLY ESTABLISHED SUPREME COURT LAW, BRETTSCHEIDERS' FAILURE TO CALL HINKSON BECAUSE OF THE FEE DISPUTE, OR ANY SIMILAR REASON, IS VIOLATION OF THE SIXTH AMENDMENT. SE STRICKLAND, 466 U.S. AT 688 ("REPRESENTATION OF A CRIMINAL DEFENDANT ENTAILS CERTAIN BASIC DUTIES... COUNSEL'S FUNCTION IS TO ASSIST THE DEFENDANT, AND HENCE COUNSEL OWES THE CLIENT A DUTY OF LOYALTY, A DUTY TO AVOID CONFLICTS OF INTEREST"); U.S. V. SCALISE, 2015 U.S. DIST. LEXIS 58648 (THE PRESENT CASE PRESENTS A SIMILAR SITUATION IN THAT IF HIS OWN INTERESTS IN CURRYING FAVOR WITH THE PROSECUTOR INFLUENCED MR. LUCAS' STRATEGIC DECISIONS, MR. SCALISES' INTERESTS WOULD BE AFFECTED).

11. PROSECUTOR IMPROPER COMMENT/CONVICTED FELON. GRIFFEN V. CALIFORNIA, 381 U.S. 957, 85 S. CT. 1797 (1985) (WHAT THE JURY MAY INFER, GIVEN NO HELP FROM THE COURT SOLEMIZES THE SILENCE OF THE ACCUSED INTO EVIDENCE AGAINST HIM IS QUITE ANOTHER. THAT THE INFERENCE OF GUILT IS NOT ALWAYS SO NATURAL OR IRRESISTIBLE IS BROUGHT OUT IN THE MODESTO OPINION ITSELF: "DEFENDANT COTENDS THAT THE REASON A DEFENDANT REFUSES TO TESTIFY IS THAT HIS PRIOR CONVICTIONS WILL BE INTRODUCED INTO EVIDENCE TO IMPEACH HIM AND NOT THAT HE IS UNABLE TO DENY THE ACCUSATIONS. IT IS THAT THE DEFENDANT MIGHT FEAR THAT HIS PRIOR CONVICTIONS WILL PREJUDICE THE JURY, AND THEREFORE ANOTHER POSSIBLE INFERENCE CAN BE DRAWN FROM HIS REFUSAL TO TAKE THE STAND") (QUOTING PEOPLE V. MODESTO, 62 CAL. 2D 436, 452-453, 42 CAL. RPT. 417, 426-427, 398 P. 2D 753, 762-763) (THE FIFTH AMENDMENT, IN ITS DIRECT APPLICATION TO THE FEDERAL GOVERNMENT AND ITS BEARING ON THE STATES BY REASON OF THE FOURTEENTH AMENDMENT, FORBIDS EITHER COMMENT BY THE PROSECUTION ON THE ACCUSED SILENCE OR INSTRUCTION BY THE COURT THAT SUCH SILENCE IS EVIDENCE OF GUILT).

12. PROSECUTOR IMPROPER VOUCHING. U.S. V. YOUNG, 105 S. CT. 1055 (1985) (VOUCHING OCCURS WHEN THE GOVERNMENT PLACES THE 'PRESTIGE OF THE GOVERNMENT BY THE WITNESSES THROUGH PERSONAL ASSURANCE OF THEIR VERACITY'); A.B.A. STANDARDS ON PROSECUTION FUNCTION 5.8(b) "THE PROSECUTOR MAY NOT PERSONALLY VOUCH FOR OR AGAINST THE CREDIBILITY OF HIS WITNESSES. IT IS UNPROFESSIONAL CONDUCT TO EXPRESS HIS PERSONAL BELIEF OR OPINION AS THE TRUTH OR FALSITY OF ANY EVIDENCE").

13. PROSECUTOR IMPROPER SHIFTING THE BURDEN OF PROOF. MISSOURI V. BOOKER, 945 S.W.2D 457 (MO. APP. W.D. 1997) (IMPROPERLY SHIFTING THE BURDEN OF PROOF TO THE DEFENDANT).