

Table of Contents

Thirty Year Quest For Justice – *U.S. v. Jeffrey R. MacDonald*..... 3
Justice:Denied Editorial Comment About Jeffrey MacDonald’s Case..... 5
 Clay Bennett Released After Three Years Imprisonment For Rape That Never Happened..... 6
 Hilary Swank Starring In Kenneth Waters Movie..... 6
American Violet Premieres In Hearne, TX..... 6
 Mashelle Bullington Cleared 12 Years After Burglary Conviction..... 7
Justice:Denied Begins Its 11th Year..... 7
 Harris County’s DA Releases Report Critical Of Police, Prosecutors And Public Defenders In Richardo Rachell’s Case..... 8
 Rachell Report..... 8
 \$1.3 Million To LA Man Wrongly Accused Of Murder..... 9
 Jeong Won-seop Acquitted 35 Years After Murder Conviction..... 10
 Teddy Thompson Awarded \$272,000 For Seven Years Wrongful Imprisonment..... 10
 Romeo Phillion’s Murder Conviction Tossed After 31 Years Imprisonment 10
 Alabama Awards Widow \$129,000 For Husband’s Wrongful Sexual Assault Convictions..... 11
 William Coleman Starves Claiming Innocence of Raping Wife..... 12
 William “Bill” Coleman’s “Statement of Protest”..... 13
 James S. Anderson Cleared Of Washington Robbery Committed When He Was 1,100 Miles Away In Los Angeles..... 13
 Terrorism Convictions Tossed For Five Muslim Youths “Intoxicated” By Religious And Political Literature..... 14
 US Supreme Court OKs Immunity For Negligent Administration Of Prosecutor Offices..... 16
 Kazuyoshi Miura Was A Victim Of Prosecutorial Lombardiology..... 17
 Felipe Vargas Awarded \$3 Million For Ineffective Assistance Of Counsel..... 18
 Las Vegas Prosecutors Routinely Pay For Pre-trial Witness Interviews..... 18
 Michigan Prosecutor Fired For Role In Claude McCollum’s Murder Conviction..... 19
Case of a Lifetime: A Criminal Defense Lawyers’s Story — Review of the book..... 20
Justice:Denied’s Bookshop..... 21

Message From The Publisher

Lonnie LaBonte’s story of being convicted of a double murder in Montgomery County, Texas was in *JD* Issue 34, Summer 2006. The Innocence Project of Texas became involved in his case and over the dogged opposition of the prosecution, on January 13, 2009 the Texas Court of Appeals granted DNA testing of the prosecution’s key evidence. Swabs from spots on the exterior of LaBonte’s truck tested positive for the possible presence of iron, and the prosecution claimed at trial it was the victim’s blood. If the spots prove to not be blood, the prosecution will have no physical evidence tying him to the crime, and he can petition for a new trial.

Karlyn Eklof’s story of being convicted of a Springfield, Oregon murder was in *JD* Issue 35, Fall 2006. On March 2, 2009 the US Supreme Court declined to review the lower federal court’s denial of her writ of habeas corpus. Anthony Bornstein with the Federal Public Defenders Office in Portland, Oregon wrote brilliant briefs on Karlyn’s behalf, but he was unable to convince the federal judges that evidence of her innocence concealed from the jury by the prosecution’s *Brady* violations wasn’t procedurally barred from consideration on its merits. Erma Armstrong, the retired music teacher who discovered the concealed evidence, is now spearheading the effort to prepare a clemency petition for submission to Oregon’s governor.

William “Bill” Coleman’s 18 month refusal to eat solid food to protest what he claims is the injustice of his conviction for allegedly raping his wife, is unusual for this country. (See article on p. 12) One of the most well known hunger strikes was in 1981 at Northern Ireland’s Long Kesh prison that resulted in the starvation death of ten IRA prisoners. *JD’s* Bookshop now carries the book *Ten Men Dead*. (See p. 21)

The underhanded tactic of prosecutors concealing exculpatory evidence is rarely exposed to the light of media publicity. Fortunately for Claude McCollum (See p. 19) and Ted Stevens (See *JD* Editorial on p. 5), publicity in their cases contributed to overturning their convictions.

Hans Sherrer, Publisher

Justice:Denied - the magazine for the wrongly convicted
 www.justicedenied.org – email: hsherrer@justicedenied.org

Justice: Denied’s logo represents the snake of evil and injustice climbing up on the scales of justice.



Information About *Justice:Denied*

Six issues of *Justice:Denied* magazine costs \$10 for prisoners and \$20 for all other people and organizations. Prisoners can pay with stamps and pre-stamped envelopes. A sample issue costs \$3. See order form on page 23. An information packet will be sent with requests that include a first-class stamp or a pre-stamped envelope. Write: Justice Denied; PO Box 68911; Seattle, WA 98168.

DO NOT SEND JUSTICE:DENIED ANY LEGAL WORK!

Justice:Denied does not and cannot give legal advice.

If you have an account of a wrongful conviction that you want to share, send a first-class stamp or a pre-stamped envelope with a request for an information packet to, Justice Denied, PO Box 68911, Seattle, WA 98168. Cases of wrongful conviction submitted in accordance with *Justice:Denied’s* guidelines will be reviewed for their suitability to be published. *Justice:Denied* reserves the right to edit all submitted accounts for any reason.

Justice:Denied is published at least four times yearly. *Justice:Denied* is a trade name of The Justice Institute, a 501(c)(3) non-profit organization. If you want to financially support the important work of publicizing wrongful convictions, tax deductible contributions can be made to:

The Justice Institute
 PO Box 68911
 Seattle, WA 98168

Credit card contributions can be made on *Justice:Denied’s* website,
www.justicedenied.org/donate.htm

Please note: Justice Denied protects the privacy of its subscribers and donors. Justice Denied has never rented, loaned or sold its subscriber list, and no donor has ever been disclosed to any third party, and won’t be without presentation of a valid legal process.

Justice:Denied volunteers directly contributing to this issue:
 Natalie Smith-Parra, Editor; Terri Smith, Mailing; Katha McDonald, Mailing;
 and Hans Sherrer.