

Ronnie Milligan Paroled Based On Evidence He Is Innocent After 30 Years On Nevada's Death Row

Ronnie Milligan was convicted and sentenced to death for the 1980 murder of 77-year-old Zolihon Voinski near Valmy, Nevada.

In 1980 Milligan was 29 and recently honorably discharged from the Navy, when he decided to travel from Tennessee to California with a group of people. Milligan spent much of the trip in a drunken stupor. The group encountered Ms. Voinski in the small town of Valmy, about 200 miles northeast of Reno. Needing money someone in the group got the idea of robbing her by disabling her car by removing the coil so it wouldn't start, and then offering to drive her to an auto parts store in Winnemucca about 40 miles away.

Outside of Valmy something went very wrong because of instead of just stealing Ms. Voinski's money she was brutally murdered. She was robbed of \$20 and some travelers checks.

The group was captured the day of Ms. Voinski's murder. In 1980 Milligan and two others were tried for the murder in Winnemucca, the county seat of Humboldt County.

Milligan testified at his trial that he was in an alcoholic blackout during the entire peri-

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There is also a Facebook group, "Justice for Michael Ustaszewski."

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Ronnie Milligan

od of time the group was in Valmy and that he had no memory of anything about Ms. Voinski. The state's star witness was group member Ramon Houston who testified Milligan was the killer. Houston wasn't charged in the murder and he was released shortly after Milligan's trial. Milligan's two co-defendants also testified he murdered Ms. Voinski. Milligan's co-defendants weren't convicted of capital murder and were eventually released on parole.

After Milligan had spent 26 years on death row the Nevada Supreme Court ruled in another case that a different aggravating factor was required during a sentencing hearing than the one relied on to convict a person of capital murder. The Court applied the ruling retroactively. Since Milligan's capital conviction and death sentence both relied on the single aggravating factor of the robbery, he was granted a new sentencing hearing.

The lawyer appointed for the hearing, David Lockie, conducted a reinvestigation of Milligan's case.

Key new evidence was discovered, including a letter written by Houston in which he disclosed that not only did Milligan not murder Ms. Voinski, but he wasn't even with the group when she was murdered since they left him in Valmy because he was drunk and unconscious. A handwriting expert verified from samples of Houston's handwriting that he wrote the letter.

It was also discovered that when Houston was arrested he had Ms. Voinski's purse, and her blood was on him and his clothes. While none of her blood was on Milligan or his clothes. It was also discovered that the night of Houston's arrest his clothes were washed by Humboldt County sheriff deputies.

There was also the new evidence of an affidavit by one of Milligan's co-defendant's that he wasn't present when Ms. Voinski was murdered, and that the three other people arrested came up with the idea to pin the murder on him when they found out he had no memory of anything that happened on the day of the murder.

Lockie also had Dr. Donal Sweeney, an expert on blackout caused by alcohol consumption review the evidence. Dr. Sweeney

determined that in his expert opinion Milligan was probably in a blackout during the period of time that Ms. Voinski was murdered.

During Milligan's sentencing hearing in September 2010 Lockie presented the new evidence to Humboldt County District Judge Richard Wagner. Judge Wagner expressed "grave reservations" that Milligan was guilty based on the new evidence of his innocence, and he said Milligan's conviction was a miscarriage of justice. However since the hearing was only to resentence Milligan Wagner couldn't overturn his conviction. What Wagner did do was after overturning Milligan's death sentence and resentencing him to a term of life with the possibility of parole, he determined Milligan was eligible for parole and ordered the state's Parole Board to "immediately release" him from custody. Until the hearing Milligan was on death row.

However, the state Parole Board didn't comply with Judge Wagner's order. What they did do was schedule a parole hearing for Milligan in January 2011. During that hearing Milligan testified he had no memory of anything that happened on the day Ms. Voinski was murdered. There was also evidence presented that Milligan had a positive record during his 30 years on death row and that prior to his murder conviction he only had a misdemeanor arrest that didn't result in any charges. The board was also presented with Milligan release plan of living with the Brothers of the Holy Rosary in Reno and attending Truckee Meadows Community College.

On February 10, 2011 the Parole Board announced its decision that it was ordering Milligan's release on parole.

Although it is not known if he will do so, it is possible Milligan could prevail in overturning his conviction if he were to file a habeas corpus petition based on the new evidence of his actual innocence of having nothing to do with any of the events surrounding Ms. Voinski's robbery and murder. He was simply a convenient patsy taken advantage of by the actual murderer and his accomplices. Ronnie Milligan is now 60 years-old, and he spent more than half his life on death row for the murder of a woman he never even met.

Sources:

Court ruling frees former Nevada death row inmate, Las Vegas Review-Journal, Sept 24, 2010.

Nevada state board grants death row inmate parole, Las Vegas Sun, February 10, 2011