

Two jurors who voted to convict Kirstin Blaise Lobato in 2006 have signed documents supporting a new trial for her. Ms. Lobato was convicted in October 2006 of charges related to the murder of Duran Bailey in Las Vegas on July 8, 2001.

Ms. Lobato's filed a petition for a writ of *habeas corpus* filed on May 5, 2010, in the Clark County, Nevada District Court that includes significant new evidence she is actually innocent of having anything to do with Mr. Bailey's murder. That new evidence includes 13 new alibi witnesses, forensic entomology and forensic pathology evidence that at the time of Mr. Bailey's murder Ms. Lobato was 170 miles north of Las Vegas, and new evidence identifying Mr. Bailey's actual murderers. Justice Denied prepared a 49-page document outlining Ms. Lobato's key new evidence in 16 areas that wasn't introduced during her trial. The cover of the document is at the bottom of this page, and it can be read online at, <http://justicedenied.org/lobato/lobato.htm>.

After reviewing that document outlining Ms. Lobato's key new evidence that they didn't know when they convicted her, two jurors not only agree that she deserves a new trial so that a jury can consider her new evidence, but they each signed a document supporting a new trial for her. Those jurors are Mr. Lloyd Taylor and Mr. Thomas Ciciliano, and they both agree, "I believe it is in the interest of justice that Ms. Lobato be granted a new trial."

Mr. Taylor's Affidavit dated January 26, 2011 states:

1. I was a juror in 2006 for the criminal case of the State of Nevada vs. Kirstin Blaise Lobato in the Clark County District Court.
2. Based on the evidence presented during Ms. Lobato's trial the jury voted she was guilty of voluntary manslaughter with a deadly weapon and sexual penetration of a dead body.
3. I am aware that Ms. Lobato has filed a petition for a writ of habeas corpus in the Clark County District Court, and that she is seeking a new trial in part based on numerous claims of new evidence the jury was not aware of when it convicted her in 2006.

Jurors Support A New Trial For Kirstin Blaise Lobato

By Hans Sherrer

4. I have reviewed 16 separate claims of Ms. Lobato's new evidence that the jury did not have available in 2006 when it deliberated her case and found her guilty.
 5. I believe that if the jury in 2006 had known the new evidence in Ms. Lobato's habeas corpus petition it could have influenced the jury's deliberations, and it could have possibly resulted in either a hung jury or Ms. Lobato's acquittal.
 6. I believe it is in the interest of justice that Ms. Lobato be granted a new trial.
 7. I am executing this AFFIDAVIT voluntarily and of my own free will. No force has been used upon me, and no threats or promises made to me by anyone.
- (Affidavit of Lloyd Taylor, January 26, 2011.)

Mr. Ciciliano's Statement dated January 5, 2011 states:

1. I was a juror in 2006 for the criminal case of the State of Nevada vs. Kirstin Blaise Lobato in the Clark County District Court.
2. Based on the evidence presented during Ms. Lobato's trial the jury voted she was guilty of voluntary manslaughter with a deadly weapon and sexual penetration of a dead body.
3. I am aware that Ms. Lobato is seeking a new trial based in part on numerous claims of new evidence the jury was not aware of when it convicted her in 2006.
4. I have reviewed new evidence in Ms.

Lobato's case that the jury did not have available in 2006 when it deliberated and found her guilty.

5. I believe that if the jury in 2006 had known Ms. Lobato's new evidence it could have influenced the jury's deliberations, and it could have possibly resulted in either a hung jury or Ms. Lobato's acquittal.
6. I believe it is in the interest of justice that Ms. Lobato be granted a new trial so that a jury can fairly consider all the evidence that is now available in her case after hearing both the defense and the prosecutions arguments about that evidence.
7. I am executing this STATEMENT voluntarily and of my own free will. No force has been used upon me, and no threats or promises made to me by anyone. (Statement of Thomas Ciciliano, January 5, 2011.)

The document the jurors reviewed is titled "New Evidence Kirstin Blaise Lobato Is Innocent Of Any Involvement In The Death Of Duran Bailey In Las Vegas, Nevada On July 8, 2001." It is available online at, <http://www.justicedenied.org/lobato/lobato.htm>

The documents signed by Mr. Lloyd Taylor and Mr. Thomas Ciciliano were obtained as a result of Justice Denied's continuing investigation into Ms. Lobato's case. The following webpage explains what was learned from Justice Denied's interview of jurors for Ms. Lobato's 2006 trial. See, Report About Interviews Of Jurors For Kirstin Blaise Lobato's 2006 Trial at, http://justicedenied.org/kbl_juror_interviews.html

On February 24, 2011, the documents signed by Mr. Taylor and Mr. Ciciliano were filed in the Clark County District Court as Supplemental Exhibits supporting the granting of Ms. Lobato's habeas corpus petition. The document filed is titled, "Supplemental Exhibits To Petitioner's Answer In Support Of Petition For Writ Of Habeas Corpus," and it can be read at, http://justicedenied.org/kl/lobato_supplemental_juror_exhibits_11242011.pdf

The new evidence in Ms. Lobato's case is summarized on page 14 of the document re-



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Comparing New Evidence Of Blaise's Innocence With Evidence The Jury Relied On To Convict Her

New Evidence In Blaise's Habeas Corpus Petition Summarized

1. Blaise's Statement is about the attempted rape of her at a Budget Suites Hotel in May 2001.
2. Blaise is innocent of Bailey's murder says a polygraph examiner used by the Clark County DA's Office, and her shoes were not worn by Bailey's killer.
3. Blaise did not make the shoeprints imprinted in blood on the concrete leading away from Bailey's body and on the cardboard covering his body, which were made by a person involved in his murder.
4. Blaise was in Panaca 170 miles north of Las Vegas the entire weekend of July 6 to July 8, 2001.
5. Blaise did not use methamphetamine on July 6 to July 8, 2001.
6. Methamphetamine was available in Panaca the weekend of July 6 to July 8, 2001.
7. Bailey was murdered between 8 p.m. and discovery of his body "around 10 p.m." on July 8, 2001.
8. Bailey was murdered when unrebutted alibi evidence establishes Blaise was in Panaca.
9. Bailey did not stay or live in the trash enclosure where he was murdered.
10. Bailey was assaulted by more than one person.
11. Bailey was murdered by Diann Parker's "Mexican" friends.
12. Bailey's groin was skinned like an animal after his penis was amputated, and "The perpetrator either had some medical knowledge, or experience skinning an animal." - and Blaise had neither.
13. Bailey's teeth were not knocked out by a baseball bat.
14. Bailey was lying down when he was assaulted.
15. Bailey was alive when his rectum was injured, so it is not a "post-mortem" injury.
16. Bailey was buried alive in trash handled by his killer or killers.

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The experts and their new evidence is:

- Forensic pathologists Dr. Gail S. Anderson, Dr. M. Lee Goff, and Dr. Linda-Lou O'Connor with new evidence that to a scientific certainty Bailey died after sunset, which was at 8:01 p.m. on July 8, 2001. Dr. Anderson explains in her report dated December 17, 2009 that flies begin laying eggs within minutes after death on an exposed body and they stop laying eggs after sunset. There were no fly eggs in any of Bailey's many open wounds or his orifices, so the three experts independently determined he died after sunset.
- Forensic pathologist Dr. Glen Larkin, one of the leading experts in the U.S. at determining time of death, with new medical evidence that Bailey died within the two hours between 8 p.m. and his body's discovery at 10 p.m. That corroborates the new entomology evidence about Bailey's time of death. Dr. Larkin also determined Bailey was alive after his rectum area wound was inflicted. This unrebutted new evidence is proof Ms. Lobato is not guilty

of her convicted crime of sexual penetration of a dead body (Count II) – because that crime requires that a victim is deceased.

- Drs. Anderson, Goff, O'Connor, and Jason Byrd with new evidence that Bailey's body had no insect or rodent bites so he likely died close to the time he was discovered in the trash enclosure.
- The new scientific and medical evidence Bailey died after 8 p.m. on July 8 in Las Vegas is proof that it is physically impossible Ms. Lobato murdered Bailey, because even her prosecutors acknowledged during her trial she was in Panaca the entire afternoon and night of July 8.
- Impressions expert William J. Bodziak, who worked with the FBI for 26 years, with new evidence that shoeprints imprinted in blood found on cardboard and leading away from Bailey's body were not made by Ms. Lobato's shoes or shoe size.
- Forensic scientist George Schiro with new evidence that Bailey's murderer made the shoeprints imprinted at the

crime scene, and the murderer could not have been wearing the shoes the prosecution contends Ms. Lobato was wearing at the time of his murder.

- Dental surgeon Dr. Mark Lewis with new evidence Bailey's teeth were not knocked out with a bat, while the prosecution claimed it was "possible" her bat knocked out his teeth.
- Psychologist and confession expert Dr. Allison D. Redlich with new evidence Ms. Lobato's police statement on July 20, 2001 described in detail the attempted rape of her at a Budget Suites Hotel on Boulder Highway, and it had nothing to do with Bailey's murder that occurred weeks later in a different location.
- Polygraph examiner Ron Slay, who is used by the Clark County DA's Office to determine a suspect's truthfulness, with the new evidence he declared after examining Ms. Lobato: "I am certain Ms. Lobato is innocent of Mr. Bailey's murder."