

Gristwood cont. from page 11

Less than four months later Gristwood died of lung cancer on January 3, 2015. He was 48.

Christina Gristwood, who suffered a brain injury in the 1996 assault and divorced him while he was in prison, [died on](#) April 2, 2014. She was 44.



Christina did live to see her assailant Mastho L. Davis [convicted in](#) June 2010 of raping a 75 year-old woman, assaulting her, and burglarizing her home in St. Augustine, Florida in March 2007. During Davis' trial there was testimony that after sexually assaulting his elderly victim he humiliated her even further by pouring cooking oil over her head, and she thought he was going to set her on fire. The jury deliberated for 90 minutes before convicting Davis.

During Davis' sentencing hearing in August 2010 the prosecutor [described him](#) as an assailant of "pure evil," and mentioned in arguing for the maximum sentence that Davis had confessed to the assault on Christina Gristwood that left her disabled for life. In his statement before being sentenced Davis described himself as a "good guy," and said he had walked from New York to Florida. The judge sentenced the 39-year-old Davis to life in prison for rape, life in prison for burglarizing her house, and 30 years in prison for assaulting her. Davis has to serve a minimum mandatory term of 25 years on the rape count before being eligible for parole because the jury found that he qualified as a dangerous felony sexual offender, and his life sentences for rape and burglary are to be served consecutively.

Source:

[Oswego County man dies](#) four months after state pays him \$7.5 million for wrongful conviction, *The Post-Standard* (Syracuse, NY), January 05, 2015

[An 'open and shut case'](#) vs. an innocent man: Daniel Gristwood was imprisoned 9 years for beating his wife, but N.Y. state police had it wrong, *The Post-Standard*, October 9, 2011

[Confession was judged voluntary by 13 people](#), *The Post-Standard*, October 16, 2011, p. E-1, 4

[New York finally pays wrongly convicted man](#): \$7.3 million for nine years in prison, *The Post-Standard*, September 11, 2014

[Judge orders state to pay \\$5.5 million](#) to wrongly convicted Oswego County man, *The Post-Standard*, May 1, 2013

Daniel G. Gristwood v. State of New York (Claim No. 114040), 646 CA 13-01679 (July 2014)

[Christina Gristwood](#), victim of vicious hammer attack in Clay home 18 years ago, dies, *The Post-Standard*, April 11, 2014

[Gristwood v. The State of New York](#), No. 2011-009-109, Claim No. 114040 (April 1, 2011 ruling finding the State's liability for damages.)

[Davis gets life](#): Sentenced for 2007 rape, burglary of 75-year-old woman, *The St. Augustine Record*, August 4, 2010

Aaron S. Lowden's Conviction Based On Suspicion He Was Involved In Drug Trafficking Tossed By Maine's Highest Court

Maine's Supreme Judicial Court [has acquitted](#) Aaron S. Lowden of aggravated trafficking of a scheduled drug (methamphetamine) because the prosecution introduced no evidence during his trial that he committed the crime.

In January 2014 Lowden was 41 and renting a room on the second floor of in a house at 25 Bigelow Road in Lebanon, Maine. His landlady called the York County Sheriff's Office on January 14th and said she smelled something unusual coming from the basement of the house where Lowden had made several trips that day.

The deputy who responded was invited by Lowden to come into the basement. Lowden showed the officer a glass container partially filled with liquid he was heating on a Coleman stove. The officer suspected Lowden was manufacturing methamphetamine. [The deputy](#) "turned off the Coleman stove; evacuated the home; and contacted the fire department, the rescue unit, and the Maine Drug Enforcement Agency (MDEA)."

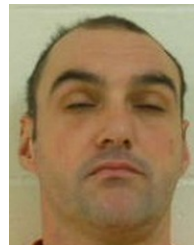
A thorough search of the house was conducted. Although a few chemicals were found, they were incomplete to manufacture methamphetamine, and no methamphetamine was found in the house. A copy of "Uncle Fester's Synthetic Manual" was found in Lowden's bedroom. [Endnote 1]

Lowden [was arrested](#), and six days later he was released on \$500 bail.

Maine's police laboratory determined methamphetamine [wasn't the liquid](#) in the glass container seized from the basement, and no illegal drugs or traces of drugs were among the items seized from his room and the basement.

Lowden was indicted on drug charges on June 5, 2012 of aggravated trafficking in a scheduled drug — namely methamphetamine.

During Lowden's jury trial that began on April 22, 2013 the prosecution's case was based on their argument the evidence of his possession of some chemicals, the stove, glass containers, and "Uncle Fester's Synthetic Manual," constituted proof of his intent to traffic in methamphetamine. Lowden's defense was that none of the prosecution's evidence supported



Aaron S. Lowden
Mug Shot (York County Sheriff's Office)

he engaged in drug trafficking as required by the statute, and speculation of what he might have been intending to do wasn't evidence.

Lowden's lawyer [made a post-verdict motion](#) for a judgment of acquittal "on the grounds that no reasonable jury could have concluded, based on the evidence presented at trial, that he unlawfully trafficked in methamphetamine." The judge denied the motion, and sentenced Lowden to 7 years imprisonment.

Lowden appealed on the basis his trial judge erred in denying his motion for a judgment of acquittal.

On February 25, 2014 the Maine Supreme Judicial Court set-aside Lowden's conviction and ordered his acquittal. In *State of Maine v. Aaron S. Lowden*, 2014 ME 20 (ME Sup. Jud. Ct., 2-25-2014) [the Court ruled](#):

"No methamphetamine was found, Lowden lacked some of the chemicals necessary to create it, and the state did not present evidence — direct or circumstantial — from which a jury could have rationally inferred that Lowden successfully manufactured or possessed methamphetamine.

Therefore, we must vacate his conviction for aggravated trafficking of scheduled drugs.

...the evidence does not support the trafficking conviction, we must remand for the entry of a judgment of acquittal."

With his retrial for his acquitted charge barred by double-jeopardy, Lowden was released later in the day on February 25.

Endnote:

1. Testimony at trial described "Uncle Fester's Synthetic Manual" as a "how to" cookbook for the manufacture of illicit drugs.

Source:

[State of Maine v. Aaron S. Lowden](#), 2014 ME 20 (ME Sup. Jud. Ct., 2-25-2014)



At the time of his arrest Aaron S. Lowden was renting a room on the second floor of this house at 25 Bigelow Road, Lebanon, Maine. (Google Streetview, Sept. 2012)