

## Roseanne cont. from p. 6

Roseanne “as his nemesis.” Justice Harrison [described that](#) Roseanne’s sexual misconduct complaints against Thomas in 1983 were the basis of his vendetta against her: “...she incurred his not inconsiderable resentment by complaining about him. This was the cauldron out of which the later monumental events would develop.”

Justice Harrison’s ruling was 26 years to the day from when the police raided Roseanne’s home and she was arrested on August 24, 1989.

After notified of the award, Roseanne [told reporters](#) that the New South Wales Department of Public Prosecution was staffed by “monsters” who “dragged me through hell, court after court, costing the taxpayer.” She also said “the DPP is fatally flawed, it is broke, ineffectual” Asked about Thomas, [she said that](#) “He took that 10 years away from me. No amount of money can bring that 10 years back.” She also said, “Peter Thomas ran this case right up until he died last year. The public have a right to know how their money is being wasted. Thomas paid not a cent because he had the Crown at his fingertips and that is so wrong.”

[Click here to read Justice Harrison’s ruling](#) in *Beckett v State of New South Wales* [2015] NSWSC 1017.

Endnote 1: Using .7045 conversion rate of AU\$\$ to US\$ on Nov. 10, 2015.

### Source:

No retrial for Roseanne Catt, by Jenny Dennis, The Illawarra Mercury, October 6, 2005

[Police made me lie against Catt](#), Crown witness tells, Sydney Morning Herald, February 12, 2007

[Beckett v The State of New South Wales](#) [2013] HCA 17 (May 8, 2013) (Reversing appeals court ruling that Beckett had to prove she was innocent to sue for malicious prosecution.)

[Beckett v State of New South Wales](#) [2015] NSWSC 1017 (Awarding AU\$\$2.3 mil. compensation)

[A gross miscarriage of justice](#), by Bernie Matthews, onlineopinion.com.au, May 7, 2007

[Roseanne Beckett awarded \\$2.3 million](#) for wrongful conviction over soliciting murder of husband, By Amy Dale and AAP, The Daily Telegraph, August 24, 2015

[A NSW woman framed](#) for attempting to murder her husband just won \$2.3 million in compensation, By Simon Thomsen, Business Insider (Australia), Aug 24, 2015

[Beckett v The State of New South Wales](#) [2012] NSW-CA 114 (Ruling Beckett had to prove she was innocent to sue for malicious prosecution)

[Roseanne Beckett wins \\$4m in damages](#) for 10 years of wrongful imprisonment, *The Guardian* (London, UK), November 10, 2015

[NSW drops \\$4m malicious prosecution](#) battle against Roseanne Beckett, *The Guardian* (London, UK), November 22, 2015



## Derral Wayne Hodgkins Released From Death Row After Murder Acquittal By Florida Supreme Court

Derral Wayne Hodgkins [was released](#) from Florida’s Death Row on October 12, 2015, after his acquittal by the Florida Supreme Court of the 2006 murder of his longtime friend Teresa Lodge.

Lodge was murdered in her apartment in Land O’Lakes, Florida, sometime from the afternoon of September 27, 2006 to the early morning of September 28. The 46-year-old Lodge was found when she didn’t show up for work and the police were called to enter her apartment. There were no leads in her murder for more than a year.

On November 1, 2007 the Florida Department of Law Enforcement Crime Lab reported that DNA consistent with Hodgkins’ profile was detected under fingernails on her left hand (Lodge was left handed).

When questioned by police, Hodgkins told the officers that he had known Lodge for more than 20 years, and that they dated before his conviction for raping a 12-year-old girl in Hillsborough County in 1987. Hodgkins pled guilty to that crime. While imprisoned he and Lodge corresponded, and when he was released from prison in 2004, she told him she was dealing cocaine and as a convicted felon on probation she didn’t want him to get in trouble if she was arrested for it. Hodgkins said they remained close friends, occasionally having sexual intercourse, and that whenever Lodge hugged him she scratched his back with her fingernails. He said she hugged him when they saw each other several days before her murder.

With no evidence to link Hodgkins to Lodge’s murder except for the DNA, he was arrested and charged on November 18, 2007 with premeditated first-degree murder.

After awaiting trial for more than three years in the Pasco County Jail, Hodgkins’ trial that began in January 2011 ended in a mistrial. His retrial began in August 2011. The prosecution didn’t present evidence that blood was found in the DNA sample, that Hodgkins’ blood was on Lodge or in her apartment, and none of the 18 fingerprints lifted from the crime scene belonged to Hodgkins. Furthermore, a beer bottle found in her apartment with her blood on it was the



Derral Wayne Hodgkins (Florida DOC)

likely murder weapon, but it didn’t have Hodgkins’ fingerprints or DNA on it. After the prosecution closed its case that was based on the circumstantial DNA evidence, the trial judge denied the motion by Hodgkins’ lawyers

for a judgment of acquittal because the prosecution failed to present sufficient evidence to prove his guilt beyond a reasonable doubt: and specifically, no evidence was presented disproving that the DNA underneath Lodge’s fingernails was from her hugging Hodgkins several days before her death.

On August 29, 2011 the jury found Hodgkins’ guilty of first-degree murder. During the sentencing hearing the jury was told about his rape conviction, and recommended he be sentenced to death. The trial judge sentenced him to death on May 1, 2013. Hodgkins was on probation from his prior rape conviction at the time of his arrest, so he was also sentenced to nine years in prison for violating his probation.

A key issue in Hodgkins appeal was the insufficiency of the prosecution’s evidence to prove is guilt.

On June 18, 2015 the Florida Supreme Court vacated Hodgkins’ conviction in a majority six to one ruling [that stated](#):

“In this circumstantial case, the State simply has not pointed to legally sufficient evidence establishing a nexus between Hodgkins’ DNA and any criminal conduct on his part. Furthermore, we find that the State’s evidence is wholly consistent with Hodgkins’ hypothesis of innocence that someone else killed Lodge. Preliminarily, we conclude that the timeframe within which Lodge could have been killed was far too lengthy to reasonably infer that only Hodgkins made contact with Lodge. ... Lodge was murdered between approximately 2:30 p.m. that Wednesday and 5:30 a.m. the following day—a fifteen-hour window. ... We, therefore, conclude that the evidence before us is insufficient to sustain Derral Hodgkins’ first-degree murder conviction. Accordingly, we reverse and vacate the conviction and sentence of death, and remand with directions that a judgment of acquittal be entered.”

**Hodgkins cont. on page 8**

# Chris Bateman Exonerated Of Drunk Driving By Pub's CCTV Video

Chris Bateman's driving while intoxicated conviction [has been overturned](#) on appeal based on the new evidence of CCTV video recorded at the pub in Sunderland, England where he was arrested. Sunderland is almost 300 miles north of London.

Bateman stopped at two pubs on the early evening of June 26, 2014. He had one beer at both pubs. Just before 10 p.m. he drove to the residence of his ex-partner to talk to her. During their conversation he started to



Chris Bateman in January 2015 (Sunderland Echo)

shout at her. She told him to come back later when he had calmed down. Bateman got into his Volkswagen Passat and drove to the nearby Buffs Club, on Old Mill Road in Sunderland's Southwick borough.

Bateman's partner called the police. She told them about the incident, that she could smell alcohol on his breath, and that he was going to Buffs.

Police officers went to Buffs and arrested Bateman for suspicion of assault. The police record showed Bateman was arrested at 10:30 p.m. He was taken to the police station where at 11:45 p.m. he was given a breathalyzer test that found 97 microgrammes of alcohol in 100ml of breath. The legal limit is 35 microgrammes. That is the blood alcohol equivalent of 0.22, with the legal limit 0.08.

Bateman was charged with driving while intoxicated based on his admission he had driven to Buffs from his former girlfriend's house, but he was not charged with assault.

Bateman refused to pled guilty, and his bench trial before a magistrate was held on November 7, 2014.

The prosecution's case was circumstantial because there was no witness to him driving drunk. The prosecution asserted Bateman had to have been intoxicated when he drove to Buffs because he was there for less than 30 minutes before his arrest, and he still had almost three times the legal limit of alcohol in his system when breathalyzed more than an hour later.

Bateman's defense was the police report was wrong. He testified that he wasn't intoxicated when he drove to Buffs about 10 p.m., because he only had one beer at each of the two pubs he visited during the two hours before arriving at his former partner's residence. He also said he had a number of beers during the hour-and-a-half hours he was at Buffs before the police arrived at 11:30 p.m. -- not 10:30. An employee at Buffs supported Bateman's account by testifying the police came to the club about 11:30.

The magistrate accepted the police officer's testimony about arriving at 10:30 p.m., and convicted him of driving to the club while intoxicated.

Bateman was sentenced on January 6, 2015

to a two year driving ban, ordered to perform 130 hours of community service, and to pay prosecution costs of £120 and a £60 victim surcharge. His driving ban [was stayed](#) pending the outcome of his appeal. However, Bateman, a self-employed taxi driver, had his taxi license revoked.

Bateman's appeal presented the new evidence of CCTV video from Buffs that showed he arrived at 10:05 p.m., and he consumed at least eight beers before the police arrived at 11:30 p.m. The video discredited the police trial testimony about the time of his arrest, while it corroborated the testimony of Bateman and the Buffs employee about when the police arrived, and that he became intoxicated after arriving at Buffs. On May 6, 2015 the Newcastle Crown Court quashed Bateman's conviction as a miscarriage of justice, and ordered return of the payments he had made.

Afterwards the 49-year-old Bateman, a taxi driver for 28 years, [told reporters](#): "My life has been on hold for 11 months. My taxi licence was revoked and the DVLA required me to send my licence away. Now my driving licence is being returned, my taxi badges are being returned, my community order has been canceled and my fine is being returned."



Chris Bateman by his taxi in January 2015 (Sunderland Echo)

Source: [Taxi driver gets drink-drive conviction quashed](#) after CCTV proves off-duty drinking defence, *Sunderland Echo*, May 7, 2015

[Sunderland taxi driver fights](#) to clear his name after drink-drive conviction, *Sunderland Echo*, January 8, 2015

[Drink-driving Sunderland taxi driver](#) allowed to keep his licence, *Sunderland Echo*, January 7, 2015

## Hodgkins cont. from page 7

On September 24, 2015 the Supreme Court denied the State of Florida's Motion for Rehearing. On October 12, 2015 the Supreme Court issued a Mandate to the Pasco County Circuit Court commanding it to act in accordance with the Court's opinion of June 18, 2015. [Hodgkins, 55, was released](#) from death row to the street on October 12, 2015. A judgment of acquittal was entered by the Pasco County Circuit Court on October 20, 2015. Hodgkins' probation violation and sentence based on his murder conviction was also vacated. The constitutional prohibition against double-jeopardy bars Hodgkins' retrial.

After Hodgkins' acquittal by the Supreme Court his 34-year-old son, Wayne Hodgkins, [told reporters](#) that he believed "from the get-go" that his father was innocent. He said about Lodge and his father, "They just got too much history and they (were) just too loving with each other." Wayne said he knew Lodge as "Aunt Teresa," and that after his father was released from prison he and his father spent time with Lodge, they went fishing with her, and watched movies together.

[Click here to read](#) the Florida Supreme Court's ruling in *Derral Wayne Hodgkins v. State of Florida*, No. SC13-1004 (FL Sup. Ct., 6-18-2015).

Source: [Derral Wayne Hodgkins v. State of Florida](#), No. SC13-1004 (Flor. Sup. Ct., 6-18-2015) (Reversing conviction based on insufficient evidence to support guilt beyond a reasonable doubt.)

[Pasco man released from death row](#) after murder conviction overturned, By Erin Maloney, Bay New 9 (St. Petersburg, FL.), October 13, 2015

[Supreme Court vacates death sentence](#) of Pasco man convicted in Land O'Lakes murder, By Molly Moorhead, Tampa Bay Times, June 18, 2015

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