

Preface

Wrongful convictions of factually innocent people are an inescapable feature of the legal system in the United States. I can attest to that as publisher of *Justice:Denied – the magazine for the wrongly convicted*. Although a wrongful conviction can involve a wide variety of circumstances, I am particularly intrigued by a case that involves a person with evidence of having been in another city, state, or even country, at the time the crime was committed of which he or she was convicted.

Consequently, my interest was piqued by a case involving an 18-year-old woman convicted in May 2002 of murdering a homeless man and sexually assaulting his corpse in Las Vegas on July 8, 2001. Why? The young woman has the alibi that the entire day of the murder she was 170 miles north of Las Vegas at her parent's house in Panaca, Nevada. That young woman is Kirstin Blaise Lobato, who is known by her middle name of Blaise.

More than a year after becoming aware of Blaise's case, an article I wrote about her case was published in *Justice:Denied's* Fall 2004 issue. About the same time the Nevada Supreme Court reversed her convictions on September 3, 2004, and ordered her retrial. The decision was based on evidentiary rulings by the trial judge that prejudiced Blaise's right to a fair trial.

After a near carbon copy retrial by the prosecution, in October 2006 Blaise was again convicted of sexually assaulting Bailey's corpse, but of voluntary manslaughter instead of first-degree murder as she had been after her first trial. I responded by writing a second article about her case that was published in *Justice:Denied's* Fall 2006 issue.

Although the two *Justice:Denied* articles were informative, important facets of Blaise's case can only be fleshed out in the longer form of a book. Among other things it enables the presentation of tables and graphs that aid visualizing such things as the details of Blaise's alibi, and that there is a lack of intersection between the details in her police statement and the peculiar facts of the man's murder. You may want to keep in mind while reading this that many of the hundreds of endnotes marked throughout the text have additional details.

Any recital of a protracted legal case involving two trials must necessarily focus on the details that allow the reader to generally understand what happened and the basic issues. Consequently, considerable editorial judgment has been exercised in separating the wheat from the chaff in the course of writing this 85,000 word account.

The first edition of this book was published in May 2008 while the Nevada Supreme Court was considering Blaise's appeal of her October 2006 convictions. The court affirmed her convictions in February 2009, and she filed her state *habeas corpus* petition in May 2010. Blaise's *habeas* petition is pending, so we know there is at least one chapter to her story that has yet to be written.

Hans Sherrer
October 2010