

Appeals Process

History of Appellate Issues

After being convicted of first degree murder and attempted murder, I was given Post Verdict Motions Hearings. At these hearings, we were allowed before sentencing to raise issues in the hope of a new trial. These hearings were held before my trial Judge Sabo, and to me, I knew these hearings were going nowhere! However, I had to preserve some issues now in order to raise them later. I will show some of the issues I raised that I felt was most important to me; although, there were more as you will see.

Failure to Call Mrs. Lane Due to Trial Counsel's Conflict of Interest

I will quote some actual testimony of Ronald Morrison at my Post Verdict Motion hearing. I was then represented by new counsel, William Cannon, at this hearing. Some excerpts from the hearing as follows:

Q. You actually represented Mr. Lane, oh years before the trial of this matter?

A. Correct.

Q. And, based on your conversation before the start of the hearing, I understand that you had gained an acquittal for Mr. Lane?

A. Correct.

Q. At that time, is that right?

A. Correct.

Q. You were never paid?

A. I was never paid.

Q. Yes, that's why you remember?

A. Yes.

A. I believe it was nothing more than I knew Mr. Lane for a few years, and we had various run-ins, first, on a personal basis as to nonpayment of my fee.

Q. That's the reason why you did not seek to have her, Mrs. Lane, interviewed or to have her subpoenaed for trial because of personal conflict with her?

A. That was one. There was some attempt by going through the neighborhood for example

Q. I think you are saying that there was a conflict between utilizing Mr. Green and Mr. Lane at the same time because Mr. Green would say that Mr. Lane was elsewhere and Mrs. Lane would say that her son was asleep?

A. Correct.

Q. Okay! So, you felt as though you had to make a choice between one of five viable options and you chose to go with Mr. Green?

A. Yes, he was a more cooperative witness for the defense.

Another issue that was raised:

Trial Counsel's Failure to Present Teech Burton As an Alibi Witness.