

NATIONAL CAPITAL CRIME ASSISTANCE NETWORK

APPLICATION FOR ASSISTANCE

Completing the following form is the first step in the application process.
Download and print this form and mail it to your inmate to complete.

Important: Please include the first section “Sample Completed Application for John Doe (Burlington, Vermont) with the blank application so your inmate understands what information we need.

Your inmate should complete the form, providing the information requested as best as they can.
Please DO NOT send additional information until you hear from us.
Please DO NOT send any additional materials with this application unless we specifically request that you do.

Your inmate should mail the completed form to: NCCAN, PO Box 758, Mancos, CO 81328.

CONTINUE TO SAMPLE APPLICATION AND BLANK APPLICATION.

NATIONAL CAPITAL CRIME ASSISTANCE NETWORK

SAMPLE APPLICATION FOR JOHN DOE (BURLINGTON, VERMONT)

Are you Claiming Actual Innocence?	Yes
Name/DOC#	John Doe H23456
Address	Any prison, any state
Date of Birth	1/1/73
Race	Black
Date of Crime	2/19/94
Age at Time of Crime	21
Date Sentenced	3/4/95
Sentence	Life without parole
Victim	Joe Victim
Race of Victim	Black
Relation. To Defend.	Friend
Facts Alleged by State	Murder by gunshot
County of Trial	Suffolk
Factual Summary of Allegations	On 2-19-94, Jack Jones and Jay Johnson along with Jane Jones claim they saw John Doe walk by and shoot and kill Joe Victim as he was driving a car on Main Street in Burlington, Vt. They say the perpetrator was wearing an olive green jacket and a green hooded sweatshirt with a tan hat and jeans.
Trial Judge	David M. Judge
Prosecutor	Robert N. Prosecutor
Defense Attorney	Larry Law, 100 Main St., Burlington, Vt. Phone: 802-555-5555
Plea	Not Guilty
Trial By	Jury
Race of Jurors	2 Black, 1 Asian, 9 white
Convicted of	1st Degree murder; possession of a firearm
Confession?	No
Co-defendant?	No
Defendant Testimony	No
Accomplice Testimony	N/A
Eyewitness Testimony	3 – Jack Jones, Jane Jones, Jay Johnson
Forensic Testimony	Ballistics - no links to defendant
Jailhouse Snitch	No
Exculpatory Evidence Offered	John Doe stated that he was at home at the time of the murder with his mother Ma Doe, his grandmother, Granny Doe, his brother Danny Doe, and a family friend Jeff Joe. -^ No gun found - described clothes not found - no fingerprints or other DNA evidence. No physical evidence linking defendant to the crime. Three alibi witness never called (Jeff Joe, Mary Moe, Pete Poe) Jay Johnson(witness) said the shooter was 5'8 - 5"10 Other witnesses said shooter wore a green coat, beige hat, gray hood -another suspect, Jim Perp, was stopped wearing that attire. Attorney Law fell asleep during the trial. Uncle of victim was a police officer and coerced witnesses. Mr. Doe has requested the uncle's record, which includes drug use and suspensions, because of the probability that he was an unreliable witness.
Additional Punishment Evidence by State	None
Mitigating Evidence by Defense	No
Mental illness/mental retardation	No

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Criminal History	<p>03/07/94: Murder (2), Possession of firearm (2) 07/24/94: A&B dangerous weapon 03/07/94: A&B dangerous weapon (2) 10/18/93: Assault 08/29/93: Operating after 114B 08/03/93: Poss. to distribute Class D, Conspiracy to violate Cont. Sub. Act 07/06/93: Knowingly rec. stolen prop., larceny of a MV, Destruction of property 06/22/92: Poss. to distribute Class B, Control substance school 06/04/92: Trespassing, Poss. Burglariious tools. Attempt to commit crime 04/27/92; A&B dangerous weapon 03/19/92: Distribute/dispense Class B f2)</p>
State Appellate	
Attorney(s)	Linda Lawyer and Andy Attorney
Defendant's Appellate Attorney	Larry Law, 100 Main St., Burlington, Vt. 802 555-5555
Date Appellate Brief Filed	May 1, 1997
Grounds Raised	<ol style="list-style-type: none"> 1. Violation of constitutional rights (judge told jury they could consider the fact that a potential witness for the defense, Jeff Joe, was not called. 2. Judge did not give manslaughter instruction. 3. Judge allowed witnesses to recount conversations they had with others outside of court. 4. Prosecutor commented on failure to call witness who was available. 5. Trial judge gave missing witness instructions at the request of prosecutor. 6. In giving missing witness instruction, trial judge eroded the presumption of innocence. 7. Judge erred in not giving charge of voluntary manslaughter where evidence showed it was warranted. 8. Prosecutor violated due process by injecting sympathy, hearsay, and inadmissible evidence during examination of witness and constantly solicited hearsay evidence.
Date of Opinion	3/5/97
Opinion citation	Vt. V Doe etc.
New Evidence	None
Current Status	Submitted case to Committee for Public Counsel Services on grounds of ineffective counsel.
Does Your Case Involve Any of the Following? (check all that apply)	<p> <input type="checkbox"/> DNA <input checked="" type="checkbox"/> Fingerprints <input type="checkbox"/> Ballistics <input checked="" type="checkbox"/> Polygraph <input type="checkbox"/> Arson <input checked="" type="checkbox"/> Foot/Tire Marks <input type="checkbox"/> Hair Comparison <input type="checkbox"/> Bitemark <input type="checkbox"/> Fiber/Thread <input type="checkbox"/> Confession <input type="checkbox"/> Eyewitness ID </p>
Please Indicate Which Materials and Supporting Documents you Currently Have (check all that apply)	<p> <input type="checkbox"/> Police reports <input type="checkbox"/> Medical Examiner Reports <input type="checkbox"/> Lab Reports <input checked="" type="checkbox"/> Transcripts <input checked="" type="checkbox"/> Affidavits <input type="checkbox"/> Depositions <input checked="" type="checkbox"/> Other (please explain): Private investigator's report </p>

NATIONAL CAPITAL CRIME ASSISTANCE NETWORK

JOHN DOE CASE SUMMARY

INTRODUCTION

Basis for wrongful conviction claim?

On March 4, 1995, John Doe was sentenced to Life Without Parole by the State of Vermont for the shooting death of Joe Victim . In so doing the State of Vermont failed to ensure Mr. Doe's rights to a fair and impartial trial for the following reasons:

1. The use of a police officer who was a relative of the victim to coerce eyewitness testimony,
2. Misconduct by the judge
3. Prejudicial comments by the prosecutor in front of the jury, and
4. Failure of the judge to declare a mistrial after he commented on Mr. Doe's lawyer being asleep during proceedings.
5. Failure of Mr. Doe's attorney to present mitigating evidence at the trial.

THE FACTS OF THE CRIME (WHAT HAPPENED? SOMEONE(S) MURDERED? ARSON? ROBBERY?)

On February 19, 1994, Joe Victim, a former friend of John Doe, who along with Mr. Doe was involved in drug dealing, was shot while driving, allegedly by a man who waited up the street for the car to approach and then fired one shot into a back window of the car.

PROSECUTION'S THEORY OF THE CASE

Two young men, Jack Jones and Jay Johnson, known to both Mr. Victim and Mr. Doe, testified that they were walking down the street when they saw Mr. Doe and a companion, and that one of the men (allegedly either Mr. Doe or his companion) called out to them. They then stated that Mr. Victim drove by them in his car, and that they got in the car with him. They then claim that Mr. Doe shot Mr. Victim. A year later, the uncle of Mr. Jones came forward and said that he was walking up the street at the time of the shooting and that he saw John Doe reach for a gun hidden at his back and shot Mr. Victim. The prosecution theorized that Mr. Doe killed Mr. Victim over drug money owed him.

DEFENDANT'S THEORY OF THE CASE

What do you think happened? How did you get connected?

I was not there so I don't KNOW what happened but my guess is that a customer of Mr. Victim's got mad b/c Victim stole money from him and didn't provide the promised drugs. Word on the street is that this customer stalked all mighty for days beforehand that he was going to "Fix the problem once and for all." I believe that this is the person who killed Mr. Victim, but I don't know for sure about anything except I was at home with my mother and grandmother.

APPEALS

Mr. Doe has exhausted all of his state and federal appeals. On March 5, 1997 he was denied relief by Vermont (Case number). On March 8, 2000 his federal habeas appeal was denied by Judge Jane Justice. (Case number).

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APPLICATION CASE CHART (TO BE FILLED OUT BY INMATE)

NAME _____

Are You Claiming Actual Innocence?	
Name/DOC#	
Address	
Date of Birth	
Race	
Date of Crime	
Age at Time of Crime	
Date Sentenced	
Sentence	
Victim	
Race of Victim	
Relation. To Defend.	
Facts Alleged by State	
County of Trial	
Factual Summary of Allegations	
Trial Judge	
Prosecutor	
Defense Attorney	
Plea	
Trial By	
Race of Jurors	
Convicted of	
Confession?	
Accomplice Testimony	
Eyewitness Testimony	
Forensic Testimony	
Jailhouse Snitch	
Defendant Testimony	
Exculpatory Evidence Offered	
Additional Punishment Evidence by State	
Mitigating Evidence by Defense	
Mental illness/mental retardation	

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Prior Criminal History	
State Appellate	
Attorney(s)	
Defendant's Appellate Attorney	
Date Appellate Brief Filed	
Grounds Raised	
Date of Opinion	
Opinion citation	
New Evidence	
Current Status	
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CASE SUMMARY

INTRODUCTION

The basis for your wrongful conviction claim?

THE FACTS OF THE CRIME

What was the crime? Was someone murdered? Arson? Robbery?

PROSECUTION'S THEORY OF THE CASE

What does the prosecution say happened and how you were involved?

DEFENDANT'S THEORY OF THE CASE

What do you think happened? How did you get connected?

APPEALS