

NEWS

Morgan Lewis

C O U N S E L O R S A T L A W

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FOR IMMEDIATE RELEASE

MORGAN LEWIS LAWYERS OVERTURN 17-YEAR OLD MURDER CONVICTION

Pro bono attorneys prove that improper DA actions denied defendant right to testify

NEW ORLEANS, JULY 19, 2002 - Michael L. Banks and J. Gordon Cooney, Jr., partners at Morgan Lewis, one of the ten largest U.S. law firms, have convinced the Louisiana 4th Circuit Court of Appeals to overturn the 1985 first-degree murder conviction of John Thompson. Thompson, formerly on Death Row for the murder of prominent New Orleans hotel executive Ray Liuzza, will now have the opportunity to be vindicated in a new trial on the 17-year old charges. The decision stems from the Morgan Lewis team's discovery on the eve of Mr. Thompson's scheduled execution that the district attorney concealed scientific blood evidence. The evidence would have cleared Mr. Thompson on an unrelated armed robbery charge that had been used strategically by the prosecutors to hamper Mr. Thompson's defense in the murder case.

"We are thrilled that Mr. Thompson will finally have the chance to exercise his fundamental right to a fair trial," say Banks and Cooney. "From a legal standpoint, it was clear, and the court agreed, that the deliberate framing of Mr. Thompson on the armed robbery charge precluded his ability to take the stand on the murder charge," they add. "We are confident that Mr. Thompson will be acquitted of these charges once the jury hears and sees all of the evidence that was concealed from the defense in 1985."

The ruling is the latest development in a legal struggle undertaken by Morgan Lewis as a pro bono case in 1988. After his 1985 arrest for the murder, Thompson was charged and convicted of armed robbery in a carjacking incident. Several weeks after the carjacking trial, he was tried and convicted for the Liuzza murder, and sentenced to death. The Morgan Lewis attorneys stepped into the case three years later, when Thompson's direct appeals from his death sentence had run their course.

In 1999, days before Thompson was to be executed, an investigator hired by Morgan Lewis discovered that prosecutors had deliberately concealed blood evidence exculpating Thompson from the robbery charges. Since then, the Morgan Lewis attorneys have worked closely with prominent New Orleans attorney Robert Glass to overturn the robbery conviction and obtain a new trial in the murder case.

In 1999, the state court overturned the armed robbery conviction based on the state's intentional withholding of the exonerating blood evidence, and stayed Mr. Thompson's execution. That court subsequently vacated Mr. Thompson's death sentence but refused to award a new trial. On appeal, Banks and Cooney, together with Glass, demonstrated that the State's threatened use of the armed robbery conviction prevented Thompson from taking the stand in his own defense against the murder charge, thus precluding a fair trial. Additionally, the team developed substantial new evidence that was hidden from the defense at the time of the original murder trial, and which should prove critical to the exoneration of Thompson in the new trial.

Thompson was removed from Death Row in 1999, but has remained in jail pending the review of his attempts to secure a new trial. The state has announced its plans to appeal to the 4th Circuit's decision to the Louisiana Supreme Court.

About Morgan, Lewis & Bockius LLP

Morgan Lewis, with a team of over 1,100 lawyers in 13 offices worldwide, is a fully integrated, multipractice law firm that serves global clients. For more than a century, Morgan Lewis has represented *Fortune* 500 companies, multinational financial services and investment banking organizations, as well as leaders in the life sciences, technology, energy, securities and media sectors.

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