

Contact: Bonnie Ciaramella
Chief Marketing Officer
bciaramella@morganlewis.com
215.963.5744

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

FOR IMMEDIATE RELEASE

NEW ORLEANS MAN FREED AFTER 18 YEARS OF PRISON
New Trial Determines Innocence Of 1985 Murder Suspect

New Orleans, LA, May 9, 2003—John Thompson will leave the Orleans Parish Prison a free man this afternoon. Last night, a jury at the Orleans Parish Criminal District Court found him not guilty of the 1984 murder of Ray Liuzza, Jr. Thompson (see photo below) served 18 years in prison at the Louisiana State Penitentiary at Angola and narrowly escaped execution for a murder which he did not commit.

Thompson was wrongfully convicted of two unrelated crimes in 1985: a carjacking, for which he was sentenced to 50 years in prison, and the murder. The carjacking conviction, which was obtained a month before the murder trial, was used against Thompson in the murder case to help secure a guilty verdict and a death sentence. Weeks before Thompson was scheduled to die in 1999, [J. Gordon Cooney](#) and [Michael L. Banks](#) (both partners with Morgan Lewis) discovered blood evidence which the prosecutors had hidden, and which proved that Thompson was not responsible for the carjacking. The court threw out the carjacking conviction, and further investigation revealed additional witnesses, documents and information that were not disclosed to the defense in advance of the 1985 murder trial. Last year, a new trial was ordered in the murder case. At the retrial, which concluded yesterday, Thompson testified for the first time before a jury, as did other witnesses who were unknown to Thompson and his prior lawyers in 1985.

The State's case began to crumble in 1999, after years of hard work by Cooney and Banks, when a private investigator hired by the firm discovered that the prosecutors had tested a sample of the carjacker's blood. Although the blood evidence had been destroyed in the intervening years, a microfiche of the Crime Lab report was found. It showed that Thompson's blood type did not match that of the carjacker, who had bled during a struggle with one of the

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victims. Cooney and Banks obtained a stay of execution only weeks before Thompson was scheduled to die by lethal injection. It took several years of additional investigation, hearings, motions and appeals before a new trial was finally ordered in the murder case as well.

The critical evidence in the retrial of the murder case included the testimony of Sheri Hartman Kelly, who saw the fleeing murderer from her apartment balcony. Ms. Kelly testified that the man she saw was definitely not Thompson. Although Ms. Kelly had talked to the police shortly after the murder, and was even asked to try to identify a possible suspect from police photographs, she was not made known to the defense, and did not testify in the 1985 trial. Ms. Kelly's description of the fleeing perpetrator matched that given by another witness, Paul Schliffka, who similarly described a man very different from Thompson. In addition, Steven and Rosemary McAllister, who lived across the street from the murder scene, traveled from Massachusetts to provide important evidence that rebutted the prosecution's case. Most importantly, Thompson was able for the first time to explain to a jury that he had no involvement in the crime and that he was set up by the real killer.

J. Gordon Cooney and Michael L. Banks of Morgan Lewis have worked on this case since 1988 on a *pro bono* basis. Morgan Lewis encourages its lawyers to become involved in public service by donating their time and efforts without charge. The firm maintains a strong commitment to providing legal services to nonprofit and charitable organizations, indigents and matters involving law reform and fundamental legal rights.

About Morgan Lewis

Morgan Lewis, now with a team of over 1,200 lawyers in 16 offices worldwide, is a fully-integrated, multipractice law firm that serves global clients and is committed to a robust *pro bono* program. For more than a century, Morgan Lewis has represented individuals, *Fortune* 500 companies, multinational financial services and investment banking organizations, as well as leaders in the life sciences, technology, energy, securities and media sectors. For more information about Morgan Lewis, please visit www.morganlewis.com.

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Standing on the Orleans Parish Courthouse steps are, (left to right)
J. Gordon Cooney Jr., John Thompson and Michael L. Banks.