

Steph Turner
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6 November 2014

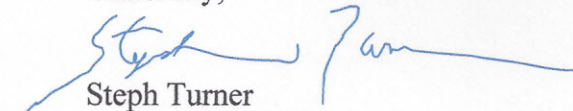
Center on Wrongful Convictions
Northwestern University School of Law
375 East Chicago Avenue
Chicago IL 60611

Dear Center on Wrongful Convictions:

Earlier today I submitted to you my 15-page intake questionnaire form. On page nine I mentioned an attached form I neglected to include. Enclosed is that attachment, a list of my issues on appeal (case numbers 173814 & 172928).

Thank you for accepting this attachment belatedly, and hope this does not create any mix-up. Thank you for this important work that you do.

Gratefully,


Steph Turner

Brief on Appeal

1. Mr. Turner was denied his federal constitutional right to due process of law when the trial judge denied his motion for directed verdict of acquittal on the charge of first degree criminal sexual conduct; in the alternative, the verdict is against the great weight of the evidence.

2. Manifest reversible error occurred when the trial judge instructed the jury that defendant could be convicted of aiding and abetting first degree criminal sexual conduct if he did something to help the principal "at least temporarily avoid detection."

3. Clear reversible error occurred when the trial judge failed to instruct the jury that it must be unanimous as to a theory of the principal's guilt before it could find Mr. Turner guilty as an aider and abettor.

4. Mr. Turner was denied his right to a fair trial when the trial court introduced rape trauma syndrome testimony over defendant's objection, where the issue of the child victim's reaction to the assault was not injected by defendant, and where the witness testified that the victim was in fact assaulted.

5. Manifest reversible error occurred when the trial court admitted damaging hearsay testimony over defense objection.

6. Mr. Turner was denied his right to a fair trial when the trial judge gave a circular instruction on the intent required for aiding and abetting which failed to convey to the jury that the accessory must assist the principal with knowledge of the crime intended by the principal.

7. Mr. Turner was denied his right to a fair trial when the trial judge failed to instruct the jury that the assistance offered by defendant must have had the effect of inducing the crime.

8. Mr. Turner was denied his right to a fair trial when the prosecutor argued to the jury that they had a civic duty to believe the testimony of the complaining witness.

9. Mr. Turner should be resentenced because the trial judge abused his discretion in imposing an excessively severe sentence of 15 to 30 years imprisonment, where the guidelines range was 60 to 120 months, and where the judge relied upon a reason for departure which violated the Michigan Supreme Court's decision in In Re Dana Jenkins.

Relief Requested

Defendant-Appellant respectfully requests that this Honorable Court reverse his conviction for first degree criminal sexual conduct, discharge him from the offense and remand the case for a new trial on the remaining charge for second degree criminal sexual conduct; in the alternative, Defendant requests that this Court reverse his convictions and remand this case for a new trial; in the alternative, Defendant requests that this Court remand this case for resentencing.

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