



NEWS FROM:
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Capital Team Secures Life Recommendation for PD Client



(L-R: Paralegal Sue Chamberlain, Director Fred Gazaleh, Paralegal Susy Murrhee, PD Matt Shirk, APD Todd Niemczyk, APD Greg Messore, Investigator/Mitigator David Douglas)

Jacksonville, FL: A Capital Defense team in the Office of Fourth Judicial Circuit Public Defender Matt Shirk has successfully prevented an expensive and, according to a jury, undeserving execution of a Jacksonville man, formerly of New Orleans.

The penalty phase in *The State vs. Merlin Williams* concluded on September 21st when the jury recommended a life sentence, despite the State's efforts that Mr. Williams be put to death. He was convicted two-weeks earlier of First Degree Murder, among other charges that stemmed from an altercation that ensued during a 2009 robbery of a Sudanese refugee. Mr. Williams' co-defendant was charged with Second Degree Murder in this case and had previously reached a plea deal for leniency which removed a possible death sentence from the equation for her.

The Defense team put forth by the 4th Circuit Public Defender Office consisted of Lead Attorney APD Greg Messore, Second Chair (and Lead for penalty phase) APD Todd Niemczyk, Third Chair and Felony Director Fred Gazaleh, Mitigation Specialist David Douglas, and Paralegals Sue Chamberlain and Susy Murrhee.

As the Defense advocated for Mr. Williams' life, APD Todd Niemczyk effectively pointed out to the jury that neither his client nor the co-defendant could be identified as the individual who dealt the victim the fatal blows during the 2009 incident and it was not fair that one of the two be executed. Niemczyk continued that Mr. Williams had no prior criminal convictions, is not a danger to society and should be so credited in his sentence. The jury agreed and issued a Life Recommendation for the client. **END**