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Public Defender Misdemeanor Defense Teams Win October Trials

Jacksonville, FL: The Law Offices of Public Defender Matt Shirk provide indigent-accused clients with quality, effective representation. Many clients charged with Misdemeanor offenses are eventually tried in Duval County Court. Assistant Public Defenders (APD's) assigned to County Court earned several Not Guilty verdicts during the month of October:



State vs. Walter Porter Jr. was tried in Duval County Court on October 29th. Mr. Porter faced a charge of DUI stemming from an incident one-year earlier when Jacksonville Sheriff's deputies found him sleeping in his car in the parking lot of a 24-hour convenience store and confiscated his car keys before awakening him. Prosecutors alleged that Mr. Porter was guilty because he refused to perform field sobriety tests and blow into a Breathalyzer. Lead Defense Attorney De'Anna Hines pointed out that her client never refused those tests, he simply asked them to wait until his wife was present. By the time she arrived, Mr. Porter was already in custody en route to jail. A

later attempt from officers to give him a breath test was also aborted. The jury ruled Not Guilty in favor of the Defense because there was no reliable evidence showing the client was intoxicated. Attorney Nathan Kohley assisted APD Hines on this case.

The same day in another courtroom, a jury heard *The State vs. Elizabeth Freeman*. It dates back to 2008 when Ms. Freeman was accused resisting an off-duty, un-uniformed officer after he approached the car she was riding in that was seen allegedly trespassing on a school campus. As Ms. Freeman was being hand-cuffed by arresting officers, her arm was broken, a fact that prosecutors attempted to keep from jurors. APD Diana Johnson (right) led the defense with assistance from second chair APD Rachel Schumont (center). Early in the trial, they won a motion to allow information about the broken arm into the courtroom. The Defense asserted that Ms. Freeman was not aware that the un-uniformed officer who initially approached her was in fact a policeman and she believed she was being robbed which caused her to resist. The jury ruled against the prosecution led by the Director of County Court for the State Attorney Office.

