



## NEWS FROM: Office of the Public Defender Matt Shirk, Fourth Judicial Circuit [www.MattShirkPublicDefender.com](http://www.MattShirkPublicDefender.com)

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### APD's Effectively Advocate for Clients in Duval County Courtrooms

Jacksonville, FL (October 7, 2011): Attorneys in the Office of Fourth Judicial Circuit Public Defender Matt Shirk continue to be effective advocates for their clients. Several Assistant Public Defenders took cases to trial in September, a number of which ended with Not Guilty verdicts:



The jury in a September 1<sup>st</sup> trial in Circuit Court heard The State vs. David Oquendo in which the Defendant faced a charge of Burglary to a Dwelling with Battery, a 1<sup>st</sup> Degree Felony punishable by life in prison. APD Diana Johnson (c) led the Defense with Co-Counsel Jay Forrest (l). Their client allegedly battered his cousin after breaking into her home in April of this year. Ms. Johnson successfully argued that her client did not enter into the home. The argument was supported with photographs inconsistent with the allegations and a testimony by the victim who lacked credibility.

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The September 7<sup>th</sup> Circuit Court trial The State vs. Talliaferro Wilson brought lead APD Chris Blaisdell and co-counsel APD Al Perkins to the courtroom in defense of their client who faced the Felony charge of Possession of a Firearm by a Convicted Felon. The Defendant had been arrested following a traffic stop, though the Defense argued that he was not driving his car and had no knowledge of a gun that found hidden inside the vehicle. There was a second person in the car at the time. The jury ruled Not Guilty.

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Also on September 7<sup>th</sup>, APD Sandra Suarez (l) and Co-counsel Coral Messina (c) tried The State vs. Anthony Jones and convinced the jury to rule Not Guilty on a Felony Aggravated Assault with Firearm which carried a 3 year minimum/mandatory sentence. The Defense asserted that two eyewitnesses who testified were problematic and provided conflicting testimonies. Further from the Defense; neither alleged victim was ever in fear of her life nor was the gun never recovered. Additionally, APD Messina tried a Misdemeanor, The State vs. Willie Tensley, on 9/20 before a Judge who acquitted her client of a charge of Nuisance Injurious to Health for an open septic tank on his property.





On September 8<sup>th</sup>, lead APD Rachel Schumont (r) teamed with APD Robert Bowers (l) to try The State vs. Glenn Sullivan. Their client faced a Felony charge for the Sale of Cocaine which carries a minimum/mandatory 10 year prison sentence. The Defense argued that their client was the wrong suspect because he was arrested based on the identification in the suspect's wallet. Mr. Sullivan (c) testified that his wallet had been stolen weeks prior to the February incident. Additionally, the undercover agents who along with the suspect performed the transaction took video of the alleged crime. When the video was played for the jury, it clearly showed that Mr. Sullivan was not involved in this drug crime. They ruled Not Guilty.

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The State vs. Franks went to trial September 15<sup>th</sup>, Lead APD Rachel Chewning (c) and 2<sup>nd</sup> Chair Tyler Gates (r) represented their client on charges of Aggravated Battery and Discharge of a Firearm which carry a 20 year minimum/mandatory jail sentence. The Defense argued that the alleged victim was highly intoxicated during the incident and her testimony was full of inconsistencies. Additionally, they said their client was acting in self-defense as they believed the victim had initially pulled a gun on him causing him to fight back. The jury ruled Not Guilty.



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On September 19<sup>th</sup>, The State vs. Stephen Turner reached a verdict in favor of the Defendant. APD Senovia L. Portis led the Defense with assistance from APD Zach Shafer (not pictured). Their client was charged with Sexual Battery and Unlawful Sexual Activity with Certain Minors. Due to some disagreements within the alleged victim's family, she and her cousin sought to alienate Mr. Turner who at one time was dating her cousin. The Defense argued that the charges were fabricated as part of the females' efforts to exclude the man. Ms. Portis also indicated that DNA evidence against her client that was brought to trial was problematic. The jury issued a Not Guilty verdict for Mr. Turner.

