

Cozen O'Connor and Pennsylvania Innocence Project Team Up to Clear Innocent Man Imprisoned for Murder

Monday, May 21, 2018

Vince McGuinness, Hayes Hunt, Dylan Alper, Calli Padilla, and Art Fritzing, all of the Philadelphia office, teamed up with the Pennsylvania Innocence Project to free Dontia Patterson, who served over a decade in prison for a crime he did not commit. As the district attorney said in its extraordinary motion: “The Commonwealth will not re-try a case against a man who is probably innocent and whose case is so lacking in integrity.”

Antwine Jackson was shot on the street outside a corner grocery store on January 11, 2007. The man who pulled the trigger had been inside the store moments before confronting Mr. Jackson, pulling a gun, and shooting him. On April 26, 2007, 17-year-old Dontia Patterson was arrested and charged with murder. The only evidence prosecutors presented at Mr. Patterson’s trial to tie him to the murder – other than his presence at the scene minutes **after** the shooting – were two people who did not know him who witnessed the shooting for mere seconds from more than 100 feet away. After a first jury could not agree on his guilt, the DA’s office retried him. This time, they presented an additional eyewitness who testified that a stop-motion video of the perpetrator from inside the corner store reminded her of Mr. Patterson. The jury convicted him of murder, and the judge sentenced him to life in prison with no possibility of parole.

Two years ago, Cozen O’Connor teamed up with the Pennsylvania Innocence Project to represent Mr. Patterson in his assertion that he was innocent of the crime for which he had been convicted. The team conducted an extensive investigation, including interviewing one of the key eyewitnesses whose testimony ultimately persuaded the DA’s office that Mr. Patterson was innocent. They worked with an expert and visited the scene of the crime to obtain critical evidence to prove that the eyewitnesses who testified against our client could not have seen the crime from their vantage point.

Their investigation showed that in a white paper drafted the day after Mr. Jackson’s murder, the police described information from a confidential informant who identified the men who likely murdered Mr. Jackson, along with his motives and location. The store owner, who knew Mr. Patterson well, told the police that Mr. Patterson was not the shooter. Yet, the police pursued Mr. Patterson anyway, and the store owner was not called to testify at the trial. They also discovered information revealing that some of the officers involved had personal motives to target Mr. Patterson.

Based on this investigation, our team and the Pennsylvania Innocence Project filed a 134-page Post-Conviction Relief Act (PCRA) petition (available [here](#)) that detailed how the murder investigation went wrong and listed the extensive exculpatory evidence that was excluded from the trial. Based on this motion, the trial court vacated Mr. Patterson’s conviction and released him on house arrest – but the DA’s office was still considering retrying him.

The Cozen O’Connor team made extensive presentations to the DA’s office to convince it that Mr. Patterson was innocent. After it heard from the team and conducted its own investigation, the office agreed that the trial was flawed and that it would not seek a third trial.

On Wednesday, May 16, Mr. Patterson was released from house arrest. After 11 years being imprisoned for a crime he did not commit, Dontia Patterson is ready to move on.

“I’m just so grateful that finally – after all these years – someone listened to me. Since I was 17 I’ve been saying I’m innocent, and every day since my arrest. I didn’t kill my friend; I had nothing to do with



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what happened to him. I'm sorry for his family to have to relive his loss, but I'm so grateful justice has finally been done.”

The matter has gotten extensive press coverage; some of it is linked below.

CBS News, Fox 29, Washington Post, The Philadelphia Inquirer, and New York Times

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