

**For immediate release  
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## **4th Circuit revives lawsuit over wrongful murder conviction**

The Fourth Circuit Court of Appeals today allowed the case of James Larry Owens to proceed against the Baltimore Police Department, the police officers who intentionally withheld exculpatory evidence during his trial, and the Assistant State's Attorney who deliberately presented false evidence against him. Mr. Owens was convicted of murder in 1988 and served more than 20 years in prison before he was exonerated.

As Mr. Owens challenged his conviction, he learned that the police and prosecutors who had handled his case had deliberately withheld relevant evidence from him and his attorney and had knowingly presented perjured testimony against him. Based on this false and manufactured evidence, a jury convicted Mr. Owens and sentenced him to life in prison without parole.

After his conviction was overturned, Mr. Owens brought suit against Baltimore City Police Department, the officers who handled his case, and the Assistant State's Attorney seeking compensation for the officials' misconduct that resulted in his wrongful conviction. The United States District Court for the District of Maryland dismissed Mr. Owens's case and Mr. Owens appealed to the United States Court of Appeals for the Fourth Circuit.

The Fourth Circuit confirmed, in a landmark decision, that police officers have an independent duty to turn over exculpatory evidence to prosecutors and that any failure to do so is a violation of a criminal defendant's right to a fair trial. The Court ruled that the Baltimore Police Department's pattern of withholding such evidence could subject the Department itself to liability. Finally, the Court held that Mr. Owens's claims were timely filed because his claims did not accrue until after the State requested that the court dismiss the charges against him after he was granted a new trial.

Laura Ginsberg Abelson, one of Mr. Owens's lawyers said, "When police and prosecutors cut corners and break the rules, innocent people can spend long periods of time behind bars for crimes they didn't commit. We are very pleased that the Fourth Circuit has recognized that the government should be held accountable for violating the Constitutional protections guaranteed to Mr. Owens." Charles N. Curlett, Jr., another of Mr. Owens's lawyers said, "Mr. Owens can never get back the decades he spent in prison for a crime he did not commit. Nevertheless, he is encouraged by the court's firm acknowledgement that these police officers will be held to account for their egregious conduct."

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