

## PRESS RELEASE

### **Pro Bono Team Wins Reduced Charge, Freedom for Former Mississippi Death Row Inmate Cory Maye**

*Monticello, MS, July 1, 2011* – – A Mississippi capital murder case that attracted national attention reached its conclusion today. Mississippi resident Cory Maye, after successfully appealing his capital murder conviction, entered a guilty plea to the lesser charge of negligent homicide, in exchange for a sentence of ten years in prison. With credit for time already served, Maye will be released from prison next week.

Late in the evening of December 26, 2001, police in Prentiss, Mississippi conducted a raid on the duplex apartment where Mr. Maye was caring for his infant daughter. The police were acting pursuant to two separate search warrants based on identical allegations, one of which named Maye's neighbor, Jamie Smith, described in the warrant as a "known drug dealer." The warrant used to justify entering Maye's apartment did not identify him, and stated only that the apartment was occupied by "persons unknown."

The warrant was executed by an *ad hoc* task force of heavily-armed officers who kicked in the rear door of his home, and charged into a darkened bedroom where Maye's 14-month old daughter lay sleeping. Lying in the dark next to the bed, Maye fired at what he believed was an intruder. One of the shots struck Officer Ron Jones, fatally wounding him. Immediately after the shooting, Maye surrendered and explained to officers who arrested him that he did not know they were police officers when the shooting occurred.

Maye, a young father with no prior criminal record, was charged with capital murder. He maintained his innocence throughout the proceedings, testifying that he had not knowingly fired upon a police officer, and instead had sought to defend himself and his daughter from what he reasonably believed to be a forcible late-night entry by violent intruders. Maye was convicted by a Mississippi jury in 2003 and sentenced to death.

Maye's legal team, working on a *pro bono* basis, persuaded the trial court to set aside the death penalty in September 2006 and uncovered new evidence that the search warrant used to enter Maye's home was invalid.

Maye's defense team appealed his conviction, and in November 2009 the Mississippi Court of Appeals reversed his conviction. The State of Mississippi appealed to the

Mississippi Supreme Court, but in December 2010, that court also granted Maye a new trial. The Supreme Court held that the trial court had improperly refused a jury instruction that would have highlighted Maye's legal right to act in defense of his infant daughter on the night of the shooting.

Maye's case gained considerable media attention in the years following his conviction, and his story was the subject of an award-winning 2008 documentary entitled *Mississippi Drug War Blues: The Case of Cory Maye*.

At the hearing today, Maye expressed regret for Officer Jones' loss, and repeated that he did not intend to hurt anyone.

Maye's legal team was led by attorneys from Covington & Burling (Washington, D.C.), and included Mississippi attorney Bob Evans, Abram Pafford of Pafford Lawrence & Ross (Lynchburg, Virginia), Benjamin Vernia of the Vernia Law Firm (Washington, D.C.), and Professor Jessica Gabel of the Georgia State University School of Law.