

AKIN INVESTIGATIONS

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QUAERAS DE DUBIIS, LEGEM BENE DISCERE SI VIS

(Inquire into them, to know what things are true)

June 22, 2005

Re: Geno Wilson, Capital Murder, Cause No. 823411

Report of Investigation 1.00

On April 13, 2005, I went to Houston and reviewed the files on the Geno Wilson case at the district clerk's office. The files indicated that Ed Van Buren, the first attorney retained to defend Geno Wilson was ineffective as a trial lawyer and that the investigators he used were also ineffective.

After gathering information from the files in Houston, I contacted Robert A. Morrow, the appeal attorney at the state level, and asked for his files on the case. He told me that a factual investigation was needed on the case and forwarded his files to me. These files had not been in the Houston District Clerk's office and were very informative and useful.

Pretrial Investigations

Pretrial Investigator

I reviewed the written reports of investigation provided by the Private Investigator retained to do the initial factual investigation from September 7, 1999 to December 1, 1999.

In my professional opinion, the investigative work performed by that investigator and his agents was incompetent and even detrimental to the defense of Geno Wilson.

These investigators did not appear to be skilled at interviewing witnesses, they did not appear to know what information they should try to obtain, and they did not appear to know what information had probative value. They intimidated witnesses against the defendant into hardening their testimony against him by threatening them with perjury. They showed witnesses pictures of the defendant without a photograph line up and fed witnesses information. My opinion is that Geno may have been better off without their help.

The incompetence was apparent in the first investigative report in September 1999 which reflected that the defense investigators were using coercive police interrogation techniques on their own client, Geno Wilson. They appeared to be trying to get a confession from him.

Mitigation Specialists Investigation

The files that the appeal attorney sent me contain interviews of witnesses that were done by the mitigation specialists who were trying to gather information on his social and psychological background. During those interviews some of the factual issues came up about the incident. For that reason, these interviews are valuable as leads for doing further factual investigation, but they do not replace the need for a factual defense investigation.

Conclusions

From what I have been able to determine, Geno Wilson has been well represented on his appeals, but he was not competently represented by either his attorneys or his investigator during the pretrial discovery phase at the trial court level.

Recommended Supplemental Investigation

1. I believe that it is important to interview the witnesses again to determine if they felt intimidated by the previous investigator or coerced into hardening their testimony against Geno Wilson.
2. I don't find any record to show that anyone examined the crime scene, the scene photographs, the autopsy reports, or examined the physical evidence for the trajectory of the bullet, gunshot residue, or blood spatter analysis. I don't understand how this kind of case would get to trial without having that critical information.

Yours very truly,

Louis L. Akin

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Published here, please visit: <http://www.deathrow-usa.us/GenoWilson.htm>