



Texas Court of Criminal Appeals Orders New Trials for Two Men Convicted for 1996 Panhandle Murder

DALLAS, Jan. 18 /PRNewswire/ -- The Texas Court of Criminal Appeals has reversed and vacated the convictions of two indigent Mexican nationals who have spent the last 12 years in prison on life sentences for the Aug. 6, 1996 killing of a convenience store clerk in the Texas Panhandle.

The decision means that, at the very least, new trials will be scheduled for Alberto Sifuentes and Jesus Ramirez, the two men convicted for murdering Evangelina "Angie" Cruz, attendant at the Jolly Roger convenience store just off Texas Highway 84 in Littlefield, northwest of Lubbock.

"Finally, justice has arrived for Jesus and Alberto," said Dallas-based attorney Barry McNeil, who has led the six-year Haynes and Boone, LLP pro bono fight for Mr. Sifuentes, 34, and Mr. Ramirez, 59. "These two men have suffered far too long as victims of our legal system. We are hopeful that the prosecutors handling these cases will immediately move to dismiss the indictments so wrongly brought upon these men. They are innocent. There is not a shred of evidence against them, and they deserve to be freed immediately."

The two men have been ordered released from the Texas Department of Corrections and will be transferred to Lamb County to await the decisions of prosecutors on whether to retry.

Mr. McNeil said his team will ask the Texas Attorney General's Office to recommend that defendant Sifuentes be released immediately from custody. The attorney general's office handled the habeas corpus proceedings regarding Mr. Sifuentes. The Lamb County District Attorney's Office maintained control of the Ramirez case throughout the trial and subsequent habeas corpus proceedings.

The appeals court, Texas Attorney General's Office attorneys and the original trial judge have all now concurred that Mr. Sifuentes and Mr. Ramirez were both unconstitutionally convicted, Mr. McNeil said.

"We hope that the Lamb County District Attorney will do the only fair thing and dismiss the case against Mr. Ramirez," said Mr. McNeil. "There was never any wrongdoing by either Alberto or Jesus. They weren't even there. And if Alberto is freed, then Jesus should be also."

The defense team -- McNeil, Ron Breaux, Sarah Teachout and former Haynes and Boone lawyer Ashley Brown Duffie -- had argued during a 2005 habeas corpus hearing that Mr. Sifuentes and Mr. Ramirez were convicted based on false testimony by a questionable eyewitness.

The night Ms. Cruz was shot nine times and killed, Mr. Sifuentes and

Mr. Ramirez were stopped by authorities while returning home to Muleshoe from a Lubbock bar. No evidence was discovered linking the men to the crime and they did not match the description Ms. Cruz gave of her assailants as she lay dying. They were allowed to leave.

Sifuentes and Ramirez only became the prime suspects the following day when an acquaintance inquired about a Crime Stoppers reward. After that, a bungled photo lineup and testimony from a mistaken eyewitness resulted in the convictions, the Haynes and Boone trial lawyers contended.

In August, trial Judge Felix Klein of the 154th District Court in Lamb County concluded in his "findings of fact" that the defendants were denied their constitutional rights when the trial juries were never informed:

- about the existence of a known alibi witness, Pauline Robles, who would have testified the defendants were at a Lubbock nightclub at the time of the murder;
- that evidence implicated two brothers who matched the victim's description of her attackers;
- and that critical evidence that could have led the jury to doubt the defendants' guilt was never investigated.

The latest news and background on this case can be found at Innocent In Texas.com. Interviews with members of the defense team can be scheduled by contacting Doug Bedell by email or at 214.651.5815.

Official records of the decision may be accessed online at:

Sifuentes --

<http://www.cca.courts.state.tx.us/opinions/HTMLOpinionInfo.asp?OpinionID=16373>

Ramirez --

<http://www.cca.courts.state.tx.us/opinions/HTMLOpinionInfo.asp?OpinionID=16374>

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