

REQUEST FOR CONVICTION REVIEW

The State Attorney's Office Conviction Review Unit seeks to ensure that innocent citizens have not been wrongfully convicted of a crime.

The Conviction Review Unit of the 13th Circuit State Attorney's Office will review cases that meet the following criteria:

1. The conviction must have occurred in the 13th Circuit of Florida (Hillsborough County.)
2. The petitioner must present a claim of actual innocence (he/she did not commit or participate in the crime.)
3. The conviction must be of a felony with the highest priority of review for individuals who are incarcerated and have been convicted of serious and/or violent felonies.
4. The claim must be supported by information or evidence not previously litigated before the original trier of fact (Judge or Jury.)
5. The claim must be capable of being investigated and resolved, and if substantiated, would bear directly on the issue of innocence.
6. The conviction must be in the procedural posture that the direct appeal has become final and there is no pending litigation.
7. The claim must not be frivolous.

A plea of guilty is not a bar to review, but will be subjected to a higher level of scrutiny.

The CRU's primary purpose is to evaluate claims of innocence based on information and evidence not presented to the original trier of fact. The CRU will consider new information and evidence, along with information and evidence that had been previously presented. The Conviction Review Unit ("CRU") *is not* reviewing lawful sentences.

Initial each statement below to indicate your understanding and agreement:

_____ Acknowledgement of receipt of the Petition by the State Attorney's Office does not indicate acceptance of the case for investigation, nor does it infer acceptance of the validity of the claim of innocence.

_____ Requesting review of your case by our office does not toll the time you have to pursue post-remedies, such as file an appeal or post-conviction motions. You need to pursue those remedies separately.

_____ I understand this is an extrajudicial process and there is no right of appeal from declination by the CRU. All decisions made by the CRU, including the decision to accept a petition regarding re-opening a case investigation, as well as how the claim will be investigated and resolved, are at the discretion of the 13th Circuit State Attorney's Office.

**IF YOU ARE REPRESENTED BY COUNSEL,
THIS FORM MUST BE SUBMITTED BY YOUR ATTORNEY.**

Please complete this petition in its entirety. If you have supporting documents, please provide copies, if possible, or indicate that you have such documents. **Do not send your originals or the only copies you have.**

Please be advised that this office does not represent you. We are unable to give you legal advice, and the attorney-client privilege does not apply to any information you provide to us in this form or any other communication.

PETITIONER/CONVICTED PERSON'S INFORMATION

Date Completing Petition

Primary Language

Convicted Person's Name

Date of Birth:

Florida DOC Number:

Convicted Person's Address/Location in DOC:

Are you currently represented by an attorney?

Yes _____ No _____

If yes, please provide attorney's name and contact information:

Important: If you are currently represented by an attorney, the CRU will only communicate with your attorney. You should consult your attorney prior to submitting your Petition; your attorney may want to wait to submit the Petition or submit the Petition on your behalf.

If this form is filled out by someone other than the Defendant/Petitioner, list your name, your relationship to the Defendant and contact information (phone, email, and mailing address):

CASE INFORMATION

State Court Case Number:

County:

Offenses of conviction:

Date of Conviction:

Sentence Received:

How was the person convicted?:

_____ Jury Trial _____ Court trial _____ Guilty Plea

Did the convicted person give a statement to the police? Yes No

Did the convicted person testify at trial? Yes No

Was there DNA evidence? Yes No

Is the conviction currently being challenged on appeal? Yes No

If yes, please provide the case number and claims raised:

Is there a habeas corpus petition currently pending before a court? Yes No

Is there any other pending litigation that involves the same subject matter as your criminal case? Yes No

If yes, please explain type and any associated case number:

Has the petitioner filed a 3.853 motion for DNA testing pursuant to Florida Statute, Section 925.11?

Yes

No

If Yes, please provide status information:

Explain in detail why you are innocent:

How were you wrongfully convicted?

What new information or evidence, if any, exists that was not known at the time of the trial?

Finally, provide any other information you think would be helpful in reviewing your case. Include information (name, phone numbers, addresses and email) for any person you think could provide information that could assist in your claims or verify any of the information you provided:

Please be advised that this office does not represent you. We are unable to give you legal advice, and the attorney-client privilege does not apply to any information you provide to us in this form or any other communication.

Date: _____

Signature of Claimant

Type/Hand print name

Submitting the form via U.S. Mail:

You can save and print this petition and mail directly to the CRU along with other documents to the following address:

Office of the State Attorney
13th Circuit
Attn: Conviction Review Unit
419 Pierce St.
Tampa, FL 33602

Submitting the form via email:

You can save this form and submit it directly to the office by clicking the button below. Please send any other supporting documents to cru@sao13th.com with the Petitioner's name in the subject line.

Please note that your petition may be subject to Florida's public records laws. Also, please note that under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not submit this form via email. Instead, download this form and mail it to the address above.