



Conviction Review Unit
PETITION FOR REVIEW

Dave Aronberg
STATE ATTORNEY

Complete this form in its entirety to petition our office for review of a qualified conviction. Be sure to include copies of any documents that support your petition/claims. *Do not send original documents or your only copy of any documents.* This form and supporting documents may be mailed to:

Office of the State Attorney
Fifteenth Judicial Circuit
Attn: Conviction Review Unit
401 N. Dixie Highway
West Palm Beach, FL 33401

Where "petitioner" is indicated, provide defendant information. A section has been provided for additional information if the applicant is not the petitioner/defendant. The following requirements govern acceptance for review of any petition:

1. You must have been convicted in the Fifteenth Judicial Circuit (Palm Beach County) of a felony.
2. You must present a plausible claim of actual innocence.
3. The claim must be supported by information or evidence not previously litigated before the original trier of fact (jury or judge).
4. The claim must be capable of being investigated and resolved, and if substantiated, would bear directly on the issue of innocence.
5. The direct appeal has become final, the mandate has issued, all collateral and post conviction remedies have been exhausted and there is no pending litigation.

The Conviction Review Unit ("CRU") *is not* reviewing lawful sentences. The CRU *is not* reviewing affirmative defenses, claims, or information/evidence that were previously considered and litigated before the original finder of fact (jury or judge).

Initial each statement below to indicate your understanding and agreement:

_____ **Requesting review of your case by our office will not toll the time you have to pursue post-conviction remedies, such as filing an appeal or post conviction motion. You need to pursue those remedies separately and before requesting CRU review.**

_____ **Acknowledgment 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.**

_____ **I have read and understand the policies and regulations of the Fifteenth Judicial Circuit Conviction Review Unit.**

PETITIONER INFORMATION

Complete Petitioner's information below:

Today's Date: _____

Name: _____

Other Names or
Nicknames _____

Address: _____

Date of Birth: _____

DOC Number: _____

Case Number: _____

Charge(s): _____

Date of Conviction: _____

Are you fluent in English? If not, what is your primary language? _____

Are you currently represented by an attorney? ____ Yes ____ No

If yes, who is your current attorney: _____

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.¹

Former attorney(s) in this case: _____

If this form is filled out by someone other than the Defendant/Petitioner:

Applicant's Name: _____

Relationship to Petitioner: _____

¹ The State Attorney's Office cannot provide legal advice. Please consult with an attorney prior to submitting a petition if you need assistance or have any questions regarding anything contained in this petition.

Applicant's Contact Information: _____

CASE INFORMATION

1. Was an appeal filed in this case? Yes No

If yes, provide status information and case numbers: _____

2. Have any post-conviction motions been filed in this case? Yes No

If yes, provide status information: _____

3. Have you filed any Habeas Corpus actions in State or Federal Court? Yes No

If yes, provide status information: _____

4. Have you contacted an innocence organization/project about your case? Yes No

If yes, which organization and have they started an investigation of your case?

5. Was there any DNA in this case? Yes No

6. Have you filed a 3.853 motion pursuant to Florida Statute, Section 925.11? Yes No

If Yes, provide status information: _____

7. Was your conviction the result of (check one): a trial / guilty plea / no contest plea

8. Name of Judge who presided over the case: _____

9. Sentence imposed: _____

10. Are you currently incarcerated? Yes No

11. Are you currently on probation or parole? Yes No

12. If you were convicted of multiple felony counts, are you now asserting that you are innocent of all those charges? Yes No

If no, please specify the charges (or counts) for which you assert you are innocent:

13. Did you provide a statement to law enforcement? Yes No

14. Did you testify at trial? Yes No

15. What is the basis for your petition for review? Check all that apply.

- I am actually innocent (I did not commit the crime). **AND**
- The witness/informant has recanted or changed their testimony.
- I have an alibi. Please provide contact information below.
- I have newly discovered evidence. Please explain below.
- There is DNA in my case that was not tested.
- There is an issue with scientific evidence. Please explain below.
- There is an issue with an expert witness. Please explain below.
- The police officer in my case has been arrested.

Name of officer and badge number: _____

How do you believe this impacts your case?: _____

Other (Please provide more detail below): _____

16. Please explain in detail the basis for your petition (how petitioner is innocent of the charges and why you believe our office should review this case).

17. Please explain what you were doing the day of the incident and how you came to be arrested.

18. Why do you believe you were identified as a suspect in this case? (Please be as detailed as possible.)

19. What evidence supports your claim(s)?

20. Please provide the names and phone numbers of witnesses or alibis, or any other person with relevant information, whom we should contact that will provide information to verify your claim.

21. Can you provide a sworn statement from these witnesses? Yes No

22. Do you have information about the person who may have committed the crime?

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23. Do you know of anything new about your case that you didn't know when you went to trial or pled guilty? What is the new evidence and how does it prove you are innocent? (Has a witness changed his or her story, or do you think he or she will? Has someone else confessed to the crime? Include as many details as possible.)

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24. Please provide any additional information you think is relevant to review your case.
(Please feel free to use additional paper if needed.)

25. How did you hear about the Conviction Review Unit? Check all that apply:

State Attorney Office Website Search engine (ex.Google) Fellow inmate Defense Attorney
Family or Friend Other _____ (please explain)

Under penalties of perjury, I declare that I have read the foregoing petition and that the facts stated in it are true.

Date

Signature of Claimant/Declarant

Print Name