

EXHIBIT A-1



Copyright 2009 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

April 4, 2009 Saturday 1:31 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 340 words

HEADLINE: Ex-lawyer for Misskelley testifies at hearing

DATELINE: JONESBORO Ark.

BODY:

A former lawyer for Jessie Misskelley Jr., one of three men convicted as teenagers of killing three West Memphis 8-year-olds, testified Friday that Misskelley didn't always follow his trial lawyers' advice.

Greg Crow, a member of Misskelley's defense team when he was tried for the 1993 slayings, appeared Friday as a witness in a hearing on Misskelley's request for a new trial. His current lawyers argue that Misskelley's trial lawyers performed inadequately.

Misskelley, now 33, is serving a life-plus-40-years sentence for taking part in the killings of Stevie Branch, Christopher Byers and Michael Moore. Police found the boys' bound bodies in a watery ditch a day after they went missing from their quiet neighborhood. One of the boys was sexually mutilated.

After Misskelley was convicted, Crow recalled, then-prosecutor Brent Davis now a circuit judge wanted Misskelley to testify against his two codefendants, Jason Baldwin and Damien Echols.

"At one point (Misskelley) began to talk with the prosecutors without his attorneys there, and that's never a good thing," Crow testified.

Dan Stidham, lead attorney for Misskelley during his trial, also testified Friday. Stidham, now Greene County district judge, said Misskelley would say whatever he thought a person wanted to hear.

But Assistant State Attorney General Kent Holt played a recording in court Friday of a meeting between Crow and Misskelley at which Misskelley apparently wasn't trying to please his lawyers.

"Yeah, I'm mad at y'all," Misskelley said in the meeting with Crow.

Ultimately, Misskelley did not testify against Baldwin and Echols. Both were convicted, with Echols sentenced to death and Baldwin given a life-without-parole sentence.

Baldwin, who also is asking for a new trial, did not attend Friday's hearing, as his out-of-state lawyers had schedule conflicts. Special Judge David Burnett, who as a circuit judge presided at the trials of all three, has already rejected a new-trial request by Echols.

Information from: The Jonesboro Sun, <http://www.jonesborosun.com>

LOAD-DATE: April 4, 2009

EXHIBIT A-2



Copyright 2009 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

April 3, 2009 Friday 9:10 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 665 words

HEADLINE: Lawyers' work focus of hearing on '93 killings

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

Hundreds of hours spent to defend a man convicted of the 1993 slaying of three West Memphis 8-year-old boys became the focus Thursday of an effort to win him a new trial.

Going line-by-line over a report of hours billed to Jessie Misskelley Jr. after his trial, Assistant State Attorney General Kent Holt sought to show that lawyers for Misskelley provided him adequate legal help during his 1994 trial.

However, Misskelley's chief lawyer at the time testified that he initially missed signs that his client's weak mental faculties caused him to confess to killings he said came from a satanic ritual.

Misskelley, now 33, is serving a life-plus-40-years sentence for taking part in the killings of Stevie Branch, Christopher Byers and Michael Moore. Police found the boys' bound bodies in a watery ditch a day after they went missing from their quiet neighborhood. One of the boys was sexually mutilated.

Misskelley later told detectives that he watched Jason Baldwin and Damien Echols sexually assault and beat two of the boys. Misskelley told detectives that he ran down another boy trying to escape.

But former Misskelley lawyer Dan Stidham, now a Greene County district judge, said Thursday that his client only confessed to police because he thought it would mean he could go home. Misskelley, then a 17-year-old with what Stidham called a "Gomer Pyle and Mr. T haircut," was a high school dropout who huffed gasoline and often told lawyers that "I ain't all here," Stidham said.

Misskelley thought his lawyers were police officers and only parroted an ever-changing confession to them, Stidham said. When lawyers tried to "get him back on script" for a possible plea deal, Misskelley still changed his story and only answered questions with simple responses, Stidham said.

"He really didn't seem to understand who we were or what we were doing," Stidham said. "It was hard to get him to open up."

Holt, however, suggested that Misskelley only changed his story to make it appear like he was less culpable in the boys' deaths. He went page by page through a statement showing the billable hours Stidham's law practice accumulated while preparing for trial.

"You didn't just fall off the turnip truck and represent Jessie Misskelley," Holt told Stidham.

During the hearing Thursday in Craighead County Circuit Court, Holt asked Stidham to read through notes he took during a 1993 interview with Misskelley. A woman in the courtroom gasped as Stidham read through details Misskelley provided of the alleged boys' sexual assault.

Misskelley "saw boys kicking around in the water," Stidham read. "Client was afraid to go back and help so he left."

Misskelley also claimed that Echols wanted to "try to (raise) dogs, cats and birds from the dead" and "stuck his tongue through the skull of a bird," Stidham read.

Misskelley, dressed in a striped shirt, dark blue jeans and shiny black dress shoes, sat silently during the testimony and showed no response. He remained cuffed at the ankles and wrists during much of the hearing, turning only to talk with family members seated in the front row of the courtroom.

A prison tattoo of faded blue ink could be seen on top of Misskelley's shaved head a clock with Roman numerals and no hands, signifying serving time.

In the time since the killings, documentaries about the case sparked interest in the men sympathizers call the "West Memphis Three." Supporters of the men raised about \$1 million to hire new lawyers and conduct DNA testing.

Special Judge David Burnett, who oversaw Misskelley's original trial, said the hearing would resume Friday. Baldwin, who also is asking for a new trial, did not attend Thursday's hearing as his out-of-state lawyers had schedule conflicts.

Burnett has already rejected an appeal by Echols, who is on Arkansas' death row. While Baldwin and Misskelley's appeals continue, Thursday's hearing appeared not to sway Burnett. The recently retired judge rolled his eyes and stared at the ceiling during some of Stidham's testimony.

LOAD-DATE: April 4, 2009

EXHIBIT A-3



Copyright 2009 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

April 2, 2009 Thursday 3:50 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 587 words

HEADLINE: Man convicted in '93 Ark. killings heads to court

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

A man accused in the slaying of three West Memphis boys in 1993 has returned to court Thursday as a hearing continues on his request for a new trial.

Jessie Misskelley Jr., now 33, sat next to his defense lawyer as prosecutors prepared to cross-examine his attorney from his 1994 trial. Misskelley wore a striped shirt, black pants and shiny black dress shoes, his ankles and wrists shackled.

A prison tattoo of faded blue ink could be seen on top of Misskelley's shaved head a clock with Roman numerals and no hands, signifying serving time.

Special Judge David Burnett convened the hearing at 9:30 a.m. and made an acknowledgment that legal proceedings have been drawn out for Misskelley and Jason Baldwin, a co-defendant in the killings.

"All right where are we," Burnett asked "I can't remember now."

The proceeding began with testimony from Misskelley's former lawyer, Circuit Judge Dan Stidham.

Stidham described Misskelley as a teenager who huffed gasoline and had trouble describing himself beyond simple yes and no answers. He said Misskelley for a while believed that he and his other defense lawyer were police officers and that he sometimes told his lawyers, "I ain't all here," and "something's wrong with me."

"He really didn't seem to understand who we were or what we were doing," Stidham said. "It was hard to get him to open up."

Assistant Attorney General Kent Holt questioned Stidham and tried to portray him as providing adequate legal help for Misskelley.

"You didn't just fall off the turnip truck and represent Jessie Misskelley," Holt said.

Baldwin didn't attend Thursday's hearing; his out-of-state lawyers had schedule conflicts. Baldwin and Misskelley are arguing they received inadequate legal aid during trial. Burnett has already rejected an appeal by Damien Echols, who is on Arkansas' death row.

Prosecutors said they expected testimony from Misskelley's former lawyer, circuit Judge Dan Stidham, to last much of Thursday. Misskelley

Misskelley, Baldwin and Echols, were convicted of killing three West Memphis 8-year-olds. The bound bodies of Stevie Branch, Christopher Byers and Michael Moore turned up in a watery ditch a day after they went missing from their quiet neighborhood. One of the boys was sexually mutilated.

Police arrested the three teenagers after a confession by Misskelley in which he described how he watched Baldwin and Echols sexually assault and beat two of the boys. Misskelley told detectives that he ran down another boy trying to escape. Prosecutors said at the time that the killings stemmed from the teens' participation in a satanic cult.

Misskelley, tried separately from Baldwin and Echols, later refused to testify against his co-defendants. He received a life-plus-40-year sentence for the killings. Echols received a death sentence and Baldwin was sentenced to life in prison without parole.

In the time since, lawyers for Misskelley have said their client has the mental grasp of a child and was coached into a false confession by police. Documentaries about the case sparked interest across the Internet and among celebrities in the men sympathizers call the "West Memphis Three."

Both Baldwin and Misskelley are asking Burnett for a new trial, claiming they received inadequate legal help at trial. Their requests come after a federal judge ordered Echols to first have state judges hear his appeal based on new DNA testing and claims of juror misconduct.

Burnett has already dismissed Echols' request. Echols has appealed that decision to the Arkansas Supreme Court.

LOAD-DATE: April 3, 2009

EXHIBIT A-4



Copyright 2009 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

March 27, 2009 Friday 9:01 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 614 words

HEADLINE: Ark. inmate convicted in 1993 WM slayings appeals

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK Ark.

BODY:

An Arkansas death-row inmate convicted in the 1993 slayings of three West Memphis boys deserves a new trial so a jury can examine DNA evidence and claims of misconduct, his lawyers claim.

Lawyers for Damien Echols filed an appeal Thursday with the Arkansas Supreme Court, asking justices to overturn a lower court ruling denying his request for a second trial. Filings in the case remain under seal before the state's highest court, but a copy obtained by The Associated Press shows Echols' lawyers believe they don't have to entirely exonerate their client only show "any reasonably juror would have reasonable doubt" about his guilt.

"The DNA test results are new circumstantial evidence that 'excludes' Echols ... and tends to exculpate Echols more forcefully than all of the state's evidence tends to implicate him," the filing reads. "The new scientific evidence would clearly preclude any reasonable juror from returning a guilty verdict against Echols."

A clerk at the Supreme Court said officials returned the filing to Echols' lawyers Thursday afternoon, asking them to address unspecified "deficiencies." The lawyers have seven days to resubmit the filing.

Echols, now 35, was sentenced to death for the slayings of 8-year-olds Stevie Branch, Christopher Byers and Michael Moore. Police arrested Echols, Jason Baldwin and Jessie Misskelley for the killings. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. Misskelley later refused to testify against his co-defendants.

Baldwin received a life sentence without parole, while Misskelley received a life-plus-40-year sentence for the killings.

The Arkansas Supreme Court later upheld the convictions, but a documentary on the killings sparked interest in the case from celebrities and across the Internet. Supporters of the men, whom they call the "West Memphis Three," raised about \$1 million to hire new lawyers and conduct DNA testing of evidence collected from the crime scene.

Echols later filed a federal appeal, saying the DNA testing showed no trace of the three convicted in the killings. However, much of the DNA evidence examined by a private laboratory in Virginia yielded no reportable results. Testimony from forensic experts in the appeal also claim the mutilation of one of the boys likely came from an animal after their deaths rather than prosecutors' claims about satanic rituals.

A federal judge ordered that the new evidence be heard first in a state court. Craighead County Circuit Judge David Burnett, who oversaw the original convictions, denied Echols' request for a new trial. Thursday's submission is an appeal of that denial.

Dennis Riordan, a San Francisco lawyer representing Echols, wrote that his client's appeal also would include new evidence from a sealed affidavit about possible juror misconduct in the 1994 trial. The jury foreman allegedly spoke with another lawyer during the trial and "disclosed his intense interest in the Misskelley confession," Riordan wrote. Prosecutors were barred from using Misskelley's statements to police during the trial.

"Jurors, in particularly the jury foreman, considered and discussed the unreliable and untested confession ... in finally deciding on their verdict against Echols," Riordan wrote.

While Burnett denied Echols' request for a new trial, he continues to hear arguments over whether Baldwin and Misskelley's lawyers were ineffective during their 1994 trials. Lawyers for Misskelley are expected to return to court next week to continue hearings, while Baldwin's lawyers likely won't be present, said Alan Copelin, Craighead County's chief deputy prosecutor.

LOAD-DATE: March 28, 2009

EXHIBIT A-5



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

October 1, 2008 Wednesday 1:54 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 580 words

HEADLINE: Former lawyer supports effort for new trial

DATeline: JONESBORO Ark.

BODY:

A lawyer in 1994 for one of three youths accused of killing three West Memphis 8-year-olds says the judge who presided over his client's trial and is now presiding over a hearing on a request for a new trial had an improper communication with the jury that returned a conviction.

Dan Stidham of Paragould testified Tuesday at a hearing before Circuit Judge David Burnett, on a request by former client Jessie Misskelley for a new trial. Misskelley is claiming inadequate representation at his original trial.

Misskelley and two others Jason Baldwin and Damien Echols were convicted in the boys' deaths. Baldwin is also seeking a new trial, and a request by Echols for a new trial was rejected last month.

Misskelley, Baldwin and Echols were convicted of the May 5, 1993, slayings of second-graders Michael Moore, Steven Branch and Christopher Byers. The boys' bodies were found the next day in a water-filled ditch near their West Memphis homes, with their hands and feet bound by their shoestrings.

Tuesday's testimony from Stidham, now a Greene County district judge, supported Misskelley's claim of inadequate representation before and during his trial. Stidham said he was too inexperienced in 1994 to represent his client properly.

"I had very limited felony-trial experience before the Misskelley trial," Stidham testified.

He said he had been involved in only one felony trial of any sort before being appointed to defend Misskelley on a capital murder charge.

Stidham said he did not meet the minimum requirements in state law to represent a defendant in a capital murder case. Asked by Michael Burt, Misskelley's current lawyer, if he was qualified to handle a capital murder case at the time, Stidham responded: "Clearly not."

He said law partner Greg Crow had even less experience. Crow testified Monday he had never tried a felony case before being appointed to defend Misskelley.

He also said his defense efforts were hampered because he did not have enough money to hire expert witnesses to testify at the trial. "My Visa Gold card literally financed the defense," Stidham said.

In Burnett's court Tuesday, Stidham claimed the judge committed error when, as the jury was deliberating, he opened the jury room door and asked the foreman if the group needed lunch. Stidham said the jury foreman told Burnett they were about finished, to which Burnett responded: "You'll need food for when you come back for sentencing."

Stidham said the foreman asked what would happen if Misskelley were found not guilty, and Burnett shut the door without answering.

Stidham said he did not make a record of the statement because he thought at the time that his client was about to be acquitted. When he was convicted instead, Stidham said, he was shocked and did not think about putting the incident on the court record for appeal purposes.

"I was not qualified for this case," Stidham insisted.

Stidham said his client first told him as he did the police that he had been involved in the slayings, but later recanted both statements. According to Stidham, Misskelley told him eventually that, at the outset, the teenager thought Stidham was a police investigator.

"Mr. Misskelley said the West Memphis police had threatened him with the electric chair, and he was very, very afraid of the electric chair," Stidham said.

He said Misskelley's words were: "I thought you were the police, and I didn't want to die in that electric chair."

Information from: The Jonesboro Sun, <http://www.jonesborosun.com>

LOAD-DATE: October 1, 2008

EXHIBIT A-6



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 30, 2008 Tuesday 12:31 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 410 words

HEADLINE: Testimony: Echols wore necklace with blood traces

DATELINE: JONESBORO Ark.

BODY:

When Damien Echols was arrested in 1993 in the killing of three 8-year-old boys at West Memphis, a necklace he was wearing bore traces of blood whose type matched one of the victims, as well as himself and another defendant, the state Crime Lab director testified Monday.

Kermit Channell, now director of the Crime Lab, was a criminologist for the agency when evidence was gathered in the slayings. He testified Monday at a hearing in which Echols' two co-defendants, Jessie Misskelley and Jason Baldwin, are seeking a new trial. Echols, Misskelley and Baldwin were all convicted in the boys' deaths.

Baldwin and Misskelley now claim they had ineffective counsel when they were convicted in 1994 of killing second-graders Michael Moore, Steven Branch and Christopher Byers.

Circuit Judge David Burnett, who presided over the trials of all three defendants, is conducting the hearing. Burnett told lawyers Monday that he barred use of the necklace and the test results in 1994 because he felt the evidence could cause a long delay in the trial, and possibly a mistrial.

"I wouldn't allow it," Burnett said.

Channell said two tests were conducted on the blood found on the necklace. He said the first test showed the blood type matched that of Echols. The second test, Channell said, showed the blood type was consistent with those of Baldwin and Branch.

On cross examination, Channell said the blood type was also consistent with a large percentage of the population. The blood type involved was not revealed at Monday's hearings, and attorneys in the case are barred by a gag order from answering reporters' questions.

At an earlier hearing, Burnett denied Echols' request for a new trial.

One month after the boys' bodies were found in a water-filled ditch near their West Memphis homes, Misskelley gave police a statement that also implicated Baldwin and Echols.

Defense attorneys have claimed that West Memphis police improperly pressured Misskelley into confessing to the crimes. A tape recording of his confession was played for the jury at his trial. Misskelley told police that Michael Moore escaped his attackers, but was chased down by Misskelley, who took him back to Echols and Baldwin, who both killed him.

Like Baldwin, Misskelley did not testify at his original trial.

Misskelley was sentenced to life in prison, plus 40 years, Baldwin to life in prison without parole; and Echols to be executed.

Testimony: Echols wore ne

with blood traces The Associated Press Stz

ocal Wire September 30, 2008

Tuesday 12:31 AM GMT

Information from: The Jonesboro Sun, <http://www.jonesborosun.com>

LOAD-DATE: September 30, 2008

EXHIBIT A-7



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 29, 2008 Monday 8:00 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 305 words

HEADLINE: Hearing continuing for Misskelley

DATeline: JONESBORO Ark.

BODY:

Jessie Misskelley Jr., one of three men convicted in 1994 of killing three boys in West Memphis is to ask a judge at a hearing to grant him a new trial.

Misskelley and Jason Baldwin say they had ineffective counsel when they were convicted in the 1993 slayings of the three 8-year-old boys.

Circuit Judge David Burnett began a hearing Wednesday to consider arguments to throw out sentences and convictions of Baldwin and Misskelley for killing second-graders Michael Moore, Steven Branch and Christopher Byers.

Baldwin received life in prison without parole and Misskelley, who was tried separately, was convicted of murder and sentenced to life plus 40 years.

A hearing for a third defendant, Damien Wayne Echols, who received the death penalty, was held previously, and he was denied a new trial.

Misskelley was in court Thursday while Baldwin's portion was continuing, but did not take the stand. The hearing is to continue Monday. Greene County District Court Judge Dan Stidham, who was one of Misskelley's original attorneys in 1994, is scheduled to testify.

One month after the boys' bodies were found in a water-filled ditch near their West Memphis homes, Misskelley gave police a confession to the crime that also implicated Baldwin and Echols.

Defense attorneys have alleged that West Memphis police unduly pressured Misskelley into confessing to the crimes. A tape recording of his confession was played for the jury at his trial. Misskelley told West Memphis police the Moore child escaped his attackers, but he chased the child down and brought him back to Echols and Baldwin who killed him.

Like Baldwin, Misskelley did not testify at his original trial. Misskelley could take the stand Monday, and it would be the first time for prosecutors to question him under oath.

On the stand last week, Baldwin denied killing the boys.

LOAD-DATE: September 30, 2008

EXHIBIT A-8



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 26, 2008 Friday 8:06 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 428 words

HEADLINE: Ark. man convicted of killing 3 boys takes stand

DATELINE: JONESBORO Ark.

BODY:

A man convicted of killing three West Memphis boys 15 years ago took the stand for the first time Thursday, insisting he was innocent.

Jason Baldwin, 31, said he told his lawyers repeatedly during his 1994 trial that he wanted to testify about his whereabouts over the period from May 5, 1993, when 8-year-olds Michael Moore, Stephen Branch and Christopher Byers went missing, through the next day when their bodies were found in a ditch.

Baldwin said his lawyer, Paul Ford, would respond to Baldwin's request by asking him if he thought the jury had heard anything that might convict him.

"He just shrugged me off," Baldwin said.

Baldwin was tried along with Damien Echols. Both were convicted of three counts of capital murder. Baldwin received life in prison without parole while Echols was sentenced to death. A third co-defendant, Jessie Misskelley Jr., was tried separately, convicted of murder and sentenced to life plus 40 years.

All three have appealed their convictions. Circuit Judge David Burnett began a hearing Wednesday on arguments from new lawyers for Baldwin and Misskelley to void the convictions and sentences, based on claims of ineffective counsel during their trials.

Misskelley also was in court Thursday, but did not take the stand. The hearing is expected to continue Monday.

Baldwin, who was 16 at the time of the crimes, also said he wondered why his trial lawyers did not present phone records that showed his mother had called him at home the evening of the killings.

He said he also did not understand why his lawyers did not present evidence of his whereabouts the day the boys disappeared. Baldwin said he was at school that day, then mowed his uncle's lawn, played video games at a Wal-Mart store, then went home and took care of his younger brother.

"I would tell them (his lawyers) every time. There are people who know where I was on May 5 and May 6," Baldwin said.

Wednesday, Ford testified that he was diligent in preparing for the trial and representing Baldwin. He said he did not call Baldwin's mother, uncle or others as witnesses because he felt they would not make good witnesses even though he believed, and still does, that Baldwin did not commit the crimes.

Ford said that he tried repeatedly to get a separate trial for Baldwin and that the evidence against Echols during their trial hurt Baldwin's defense.

Also Thursday, a private investigator, Ron Lax of Memphis, Tenn., testified that he offered to do work for the defense for Misskelley and Baldwin but was not taken up on his offer. Lax worked for defense lawyers for Echols.

LOAD-DATE: September 27, 2008

EXHIBIT A-9



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 25, 2008 Thursday 11:13 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 517 words

HEADLINE: Lawyer: Witnesses could prove Baldwin's alibi

BYLINE: By PEGGY HARRIS, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

A former lawyer for a man convicted of killing three West Memphis boys 15 years ago testified Wednesday that he knew of people who could have provided proof of his client's innocence but he did not call them as witnesses.

Paul Ford, who represented Jason Baldwin at his 1994 trial, said that while Baldwin's mother and an uncle could have provided an alibi for Baldwin, they would not have made good witnesses.

Ford spoke Wednesday at a hearing in Craighead County Circuit Court before Judge David Burnett on whether Baldwin received adequate legal representation during his 1994 trial in Jonesboro.

Baldwin, now 31, was convicted of capital murder in the deaths of 8-year-olds Steve Branch, Michael Moore, and Christopher Byers. He was sentenced to life in prison without parole.

Ford said he was also aware that school officials or students could have testified that Baldwin, then 16, was in school the day of the crime. But they would not have been able to account for the evening hours when the state says the 8-year-olds were killed, Ford said.

New lawyers for Baldwin are asking Burnett to void their client's conviction and penalty.

The judge has set aside four days for the hearing and plans to take up similar arguments Thursday from lawyers for co-defendant Jessie Misskelley.

Earlier this month, Burnett denied requests for a new trial based on alleged new DNA evidence for Baldwin, Misskelley and Damien Echols. Echols, who was tried with Baldwin and also convicted of capital murder, was the only one of the three to receive the death penalty.

The three, all teenagers at the time, were accused of killing the second graders in a Satanic-like ritual. The boys were last seen riding their bikes May 5, 1993. Their bodies were found in a ditch the next day.

On the stand Wednesday, Ford also said that he was aware that Baldwin's mother called home the evening of the boys' deaths and that Baldwin also supposedly had telephone conversations with two friends that night. But Ford said he did not pursue the telephone records to help establish Baldwin's whereabouts.

Ford said he believed Baldwin was innocent and he still does, describing Baldwin as an intelligent and gentle person. During Wednesday's hearing, Baldwin sat at the defense table, alert and attentive to the proceedings. When Ford said he believed Baldwin was innocent, the two made eye contact and nodded.

Before allowing the testimony, the judge agreed with the state that only one of six claims Baldwin made the claim of ineffectual counsel could be considered under his petition for relief.

The state also argued in a written response that Baldwin's claim of ineffective counsel has no merit and amounts to a disagreement over "strategic decisions about what witnesses should have been called."

Meanwhile, the federal judge who initially sent Echols' appeal back to state courts has recused from the case. In a one-sentence order filed Wednesday, U.S. District Court Judge William R. Wilson Jr. said that "some of the principals in this case are long-time acquaintances and friends of mine."

The case had not been reassigned as of Wednesday.

LOAD-DATE: September 26, 2008

EXHIBIT A-10



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 23, 2008 Tuesday 11:36 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 118 words

HEADLINE: Baldwin to appeal conviction in 1993 WM slayings

DATELINE: JONESBORO Ark.

BODY:

Officials say one of the three men convicted in the 1993 killing of three West Memphis boys will appear Wednesday in Craighead County Circuit Court.

Michelle Grilletta, an assistant to Judge David Burnett, says Jason Baldwin will attend a hearing focused on whether he received adequate legal representation during his 1994 trial in Jonesboro. The hearing comes after Burnett dismissed an appeal by Damien Echols, one of the other men convicted in the slaying.

Jessie Misskelley, the third man convicted, has made a similar claim.

Baldwin, now 31, was convicted of capital murder in the deaths of 8-year-olds Steve Branch, Michael, Moore, and Christopher Byers. He was sentenced to life in prison without parole.

LOAD-DATE: September 24, 2008

EXHIBIT A-11



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 12, 2008 Friday 6:02 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 305 words

HEADLINE: Defense to appeal in West Memphis killings case

DATELINE: WEST MEMPHIS Ark.

BODY:

A defense lawyer for one of three men convicted in the 1993 slayings of three West Memphis boys said Thursday a notice of appeal would be filed within days of a judge's ruling denying a new trial in the case.

Dennis Riordan of San Francisco, who represents death-row inmate Damien Echols, said the appeal would be filed with the Arkansas Supreme Court. The high court previously upheld the convictions.

Crittenden County Circuit Judge David Burnett on Wednesday rejected claims that new DNA evidence proves the innocence of Echols, Jason Baldwin and Jessie Misskelley. Burnett also said that even if he agreed that the new DNA evidence should be heard in court, he would deny Echols' request for a trial because there was "not compelling evidence that he would be acquitted."

The men, known as the "West Memphis Three" by supporters who include music celebrities, were teenagers when the bodies of 8-year-olds Steve Branch, Michael, Moore, and Christopher Byers were found in a drainage ditch May 6, 1993, near their neighborhood. The boys were last seen the day before riding their bicycles.

Both Baldwin and Misskelley claim their trial lawyers failed to adequately represent them during their separate trial's. Misskelley told investigators he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. Misskelley did not testify against his co-defendants, however, who were tried together.

Baldwin was convicted of capital murder and sentenced to life in prison without parole. Misskelley was convicted of first-degree murder in Moore's death and second-degree murder in the deaths of the other two boys. He was sentenced to life plus 40 years.

U.S. District Court Judge William R. Wilson Jr. ruled last year that claims about the DNA evidence first needed to be heard in state courts.

LOAD-DATE: September 13, 2008

EXHIBIT A-12



Copyright 2008 Associated Press
All Rights Reserved
Associated Press Online

September 11, 2008 Thursday 3:35 AM GMT

SECTION: DOMESTIC NEWS

LENGTH: 339 words

HEADLINE: Judge: No new trial in 1993 Ark. boys' slayings

BYLINE: By JILL ZEMAN, Associated Press Writer

DATELINE: LITTLE ROCK Ark.

BODY:

A judge on Wednesday rejected claims that DNA evidence clears three men convicted of killing three 8-year-old boys in 1993 and denied their requests for a new trial.

Lawyers for Damien Echols, Jason Baldwin and Jessie Misskelley known to supporters as the "West Memphis Three" had argued that new DNA tests would prove their clients' innocence.

Both Baldwin and Misskelley claimed their lawyers failed to adequately represent them during trial. Their lawyers said DNA evidence provided by Echols' defense team showed that the men did not kill Steven Branch, Christopher Byers and Michael Moore.

"The court finds that (Echols's) DNA-testing results are inconclusive because they do not raise a reasonable probability that he did not commit the offenses; that is, they are inconclusive as to his claim of actual innocence," Circuit Court Judge David wrote in a 10-page order denying the men's requests for a new trial.

In his appeal, Echols argued that newly analyzed DNA found no trace of the defendants at the crime scene. But Burnett said he agreed with prosecutors that the absence of DNA didn't equal innocence.

"Proof of actual innocence requires more than his exclusion as the source of a handful of biological material that is not dispositive of the identity of a killer," the judge wrote.

Burnett also said that even if he agreed that the new DNA evidence should be heard in court, he would still deny Echols' request for a new trial because there was "not compelling evidence that he would be acquitted."

Police found the three boys' bodies in a drainage ditch a day after their May 5, 1993, disappearance from West Memphis. A month passed before police arrested the three defendants, who were teens at the time. Misskelley told investigators he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape.

A jury sentenced Misskelley to life in prison plus 40 years. Baldwin got life without parole and Echols was sentenced to die. The Arkansas Supreme Court has upheld their convictions.

LOAD-DATE: September 11, 2008

EXHIBIT A-13



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 11, 2008 Thursday 6:01 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 377 words

HEADLINE: Judge: No new trial for West Memphis killings

BYLINE: By JILL ZEMAN, Associated Press Writer

DATELINE: LITTLE ROCK Ark.

BODY:

A circuit court judge Wednesday rejected claims that new DNA evidence proves the innocence of three men convicted of killing three boys 15 years ago, and denied their requests for a new trial.

Circuit Court Judge David Burnett issued a 10-page order Wednesday denying requests for a new trial. Lawyers for Damien Echols, Jason Baldwin and Jessie Misskelley known by supporters as the "West Memphis Three" had requested a new trial, arguing that new DNA evidence clears their clients.

Both Baldwin and Misskelley claim their lawyers failed to adequately represent them during their separate trials. Their lawyers also say DNA evidence provided by Echols' defense team shows the men did not kill Steven Branch, Christopher Byers and Michael Moore.

"The court finds that (Echols's) DNA-testing results are inconclusive because they do not raise a reasonable probability that he did not commit the offenses; that is, they are inconclusive as to his claim of actual innocence," Burnett wrote in the order.

In his appeal, Echols argued that newly analyzed DNA found no trace of him, Misskelley or Baldwin at the crime scene. But Burnett said he agreed with prosecutors' arguments that the absence of DNA didn't equal innocence.

"Proof of actual innocence requires more than his exclusion as the source of a handful of biological material that is not dispositive of the identity of a killer," Burnett wrote.

Burnett also said that even if he agreed that the new DNA evidence should be heard in court, he would deny Echols' request for a trial because there was "not compelling evidence that he would be acquitted."

Police found the three boys' bodies in a drainage ditch a day after their May 5, 1993, disappearance. A month passed before police arrested the three teens. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape.

A separate jury gave Misskelley a life-plus-40-year sentence for the killings. Baldwin received a life sentence without parole, and Echols was sentenced to death.

U.S. District Court Judge William R. Wilson Jr. ruled in November that claims about the DNA evidence first needed to be heard in state courts. The Arkansas Supreme Court has upheld their convictions.

LOAD-DATE: September 12, 2008

EXHIBIT A-14



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

September 4, 2008 Thursday 7:26 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 143 words

HEADLINE: Court: West Memphis slaying hearings on hold

DATELINE: JONESBORO Ark.

BODY:

An assistant to Craighead County Circuit Judge David Burnett says a set of hearings scheduled to begin Monday for three men convicted in the 1993 slayings of three boys in West Memphis will be postponed.

Michelle Grilletta says Burnett is drafting an order rescheduling the hearings for Damien Echols, Jason Baldwin and Jessie Misskelley. She says the judge told her nothing would be heard next week regarding the case.

Court officials said Burnett's order had yet to be filed Thursday afternoon.

Both Baldwin and Misskelley claim their lawyers failed to adequately represent them during their separate trials. Their lawyers also say DNA evidence provided by Echols' defense team shows the men known to supporters as the "West Memphis Three" did not kill Steven Branch, Christopher Byers and Michael Moore.

The Arkansas Supreme Court has upheld their convictions.

LOAD-DATE: September 5, 2008

EXHIBIT A-15



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

August 21, 2008 Thursday 9:02 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 756 words

HEADLINE: Judge: WM slaying hearings likely to be held

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

A judge said Wednesday he is not sure whether he'll need to hold hearings for next month for three men seeking to overturn their convictions in the brutal 1993 slayings of three boys in West Memphis.

Craighead County Circuit Court Judge David Burnett said he would likely hold the hearing, but left open the possibility he would rule from the bench that new DNA evidence shouldn't be heard, as prosecutors argue it isn't enough to grant new trials for Damien Echols, Jason Baldwin and Jessie Misskelley.

"If I adopt your theories ... there won't be any need for a hearing, period," Burnett told prosecutors.

Lawyers will make additional court filings over the case in the coming 10 days. Burnett, who oversaw Baldwin and Echols' joint 1994 trial, said he planned to rule a week later whether to hold the hearings scheduled to begin Sept. 8.

Both Baldwin and Misskelley claim their lawyers failed to adequately represent them during their separate trials. Their lawyers also say DNA evidence provided by Echols' defense team shows the men known to supporters as the "West Memphis Three" did not kill Steven Branch, Christopher Byers and Michael Moore.

Police found the three boys' water-soaked bodies in a drainage ditch a day after their May 5, 1993, disappearance. A month passed before police arrested the three teens. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape.

A separate jury gave Misskelley a life-plus-40-year sentence for the killings. Baldwin received a life sentence without parole. Echols, who preened at times during the trial and quoted Shakespeare to reporters, was sentenced to die.

The Arkansas Supreme Court unanimously affirmed Baldwin and Echols' convictions in 1996, citing what it called substantial evidence of guilt.

The new hearing comes after a federal judge ordered the original trial court to examine Echols' wide-ranging appeal, including DNA testing done on Echols' behalf that showed no trace of the three convicted in the killings. However, much of the DNA evidence examined by a private laboratory in Virginia yielded no reportable results.

Testimony from forensic experts in the appeal also claim the mutilation of one of the boys likely came from an animal after their deaths rather than prosecutors' claims about satanic rituals.

Prosecutors argue Echols' claims are meritless, saying they don't "demonstrate that he would be acquitted."

"Whether or not the court considers his animal-predation theory alongside his DNA-testing results, those unremarkable results do not (and cannot) demonstrate his actual innocence," prosecutors wrote in a response to Echols' ap-

peal. "Even accepting them as true, his chief results merely exclude him as the source of three insignificant pieces of biological material."

Defense lawyers also question whether a confession by Misskelley, who they described as having the mental grasp of a child, tainted jurors in Baldwin and Echols' trial. Misskelley refused to testify against the two and Burnett prohibited prosecutors from mentioning his confession.

Dennis Riordan, a San Francisco-based lawyer representing Echols, said Wednesday that a sealed filing to the court included testimony of a Little Rock lawyer who spoke with the jury foreman during the original trial. Defense lawyers say that discussion likely prejudiced the juror's opinion and tainted the whole jury.

Prosecutors say Burnett shouldn't consider the jury claims, as the state Supreme Court previously dismissed the accusations.

Documentaries on the killings and trials have stoked supporters' doubts about the men's convictions, saying they were picked out because they liked heavy metal music and had an interest in the occult. Filmmakers and television cameras recorded the Baldwin and Echols' trial; Burnett has issued an order banning cameras and recording devices from the courthouse during the coming proceedings.

Burnett initially said Wednesday that reporters could only paraphrase what they heard in the courtroom and could not use direct quotes. When reached after the hearing, the judge said he meant only that audio recordings made by journalists could not be broadcast or used online.

Burnett indirectly acknowledged the role the documentaries had during the trial while addressing what defense attorney material should be turned over to prosecutors. "I think there was some video made as a matter of fact," said Burnett, who plans to retire at the end of the year.

He offered a chuckle from the bench.

LOAD-DATE: August 22, 2008

EXHIBIT A-16



Copyright 2008 Associated Press
All Rights Reserved
Associated Press Online

August 20, 2008 Wednesday 6:49 PM GMT

SECTION: DOMESTIC NEWS

LENGTH: 640 words

HEADLINE: Lawyers return to court over 1993 Ark. slayings

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

It took a jury 13 days to convict and sentence Damien Echols to death for the 1993 slayings of three second-graders.

Now, nearly 15 years later, Echols is hoping to convince the judge who oversaw his original case to grant him a new trial. His attorneys say DNA tests clear him and the two others in prison for the crime.

Attorneys for Echols, Jason Baldwin and Jessie Misskelley, known to supporters as the "West Memphis Three," met Wednesday with Craighead County Circuit Judge David Burnett and the case's original prosecutor.

The meeting was to lay out a schedule for a three-week slate of hearings in September on DNA evidence and claims of juror misconduct in their 1994 trials over the murders of 8-year-olds Steven Branch, Christopher Byers and Michael Moore.

In an hour-long hearing Wednesday, Burnett said he would likely hold the hearings, set to start Sept. 8. But he also said he could rule, following a prosecutor's suggestion, that the DNA evidence offered by defense attorneys isn't sufficient to order a new trial or overturn the convictions.

Burnett said he would issue a decision a few days before the scheduled hearings on whether the DNA evidence would be allowed.

Echols' lawyers say the evidence would clear the three. They say the tests found no trace of the defendants' DNA, though the tests did not identify anyone else's genetic material, either.

Burnett banned television cameras and recording devices from his courtroom for the proceedings, citing the controversy around the case. He earlier barred both prosecutors and defense lawyers from speaking with reporters about the case, saying he was tired of reading about it in the newspapers.

The news dominated newspapers and television sets throughout Arkansas and the nation after police found the three boys' water-soaked bodies in a drainage ditch a day after their May 5, 1993, disappearance from West Memphis.

The boys' hands were bound to their legs by shoelaces and their bodies showed signs of suffering severe beatings. One boy's body had been mutilated. A month passed and the community posted a \$30,000 reward before police arrested the three teens. Misskelley told investigators he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape.

A separate jury gave Misskelley, who refused to testify against the other two, a life-plus-40-year sentence for the killings. Baldwin received a life sentence without parole after standing trial with Echols, who preened at times during the trial and quoted Shakespeare to reporters. Echols was sentenced to die.

The Arkansas Supreme Court unanimously affirmed Baldwin and Echols' convictions in 1996, citing what it called substantial evidence of guilt.

Later documentaries on the killings and trials stoked supporters' doubts about the men's convictions, saying they were picked out because they liked heavy metal music and had an interest in the occult.

Defense lawyers claim detectives coerced two taped statements out of Misskelley, whom they described as having the mental grasp of a child. State Supreme Court justices refused to throw out the statements in Misskelley's appeal, noting that he was advised of his rights three times during a four-hour interview with officers.

Misskelley's statement was not used in Baldwin and Echols' trial. Evidence in that case included witnesses who testified that they heard defendants talk about the crimes. A witness also was allowed to testify as an expert on satanism to prove the government's theory that the murders were committed by Satan worshippers.

The new hearing comes after a wide-ranging federal appeal of Echols' death sentence.

Testimony from forensic experts in the appeal also claim the mutilation of one of the boys likely came from an animal after their deaths rather than prosecutors' claims about satanic rituals.

LOAD-DATE: August 21, 2008

EXHIBIT A-17



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

June 26, 2008 Thursday 7:37 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 540 words

HEADLINE: Ark. court denies defense requests in boys murder case

BYLINE: By PEGGY HARRIS, Associated Press Writer

DATELINE: LITTLE ROCK Ark.

BODY:

The Arkansas Supreme Court denied requests Thursday from defense lawyers seeking to expand what a circuit judge can consider this fall in reviewing cases against their clients in the murders of three West Memphis boys.

Without comment, the Supreme Court denied the petitions from convicted killers Jason Baldwin and Jessie Misskelley. But the ruling allows the defense to renew the requests later.

Baldwin, Misskelley, and Damien Echols were teenagers when the 8-year-old boys were found dead in a ditch near their neighborhood a day after they went missing May 5, 1993, in West Memphis, a suburb of Memphis, Tenn.

The boys, Steven Branch, Michael Moore, and Christopher Byers, showed signs of suffering severe beatings, and their hands were bound to their legs by shoelaces.

Baldwin and Echols were tried in Craighead County and convicted of capital murder. Baldwin was sentenced to life in prison without parole. Echols was given the death penalty.

Misskelley was tried in Clay County, convicted of first-degree murder in Moore's death and second-degree murder in the deaths of the other two boys. He was sentenced to life plus 40 years.

Circuit Judge David Burnett, the original trial judge, plans to review claims by the defense in September of new evidence that they say exonerates their clients. Burnett has ordered lawyers in the case not to talk about it to the public.

In the rulings Thursday, the Supreme Court denied two similar petitions from lawyers for Baldwin and Misskelley, asking that the court allow Burnett to consider evidence that they say was kept from trial lawyers and the jury.

Among that information, they say, is evidence that the police and possibly the prosecution considered that animals caused the injuries found on the victims' bodies that the prosecution says was caused by a knife; and that at least two witnesses told police the likely murder weapon was thrown into a lake before the murders not afterward as presented at trial.

Also, the defense says, there was information that would have raised doubts about testimony from the prosecution's DNA expert, Michael Deguglielmo, but trial lawyers did not have that information. In addition, the DNA testing 15 years ago could not have produced the details needed to support the state's case against their clients, the defense lawyers said.

In Baldwin's petition, the lawyers claim that staff and inmates of a jail where Baldwin was held after his arrest now say they never heard him make incriminating statements that a prosecution witness said Baldwin made.

Misskelley's petition also alleges that the only witness who corroborated Misskelley's statements to police that he engaged in "cult" activities now says she was under duress and made up the story.

In responding to the petitions, Senior Assistant Attorney General David R. Raupp characterized the requests as "a fishing expedition" and said the defense had no proof but only "tentative allegations" that evidence was withheld from the trial lawyers.

Urging the Supreme Court to deny the petitions, Raupp wrote earlier this month: "There is no end to the kind of 'development since conviction' that could be cast as a withheld-evidence allegation after many years. The Court should end the petitioner's effort here."

LOAD-DATE: June 27, 2008

EXHIBIT A-18



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

April 15, 2008 Tuesday 6:03 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 516 words

HEADLINE: Hearing set for men convicted in 1993 WM slayings

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

Lurid details and accounts of Satanism filled the trials of the men convicted in the 1993 slayings of three West Memphis boys.

Now, court hearings on appeals by Jason Baldwin, Damien Echols and Jessie Misskelley will focus on DNA evidence unable to be analyzed at the time of their convictions almost 15 years ago.

Judge David Burnett, who in March 1994 accepted a jury's recommendation to give Echols the death penalty and Baldwin life in prison without parole, will hold a hearing Tuesday about the appeals. And if it weren't for two documentaries, Web sites and rock band support of the "West Memphis Three," the case would have faded away, said Jeffrey Walker, a criminology professor at the University of Arkansas at Little Rock.

"If it wasn't the 'West Memphis Three,' if it wasn't the West Memphis killings and it wasn't the attention this had been given, (the appeal) wouldn't be heard," Walker said.

Police found the bodies of 8-year-olds Stevie Branch, Christopher Byers and Michael Moore a day after the boys disappeared from their quiet, tree-lined neighborhood May 5, 1993. Their hands bound to their legs by shoelaces, the boys showed signs of suffering severe beatings before being left in a drainage ditch.

A month passed and the community posted a \$30,000 reward before police arrested the three teens. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. A separate jury gave Misskelley, who refused to testify against the other two, a life-plus-40-year sentence for the killings.

The hearing comes after a wide-ranging federal appeal of Echols' death sentence. Echols' attorneys point to DNA evidence tests that showed no trace of the three convicted in the killings. Testimony from forensic experts in the appeal claim the mutilation of one of the boys likely came from an animal after their deaths rather than prosecutors' claims about satanic rituals.

U.S. District Court Judge William R. Wilson Jr. ruled in November that claims about the DNA evidence first needed to be heard in state courts. That ruling in itself was "unusual" for a federal habeas corpus petition, the standard appeal by the imprisoned to have their convictions reviewed, Walker said.

"Any time you've got a high-profile case like this, what I would suggest is, if it has any influence in the justice process, it's more likely to get picked up for an appeal or it's more likely to be heard," he said. "It will be ruled, or should be, on the facts. But sometimes, a case that wouldn't get heard on an appeal will if it's got a lot of publicity like this one."

Separate appeals with Baldwin and Misskelley also will be considered by Burnett. The one-day hearing Tuesday likely will focus on scheduling, though Burnett could offer an idea of what he will consider from Echols' 188-page appeal and several hundred of pages of addendums and reports.

The three men, all serving their sentence at the state's Varner Unit, will not attend Tuesday's hearing, said Dina Tyler, a spokeswoman for the Arkansas Department of Correction.

LOAD-DATE: April 16, 2008

EXHIBIT A-19



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

April 15, 2008 Tuesday 9:00 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 843 words

HEADLINE: News briefs from around Tennessee at 4:58 a.m. EDT

BODY:

Bredesen has signed 126 bills into law

NASHVILLE, Tenn. (AP) Gov. Phil Bredesen has already signed 126 bills into law, including measures requiring toll facilities in Tennessee be operated by American-owned companies, banning cars from parking on highway ramps and increasing the font size for birth dates on driver's licenses.

Bredesen has also signed legislation aimed at preventing theft of metals like copper. The proposal, which unanimously passed both chambers of the Legislature, requires scrap dealers to register with the state and for sellers to show a photo ID and submit a thumb print.

Supporters argue the law is necessary because as the price of copper has increased, thieves have responded by stripping buildings and air conditioners for lengths of copper pipes and other metals.

The governor has 10 days to sign or veto bills after they reach his desk. He can also allow bills to become laws without his signature. Most laws go into effect on July 1.

Bredesen has signed into law a bill inspired by parents' frustration over tickets to last year's "Hannah Montana" tour being snapped up by scalpers and sold at a hefty profit.

Starting in July, scalpers who use software to breach online security measures to buy tickets and then sell them for profit could be fined up to \$5,000.

Brad Paisley, Sugarland lead nominees for CMT Awards

NASHVILLE, Tenn. (AP) Brad Paisley's "Online" leads the list of nominees for Monday's Country Music Television awards, which will be hosted by "Hannah Montana" star Miley Cyrus and her father, country singer Billy Ray Cyrus.

"Online" is up for video of the year, male video of the year, comedy video and supporting character for actor Jason Alexander, who plays a nerdy character who fantasizes about being Paisley.

The former "Seinfeld" star also directed the video.

Sugarland's "Stay" is nominated for video of the year, duo video and tearjerker video. The duo also is nominated for its performance of "Stay" during last year's show.

Carrie Underwood, Kellie Pickler, Kenny Chesney, LeAnn Rimes, Rascal Flatts, Taylor Swift and Trace Adkins all received three nominations apiece.

Director Shaun Silva has four nominations: One for video director of the year and three for his work on video of the year candidates "Stay," "Don't Blink" by Chesney and "Take Me There" by Rascal Flatts.

More Tennesseans applying for food stamps

CHATTANOOGA, Tenn. (AP) Officials say an increasing number of Tennesseans are participating in the federal food stamp program.

About 407,000 households nearly 6 percent more families than during the same period in 2007 applied for food stamps last month in Tennessee.

The Congressional Budget Office, the financial analysis arm of Congress, predicts 28 million Americans will be enrolled in the program by next year, up from 26.5 million in 2007.

The increase in food stamp applicants is being blamed on growing unemployment rates and rising gas and food prices.

The program was created in the 1960s to help feed low-income families. Eligibility is determined by taking into account income levels, household expenses and asset holdings. The average recipient gets \$99 a month.

Poverty and nutrition experts contend food stamps don't go as far as they used to. They note the U.S. Department of Agriculture estimated monthly grocery costs for low-income families rose 7.2 percent last year, while the average food stamp benefit grew only 4.8 percent.

Hearing set for men convicted in 1993 WM slayings

JONESBORO, Ark. (AP) Lurid details and accounts of Satanism filled the trials of the men convicted in the 1993 slayings of three West Memphis boys.

Now, court hearings on appeals by Jason Baldwin, Damien Echols and Jessie Misskelley will focus on DNA evidence unable to be analyzed at the time of their convictions almost 15 years ago.

Judge David Burnett, who in March 1994 accepted a jury's recommendation to give Echols the death penalty and Baldwin life in prison without parole, will hold a hearing Tuesday about the appeals. And if it weren't for two documentaries, Web sites and rock band support of the "West Memphis Three," the case would have faded away, said Jeffrey Walker, a criminology professor at the University of Arkansas at Little Rock.

"If it wasn't the 'West Memphis Three,' if it wasn't the West Memphis killings and it wasn't the attention this had been given, (the appeal) wouldn't be heard," Walker said.

Police found the bodies of 8-year-olds Stevie Branch, Christopher Byers and Michael Moore a day after the boys disappeared from their quiet, tree-lined neighborhood May 5, 1993. Their hands bound to their legs by shoelaces, the boys showed signs of suffering severe beatings before being left in a drainage ditch.

A month passed and the community posted a \$30,000 reward before police arrested the three teens. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. A separate jury gave Misskelley, who refused to testify against the other two, a life-plus-40-year sentence for the killings.

LOAD-DATE: April 16, 2008

EXHIBIT A-20



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

April 15, 2008 Tuesday 3:02 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 614 words

HEADLINE: Appeals hearing begins in 1993 boys' slayings

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: JONESBORO Ark.

BODY:

The trial judge in the case of three men accused as teenagers of killing three West Memphis second graders began a hearing Tuesday on their appeal almost 15 years after their convictions.

Circuit Judge David Burnett began the one-day hearing before five lawyers for Damien Echols, Jason Baldwin, and Jessie Misskelley. And Prosecutor Brent Davis, who successfully prosecuted the case against the three for the 1993 murders of Steven Branch, Michael Moore, and Christopher Byers, returned to the courtroom to counter their arguments.

Security was noticeable at the Craighead County Courthouse Annex. Sheriff Jack McCann and several of his deputies scrutinized people as they waited for the hearing to begin.

Inside the small courtroom, supporters of the convicted men filled five wooden benches. Among them was Lorrie Davis, Echols' wife. None of the three men were present.

Lurid details and accounts of Satanism filled their original trials. Burnett, in March 1994, accepted a jury's recommendation to give Echols the death penalty and Baldwin life in prison without parole. Misskelley was sentenced to life plus 40 years in a separate trial.

Now, appeals hearings will focus on DNA evidence unable to be analyzed at the time of their convictions.

And if it weren't for two documentaries, Web sites and rock band support of the so-called West Memphis Three, the case would have faded away, said Jeffrey Walker, a criminology professor at the University of Arkansas at Little Rock.

"If it wasn't the 'West Memphis Three,' if it wasn't the West Memphis killings and it wasn't the attention this had been given, (the appeal) wouldn't be heard," Walker said.

Police found the bodies of the 8-year-old boys a day after they disappeared from their quiet, tree-lined neighborhood May 5, 1993. Their hands bound to their legs by shoelaces, the boys showed signs of suffering severe beatings before being left in a drainage ditch.

A month passed and the community posted a \$30,000 reward before police arrested the three teens. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. Misskelley later refused to testify against his co-defendants.

The hearing comes after a wide-ranging federal appeal of Echols' death sentence. Echols' attorneys point to DNA evidence tests that showed no trace of the three convicted in the killings. Testimony from forensic experts in the appeal

claim the mutilation of one of the boys likely came from an animal after their deaths rather than prosecutors' claims about satanic rituals.

U.S. District Court Judge William R. Wilson Jr. ruled in November that claims about the DNA evidence first needed to be heard in state courts. That ruling in itself was "unusual" for a federal habeas corpus petition, the standard appeal by the imprisoned to have their convictions reviewed, Walker said.

"Any time you've got a high-profile case like this, what I would suggest is, if it has any influence in the justice process, it's more likely to get picked up for an appeal or it's more likely to be heard," he said. "It will be ruled, or should be, on the facts. But sometimes, a case that wouldn't get heard on an appeal will if it's got a lot of publicity like this one."

Separate appeals with Baldwin and Misskelley also will be considered by Burnett. The hearing Tuesday likely will focus on scheduling, though Burnett could offer an idea of what he will consider from Echols' 188-page appeal and several hundred of pages of addendums and reports.

The three men are serving their sentence at the state's Varner Unit, said Dina Tyler, a spokeswoman for the Arkansas Department of Correction.

LOAD-DATE: April 16, 2008

EXHIBIT A-21



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

February 29, 2008 Friday 9:04 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 421 words

HEADLINE: April hearing planned in new appeal of 1993 WM killing case

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

An appeal by one of the men convicted as teenagers in the 1993 slayings of three 8-year-old West Memphis boys will go before a judge in April, the first hearing in nearly a decade to consider questions about the evidence that convicted him, his attorney said.

Dennis Riordan, a lawyer representing death-row inmate Damien Echols, said the hearing has been set by Circuit Judge David Burnett for April 14 in Craighead County Circuit Court at Jonesboro. The hearing, initially planned to examine all the evidence in Echols' wide-ranging appeal, likely will focus only on setting a schedule for the case.

However, Riordan said it had been a while since lawyers stood before a judge arguing over the case's evidence.

"It was not this century," Riordan said.

Echols, now 33, was sentenced to death for the slayings of Stevie Branch, Christopher Byers and Michael Moore. Jason Baldwin, now 30, received a life sentence without parole, while Jessie Misskelley, now 32, received a life-plus-40-year sentence for the killings.

The three victims disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood. The bodies of the three Cub Scouts were found the next day in a watery ditch near their homes.

The Arkansas Supreme Court later upheld the convictions, but a documentary on the killings sparked interest across the Internet.

In October, Echols filed a new appeal claiming that DNA evidence newly able to be tested from the crime scene showed no trace of the three convicted in the killings. The appeal also included evidence from forensic experts saying the mutilation of one of the boys likely was performed by an animal after the boys were killed.

A federal judge ordered that the appeal first be heard in state courts. In the time since that order, attorneys have worked toward having a full evidentiary hearing in late spring. However, that proved impossible as prosecutors continue to work their way through Echols' nearly 200-page brief, Riordan said.

Echols' new appeal hasn't even been filed yet in the state court, Riordan said, in part because lawyers plan to include new evidence they recently gathered. He said other DNA tests have not been finished.

Riordan said lawyers for all the men and prosecutors agreed to file a statement to Burnett asking him to hold the April hearing regardless.

April hearing planned in new .l of 1993 WM killing case The Associated State & Local Wire February 29,
2008 Friday 9:04 AM GMT

"The thrust of the statement is that there are still discovery motions and petitions we're talking about ... that have not been filed," Riordan said. "What makes sense is to appear April 14 to set out a schedule."

LOAD-DATE: March 1, 2008

EXHIBIT A-22



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

January 24, 2008 Thursday 9:02 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 414 words

HEADLINE: Lawyers: Funding agreement reached in West Memphis slaying case

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

Lawyers representing the men convicted in the 1993 slayings of three boys in West Memphis said Wednesday they had reached an agreement on how donations should be funneled to their defense.

The announcement comes after another group was formed to raise money for the three men, who sympathizers refer to as the "West Memphis Three."

In a letter to supporters, the lawyers wrote that "all have benefited" from recent DNA testing done for an appeal on behalf of death-row inmate Damien Echols. A fund accepting donations from a supporters' Web site for the three covered costs of the tests, which ran "more than a hundred thousand dollars."

"We can assure supporters that arrangements are being made to ensure that future contributions will be used to meet the needs of all our clients as they prepare for further legal proceedings in state court," the letter read.

Echols, now 33, was sentenced to death for the slayings of Stevie Branch, Christopher Byers and Michael Moore. Jason Baldwin, 30, received a life sentence without parole, while Jessie Misskelley, 32, received a life-plus-40-year sentence for the killings.

The three victims disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood. The bodies of the three Cub Scouts were found the next day in a watery ditch near their homes.

John Philipsborn, a longtime attorney for Baldwin, previously said he hadn't seen any of the recent large donations that have come into the trust and legal defense fund in Echols' name, which is controlled by his wife Lorri Davis. Wednesday, Philipsborn said lawyers had held "several days of productive discussions" about the funding before issuing the letter.

"The process has been improved for all concerned," he said.

Dennis Riordan, an attorney for Echols, declined to elaborate.

Other supporters recently launched a group called The West Memphis Three Innocence Project, aiming to create a nonprofit group to equally fund defense efforts for all three men. Statements attributed to Baldwin and Echols on a Web site about the case said the men wouldn't accept any funds from the new group.

"We're tentatively optimistic about the possibility of changes being made, and hope that a resolution can occur quickly," Kelly Duda, a member of a group that organized the new project, said Wednesday after the announcement by the lawyers.

On the Net:

Supporters' Web site with Echols' fund: <http://www.wm3.org>

The West Memphis 3 Innocence Project: <http://www.wm3innocenceproject.com>

LOAD-DATE: January 25, 2008

EXHIBIT A-23



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

January 24, 2008 Thursday 10:00 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 955 words

HEADLINE: News briefs from around Tennessee at 4:58 a.m. EST;
Thursday, January 24, 2008

BODY:

Finish Line, UBS to appeal order on \$1.5B Genesco buyout

NASHVILLE, Tenn. (AP) Mall retailer Finish Line Inc. and investment bank UBS AG plan to appeal a Nashville judge's order that a \$1.5 billion purchase of Genesco must go through.

Finish Line and UBS want a Tennessee appeals court to decide the case before the March 3 start of a separate federal lawsuit filed New York.

UBS, which agreed to finance all but \$11 million of the buyout, wants its commitment declared void because the Swiss bank argues the combined Genesco-Finish Line entity would become insolvent.

Indianapolis-based Finish Line and UBS say in documents filed in Nashville Chancery Court late last week that a successful appeal could make the New York case unnecessary.

They also argue that an appeal would be problematic if Genesco prevails in the New York case, because UBS' commitment letter expires on April 30 and Finish Line would likely be forced to consummate the buyout.

"Unwinding the merger would be a complex undertaking with likely irreparable harm to all parties," according to Finish Line's filing.

Senate Democrats, Republicans spar on proposed abortion measure

NASHVILLE, Tenn. (AP) Democrats are criticizing several Senate Republicans they say supported abortions under certain circumstances but have changed their stances in a proposal to dial back constitutional protections for abortion rights in Tennessee.

The legislation sponsored by Sen. Diane Black, a Gallatin Republican, seeks to nullify a state Supreme Court ruling that the Tennessee Constitution offers greater protection for abortion rights than the U.S. Constitution. The Senate is scheduled to take up the proposal on Thursday.

Democrats cited a 2002 Project Vote Smart survey in which Black then a member of the House said that "abortions should be legal when the pregnancy resulted from incest or rape" and "abortions should be legal when the life of the woman is endangered." At least four other Republicans agreed with the latter, according to the survey.

However, earlier this month, Black was among Republicans who voted against a Democratic-sponsored amendment that would protect abortions in the same instances for which she cited in the survey.

"Actions speak louder than words, and by their actions, Black and her Republican colleagues have shown that they are extremists on this subject and completely out of touch with the opinions of the majority of Tennesseans," said Sen. Joe Haynes of Goodlettsville and chairman of the Democratic Caucus.

Black, who heads the Republican Caucus, called Haynes' attacks disingenuous and said he and other Democrats are trying to thwart any efforts to provide reasonable protections for women.

AP IMPACT: Drought could force nuclear plants to shut down

LAKE NORMAN, N.C. (AP) Nuclear reactors across the Southeast could be forced to throttle back or temporarily shut down later this year because drought is drying up the rivers and lakes that supply power plants with the awesome amounts of cooling water they need to operate.

Utility officials say such shutdowns probably wouldn't result in blackouts. But they could lead to shockingly higher electric bills for millions of Southerners, because the region's utilities may be forced to buy expensive replacement power from other energy companies.

Already, there has been one brief, drought-related shutdown, at a reactor in Alabama over the summer.

"Water is the nuclear industry's Achilles' heel," said Jim Warren, executive director of N.C. Waste Awareness and Reduction Network, an environmental group critical of nuclear power. "You need a lot of water to operate nuclear plants." He added: "This is becoming a crisis."

An Associated Press analysis of the nation's 104 nuclear reactors found that 24 are in areas experiencing the most severe levels of drought. All but two are built on the shores of lakes and rivers and rely on submerged intake pipes to draw billions of gallons of water for use in cooling and condensing steam after it has turned the plants' turbines.

Because of the yearlong dry spell gripping the region, the water levels on those lakes and rivers are getting close to the minimums set by the Nuclear Regulatory Commission. Over the next several months, the water could drop below the intake pipes altogether. Or the shallow water could become too hot under the sun to use as coolant.

Lawyers: Funding agreement reached in West Memphis slaying case

LITTLE ROCK (AP) Lawyers representing the men convicted in the 1993 slayings of three boys in West Memphis said Wednesday they had reached an agreement on how donations should be funneled to their defense.

The announcement comes after another group was formed to raise money for the three men, who sympathizers refer to as the "West Memphis Three."

In a letter to supporters, the lawyers wrote that "all have benefited" from recent DNA testing done for an appeal on behalf of death-row inmate Damien Echols. A fund accepting donations from a supporters' Web site for the three covered costs of the tests, which ran "more than a hundred thousand dollars."

"We can assure supporters that arrangements are being made to ensure that future contributions will be used to meet the needs of all our clients as they prepare for further legal proceedings in state court," the letter read.

Echols, now 33, was sentenced to death for the slayings of Stevie Branch, Christopher Byers and Michael Moore. Jason Baldwin, 30, received a life sentence without parole, while Jessie Misskelley, 32, received a life-plus-40-year sentence for the killings.

The three victims disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood. The bodies of the three Cub Scouts were found the next day in a watery ditch near their homes.

LOAD-DATE: January 25, 2008

EXHIBIT A-24



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

January 18, 2008 Friday 3:59 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 749 words

HEADLINE: Attorney: Fund for 1993 slaying suspects not going equally to all

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK Ark.

BODY:

Supporters of the three teens convicted in the brutal 1993 slayings of three West Memphis boys say they've raised more than \$1 million for their court appeals from rock star donors and the Internet-savvy.

But a longtime attorney for Jason Baldwin says he and those defending Jessie Misskelley haven't seen any of the recent large donations that have come into the trust and legal defense funds of death-row inmate Damien Echols. Meanwhile, other supporters of the men known to sympathizers as the "West Memphis Three" are setting up a nonprofit corporation to funnel donations equally to the three.

"What we're talking about here is simple and uncontroversial it's about accountability and it's about transparency," said Kelly Duda of a new group called The West Memphis Three Innocence Project. "This is about making sure there are sufficient funds to support all three men, not just one."

John Philipsborn, a San Francisco lawyer for Baldwin, said he took the case after rock band Pearl Jam and punk rocker Henry Rollins raised money for DNA testing of evidence from the killings. That money, which Philipsborn described as entering the "tens of thousands" of dollars, came six years ago along with a small lump sum for the attorneys on the case.

Since then, Philipsborn said he and attorneys representing Misskelley haven't seen matching funding, though an Internet site about the case asks supporters to donate to the "Damien Echols Trust Fund."

"If a million dollars has been raised, I know nothing about that," Philipsborn told The Associated Press from Honolulu. "I think it is fair to say after the amazing generosity of Pearl Jam and Henry Rollins, the non-Echols teams have not seen a lot of funding."

Dennis Riordan, a San Francisco lawyer representing Echols, said he had canceled checks sent to Philipsborn's law firm for more than \$10,000 in 2005 and 2006. Philipsborn said the money was used to pay investigators working on the case. Riordan said much of the money raised went to forensic testing and experts used during Echols' recent appeal in federal court.

"There is none of that testing and the result of it that favors any defendant more or less than any other defendant," Riordan said.

Riordan said Echols' wife Lorri Davis signs the checks that come out of the bank account for donations. Davis did not return calls for comment Thursday.

Echols, now 33, was sentenced to death for the slayings of Stevie Branch, Christopher Byers and Michael Moore. Baldwin, 30, received a life sentence without parole, while Misskelley, 32, received a life-plus-40-year sentence for the killings.

The three victims disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood. The bodies of the three Cub Scouts were found the next day in a watery ditch near their homes.

Police arrested the three teenagers after a confession by Misskelley in which he described how he watched Baldwin and Echols sexually assault and beat two of the boys. Misskelley said he ran down another boy trying to escape. Prosecutors say the killings stemmed from the teens' participation in a satanic cult.

The Arkansas Supreme Court upheld the convictions, but a later documentary about the case sparked interest across the Internet, as well as among celebrities. Last month, about 150 supporters of the men, including Dixie Chicks lead singer Natalie Maines, rallied on the steps of the state Capitol.

Echols' appeal claims that evidence from the crime scene that could be tested for DNA showed no sign of the three convicted in the killings. The appeal also includes testimony from forensic experts saying the genital mutilation that one victim suffered came from animals rather than a knife blade. However, Arkansas Attorney General Dustin McDaniel said Wednesday that none of the new evidence exonerated the three.

The West Memphis 3 Innocence Project filed with the Secretary of State's office last month as a nonprofit corporation. The group says it will file to become a federally recognized nonprofit in the coming days and post its application on its Web site.

While Echols faces execution, Duda said it makes no sense to pour money only into his legal defense.

"Each man has his separate issues on appeal that he has to face and will have to successfully overcome to walk out of prison," Duda said. "And they walk out of prison through different doors."

On the Net:

Supporters' Web site with Echols' fund: <http://www.wm3.org>

The West Memphis 3 Innocence Project: <http://www.wm3innocenceproject.com>

LOAD-DATE: January 19, 2008

EXHIBIT A-25



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

January 17, 2008 Thursday 7:01 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 521 words

HEADLINE: Ark. AG slams 'misleading' campaign in West Memphis slayings

BYLINE: By ANDREW DeMILLO, Associated Press Writer

DATELINE: LITTLE ROCK Ark.

BODY:

Attorney General Dustin McDaniel said Wednesday that he hasn't seen any evidence exonerating the three teens convicted in the brutal 1993 killings of three 8-year-old boys in West Memphis, slamming their supporters for running a "misleading" campaign.

"I'm growing increasingly frustrated by what I see as a misleading press campaign to suggest that there's new DNA evidence that in some way exonerates these boys that a jury found guilty and whose appeals they all lost. There is no new DNA evidence that exonerates these boys at all," McDaniel told reporters.

"If there was any new evidence that exonerated the defendants, I would be the first one to start approaching the governor on options on bringing justice to the matter. But I've seen nothing, at this point, that leads me to believe that Judge (David) Burnett should on the basis of newly discovered scientific evidence grant a new trial," McDaniel said.

Lawyers for Damien Echols say they plan to bring a new appeal to a state judge by the middle of next month. The decision comes after U.S. District Court Judge William R. Wilson Jr. asked Echols to present parts of his new wide-ranging appeal to state courts before seeking relief from federal courts.

Echols, now 33, was sentenced to death for the slayings of Stevie Branch, Christopher Byers and Michael Moore. Co-defendant Jason Baldwin received a life sentence without parole, while Jessie Misskelley received a life-plus-40-year sentence for the killings.

The three victims disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood. The bodies of the three Cub Scouts were found the next day in a watery ditch near their homes.

Police arrested the three teenagers after a confession by Misskelley in which he described how he watched Baldwin and Echols sexually assault and beat two of the boys. Misskelley said he ran down another boy trying to escape. Prosecutors say the killings stemmed from the teens' participation in a satanic cult.

The Arkansas Supreme Court upheld the convictions, but a later documentary about the case sparked interest across the Internet, as well as among celebrities. Last month, about 150 supporters of the "West Memphis Three," including Dixie Chicks lead singer Natalie Maines, rallied on the steps of the state Capitol.

Echols' attorneys say much of the DNA testing ordered by the Craighead County Circuit Court in 2005 has been completed. Echols' new appeal claims evidence tested from the crime scene showed no traces of the him or the two other men convicted in slayings, though much of the evidence failed to yield reportable results. The appeal also includes testimony from forensic experts saying the genital mutilation of one of the boys likely came from an animal after their deaths.

Echols' attorneys said in a statement that the DNA evidence is still relevant even if it does not conclusively prove who didn't kill the three boys.

"The question rather is whether any reasonable jury knowing what we now know about the state of the evidence would convict the defendants today," attorneys Dennis Riordan and Donald Horgan said in a prepared statement.

LOAD-DATE: January 18, 2008

EXHIBIT A-26



Copyright 2008 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

January 4, 2008 Friday 8:51 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 371 words

HEADLINE: Defendant in 1993 West Memphis slayings plans for spring hearing

BYLINE: By JON GAMBRELL, Associated Press Writer

DATeline: LITTLE ROCK Ark.

BODY:

Lawyers for one of the three teens convicted in the brutal 1993 killings of three 8-year-old boys in West Memphis plan to bring their new appeal to a state judge by the middle of next month, a new court filing shows.

Lawyers for Damien Echols say they reached an agreement with prosecutors to hold the hearing. The decision comes after U.S. District Court Judge William R. Wilson Jr. asked Echols to present parts of his new, wide-ranging appeal to state courts before seeking relief from federal courts.

The filing by Echols' lawyers, dated Thursday, says much of the DNA testing ordered by the Craighead County Circuit Court in 2005 has been completed. Echols' new appeal claims evidence tested from the crime scene showed no traces of the him or the two other men convicted in slayings, though much of the evidence failed to yield reportable results. The appeal also includes testimony from forensic experts saying the genital mutilation of one of the boys likely came from an animal after their deaths.

Echols' lawyers say they plan to file the appeal with the circuit court by Feb. 15, giving prosecutors time to examine the evidence before a hearing in late spring.

Echols, now 33, was sentenced to death over the slayings of Stevie Branch, Christopher Byers and Michael Moore. Co-defendant Jason Baldwin received a life sentence without parole, while Jessie Misskelley received a life-plus-40-year sentence for the killings.

The three victims disappeared while riding bicycles in their quiet, tree-lined neighborhood May 5, 1993. The bodies of the three Cub Scouts were found the next day in a watery ditch near their homes.

Police arrested the three after a confession by Misskelley in which he described how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. Prosecutors describe the killings as coming from the teens' participation in a satanic cult.

The Arkansas Supreme Court upheld the convictions, but a later documentary about the case sparked interest across the Internet, as well as among celebrities. Last month, about 150 supporters of the "West Memphis Three," including Dixie Chicks lead singer Natalie Maines, rallied on the steps of the state Capitol.

LOAD-DATE: January 5, 2008

EXHIBIT A-27



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

December 20, 2007 Thursday 9:05 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 689 words

HEADLINE: Supporters rally for three convicted in West Memphis slayings

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

Panels of postcards supporting an effort to free three men convicted in the 1993 sexually charged slayings of three 8-year-old boys in West Memphis stretched up the state Capitol steps Wednesday as sympathizers of the imprisoned trio gathered to call for their release.

About 150 people rallied on the state Capitol steps for Jason Baldwin, Damien Echols and Jessie Misskelley known to supporters as the "West Memphis Three." As television cameras rolled, Dixie Chicks lead singer Natalie Maines and Echols' wife took to a stage to declare the three's innocence in the killings of Stevie Branch, Christopher Byers and Michael Moore.

"You want to do anything you can to right this wrong," said Maines, whose earlier criticisms of President Bush sparked outrage from many country music listeners. "I'm just amazed that these guys are still in prison and have turned into men in prison."

The singer and Echols' wife Lorri Davis strode up the steps after the rally and into the Capitol, holding a 15-minute meeting with representatives of Gov. Mike Beebe's office. Beebe spokesman Matt DeCamp said several officials, including the governor's general counsel, attended the meeting and discussed what steps could be taken as an appeal by Echols moves through the courts.

DeCamp said supporters mentioned the possibility of the governor offering clemency to the three, something Beebe has said he's "absolutely" against.

"There's nothing we can do at this stage," DeCamp said. "It's on the judicial side."

Police found the bodies of the three Cub Scouts a day after they disappeared from their quiet, tree-lined neighborhood May 5, 1993. Police arrested the three after a confession by Misskelley in which he described how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape. A jury gave Misskelley a life-plus-40-year sentence for the killings. A later jury gave Baldwin a life sentence without parole. Echols, then 19, the oldest of the three, received the death penalty.

The Arkansas Supreme Court later upheld the convictions, but a later documentary sparked interest across the Internet, as well as among celebrities like Maines who felt the teens were railroaded by police for their interest in heavy metal and the occult. Supporters say they raised more than \$1 million for a legal defense fund for the three, enough to fund lawyers, new DNA testing and a second federal appeal on behalf of Echols.

Echols' new appeal claims DNA evidence able to be tested showed no trace of the three convicted in the killings. It also includes testimony from forensic experts saying the mutilation of one of the boys likely came from an animal after their deaths.

Peals, of Metallica's "Sad But True," and the Dixie Chicks' "Not Ready To Make Nice" filled the front steps of the Capitol as supporters readied for the rally. They unfurled a long banner of postcards supporting the effort to free the trio. Some cards were postmarked in England, Germany and the Netherlands, while others showed the skylines of Chicago, Cleveland, Ohio, and Portland, Ore.

Supporter Kody Bradshaw, 19, said he and his mother purchased T-shirts and bracelets to support the three men. He stopped to look at a postcard signed by Scott Ian, a guitarist for rock band Anthrax.

"They were listening to Metallica, they were listening to the music they liked," said Bradshaw, from Gurdon. "I feel blessed to be an avid, open supporter in my town. We live smack in the middle of the Bible Belt."

Justin Wright, 25, of Little Rock, wore all black to the rally.

"I remember everything that took place," Wright said, who was 11 in 1993. "My mom was one of those, all the way from Little Rock, who labeled them" monsters.

Filmmakers Joe Berlinger and Bruce Sinofsky, who shot the HBO documentary on the case called "Paradise Lost: The Child Murders at Robin Hood Hills" and its sequel, also were on hand. Berlinger said the two plan a third film on the case, but wanted to wait for some resolution before putting it together.

"We don't want to make a 'Paradise Lost 4,'" he said.

On the Net:

Supporters' Web site: <http://www.wm3.org>

LOAD-DATE: December 21, 2007

EXHIBIT A-28



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

December 19, 2007 Wednesday 5:59 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 1499 words

HEADLINE: Supporters bring West Memphis case back to fore

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

An effort to free three men convicted as teenagers in the sexually charged slayings of three 8-year-old boys has moved from Internet forums and the mouths of rock stars to the front steps of the Arkansas state Capitol.

Supporters of Jason Baldwin, Damien Echols and Jessie Misskelley known to sympathizers as the "West Memphis Three" rallied Wednesday in support of the men they fear prosecutors and a small-town police force railroaded into prison because of the teens' interest in heavy metal music and the occult. About 100 supporters gathered at the Capitol and unfurled a banner of postcards asking for the men to be freed.

"They are sensitive and thoughtful and smart," said supporter Lisa Fancher, who runs a punk rock record label in Los Angeles. "You just can't believe they're stuck like that."

However, the state's highest court ruled juries convicted the three because of Misskelley's detailed confession not a prosecutor's claim that the three killed Stevie Branch, Christopher Byers and Michael Moore in 1993 for satanic purposes.

"Echols reports being told in the hospital that he would be another Charles Manson or Ted Bundy," an Arkansas Supreme Court opinion affirming his death sentence reads, citing a psychologist's notes. "When questioned on his feelings, he states, 'I know I'm going to influence the world. People will remember me.'"

The killings shocked West Memphis, a blue-collar town just across the Mississippi River from bustling Memphis, Tenn. Police found the bodies of the three Cub Scouts a day after they disappeared from their quiet, tree-lined neighborhood May 5, 1993. Their hands bound to their legs by shoelaces, the boys showed signs of suffering severe beatings before being left in a drainage ditch. One boy was sexually mutilated.

A month passed and the community posted a \$30,000 reward before police arrested the three teens. Misskelley told investigators how he watched Baldwin and Echols sexually assault and beat two of the boys as he ran down another trying to escape.

A jury gave Misskelley a life-plus-40-year sentence for the killings. A later jury gave Baldwin a life sentence without parole. Echols, then 19, the oldest of the three, received the death penalty.

Newspapers across the country featured the case, including testimony and prosecutors' allegations that the boys acted as part of a satanic cult, eating the hind legs of dogs and participating in sex orgies. The case might have faded from interest, however, if two documentary filmmakers hadn't read an early account of the killings in The New York Times.

The two filmmakers, Joe Berlinger and Bruce Sinofsky, shot "Paradise Lost: The Child Murders at Robin Hood Hills," during the trials. The film, shown on HBO, includes taped strategy sessions by both prosecutors and defense attorneys for the teens. It also galvanized supporters, especially for Echols.

Larry Salinger, a criminology and sociology professor at Arkansas State University in Jonesboro, said preconceived notions about Southern justice, formed from the civil rights movement and the stereotype of small-town sheriffs, provided film viewers with a means to immediately discount prosecutors. "The justice system works," Salinger said.

Since the film's release, Echols' art made from old magazines and prison-issued razors has sold at auctions benefiting the three's defense fund. Echols contributed lyrics to rock band Pearl Jam's self-titled 2006 album. Henry Rollins, frontman for punk rock band Black Flag, issued a tribute album to raise money for their defense. Comedian Margaret Cho highlighted the case several times on her personal blog, including a picture of her across from a bespectacled Echols, sitting behind prison glass.

"Damien is beautiful like a girl, with a pale, delicate complexion that is Dove Cleansing Bar-worthy," Cho wrote after a 2004 visit. "Though we have never met face to face until now, we know each other well. He is an inspiring teacher and a remarkable thinker. His writing is a constant source of wonder, especially as he lives in this terrible captivity."

The celebrity interest helps the case's notoriety, as well as the three's legal defense. In all, the fund received more than \$1 million over the last decade from celebrities and Internet donations, enough to fund lawyers, new DNA testing and a second federal appeal on behalf of Echols, said supporter Capi Peck.

The new appeal, filed in October, includes DNA tests conducted by a private laboratory in Virginia that handled bone fragments found in rubble at the World Trade Center after the Sept. 11 terror attacks. A report from the lab included in the filing shows much of the evidence failed to yield reportable results. However, on evidence that could be tested, the lab found no traces of the three convicted for the slaying, according to the recent court filings.

The filing also included claims by forensic experts saying the mutilation of the boys' bodies came from animals after their death.

A federal judge ordered state courts to examine the new claims first. The state attorney general's office has asked for more time to look over the tests and other materials.

Supporters for the men herald the recent appeal as a step toward holding a new trial. However, it is one of many appeals filed on behalf of Echols since his conviction. Echols himself initially declined to appeal his death sentence, later saying he made the decision without talking to his attorneys.

Echols' other appeals claimed his mental state stopped him from properly assisting in his 1994 joint trial with Baldwin. Echols also claims his lawyers at the time made an unfair deal with the producers of the HBO documentary, responsible for much of the attention the case received in later years.

The U.S. Supreme Court declined to hear a 1997 appeal by Echols, after the Arkansas Supreme Court roundly rejected a joint appeal filed by his and Baldwin's lawyers. That opinion cited "substantial evidence" of the two's guilt, upholding the lower court's decision to show evidence like a funeral register Echols owned, as well as a journal that contained "morbid images and references to dead children."

A psychologist who examined Echols noted the teen had "an all powerful Godlike image of himself" and once tried to "claw the eyes out" of another student before dropping out of high school.

"I kind of enjoy it because now even after I die, people are going to remember me forever. They're going to talk about me for years," a 19-year-old Echols told documentary filmmakers. "People in West Memphis will tell their kids stories. It will be like, sort of like I'm the West Memphis boogeyman. Little kids will be looking under their beds before they go to bed."

The arrests were largely based on Misskelley's confession. Defense lawyers claimed detectives coerced two taped statements out of the then-17 year old, who they described as having the mental grasp of a child. Supporters of the three point to inconsistencies how Misskelley offered the wrong times for the slayings and the wrong colors for the shoelaces that bound the second-graders.

Arkansas Supreme Court justices refused to throw out the statements in Misskelley's appeal, noting that he was advised of his rights three times during a four-hour interview with officers. The court also said Misskelley had been advised in other juvenile proceedings between 1988 and 1993 and "was no stranger to the criminal justice system."

Then-Chief Justice Bradley Jesson wrote in an unanimous opinion upholding the convictions: Misskelley's "detailed knowledge of the injuries inflicted on the boys suggests that he was in physical proximity to the activities taking place and took a much more active role than he admitted."

Jesson said some of the questioning came "perilously close to psychologically overbearing" but upheld the conviction nonetheless, saying that "numerous other factors point to the voluntariness of the confession."

Peck, a co-owner of a Little Rock restaurant, met Echols' wife Lorri Davis and eventually helped organize Arkansas Take Action, a new group focused on the case.

Wednesday, the new group will take to the steps of the state Capitol with a long banner made of postcards supporting the three and letters addressed to Gov. Mike Beebe, who is scheduled to be at another event at the time.

Scheduled to appear is a new supporter, Natalie Maines, lead singer for the Dixie Chicks. CNN's "Larry King Live" will devote an hour to the case that night, including a death-row interview with Echols.

Beebe told reporters Tuesday that supporters of the three men would be better served seeking their freedom through the courts, rather than his office. The former attorney general, who won't attend the rally, did acknowledge that DNA evidence in general brings a "level of scientific certainty that the general public really embraces."

But when asked if he would consider commuting or pardoning the three, Beebe simply said, "No, absolutely not."

On the Net:

Supporters' Web site: <http://www.wm3.org>

LOAD-DATE: December 20, 2007

EXHIBIT A-29



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

November 28, 2007 Wednesday 3:57 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 645 words

HEADLINE: Judge: State court should hear appeal in West Memphis slayings

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

A wide-ranging appeal on behalf of one of three teens convicted in the 1993 slaying of three boys in West Memphis should first be heard in state courts, a federal judge has decided.

U.S. District Court Judge William R. Wilson Jr. said lawyers representing death-row inmate Damien Echols need to present new DNA tests and other evidence to state judges first. Dennis P. Riordan, a San Francisco lawyer representing Echols, filed a 188-page brief seeking to free one of the three men known by sympathizers as the "West Memphis Three."

"After reviewing your petition and memorandum, it appears that you have not yet exhausted your state remedies," Wilson wrote in a Nov. 21 letter to lawyers in the case. "Isn't it well settled that the state courts should have an opportunity to address a petitioner's claims of constitutional error before those claims are presented to the federal court?"

Wilson said he would delay any further action in the federal case until Riordan presented the evidence to state courts. He also asked Riordan to begin filing monthly status reports on the case beginning in January.

Echols, now 32, was sentenced to death over the slayings of Stevie Branch, Christopher Byers and Michael Moore. Co-defendants Jason Baldwin and Jessie Misskelley received life sentences.

The three victims disappeared while riding bicycles in their quiet, tree-lined neighborhood May 5, 1993. Their bodies were found the next day in a watery ditch near their homes.

The state Supreme Court unanimously affirmed Baldwin and Echols' convictions in 1996, citing what it called substantial evidence of guilt.

Attorney General Dustin McDaniel said his office was aware of Wilson's decision. Though the state Supreme Court has already affirmed Echols' conviction, McDaniel said there were "other avenues available" for a state court to look over the appeal.

"We've been surprised no one has called about Judge Wilson's ruling," McDaniel said.

Riordan said the ruling wasn't totally unexpected, as federal courts want all appeals heard at the state level before considering them. Riordan said some DNA evidence claims are still before a Craighead County Circuit Court judge, while other evidence could be immediately considered by the state Supreme Court.

"The (federal) court is being very careful that all the procedures and requirements are met," Riordan said.

Lawyers for all three defendants will now work with state prosecutor Brent Davis of Jonesboro to coordinate proceedings at the state level to resolve pending issues there as well as questions raised in the petition that Wilson turned

away, Riordan said. He said currently no hearing dates have been set in the circuit court in Arkansas, and it could be months before that happens.

The October habeas corpus petition, which allows a convict to seek relief from unlawful detention, said a private laboratory in Virginia tested evidence collected on swabs, under fingernails and clothing from the 8-year-old victims. A report from the lab included in the filing shows much of the evidence failed to yield reportable results. However, on evidence able to be tested, the lab found no traces of the three convicted for the slaying.

The filing also included claims by forensic experts saying the mutilation of the bodies and castration of one of the boys came after their death. In the filing, the experts say the cuts came from animals, rather than the blade of a knife.

An HBO documentary about the killings and subsequent trials drew national attention from famous musicians and others, who donated money for the men's later appeals.

The documentary, shot with permission of the boys' attorneys and others at the time, also is noted in Echols' appeal as a reason why his conviction should be overturned. Echols now claims his attorneys' agreement with the documentary filmmakers for \$7,500 to hire experts was a conflict of interest.

LOAD-DATE: November 29, 2007

EXHIBIT A-30



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

November 2, 2007 Friday 2:51 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 343 words

HEADLINE: Lawyer focuses on unidentified hair in W. Memphis Three case

DATELINE: LITTLE ROCK Ark.

BODY:

A hair found where the bodies of three West Memphis boys were discovered in 1993 which matches none of the victims or the three teenagers convicted of killing them is among new evidence for courts and the state to consider as lawyers seek new trials for the defendants, one lawyer says.

Dennis Riordan of San Francisco, a lawyer for Damien Echols, said at a news conference Thursday that a lab analysis shows the hair might have come from a relative of one of the victims.

Echols and co-defendants Jason Baldwin and Jessie Misskelley, known by sympathizers as the "West Memphis Three," were convicted in the slayings of 8-year-olds Stevie Branch, Christopher Byers and Michael Moore. Echols, now 32, was sentenced to death while Baldwin and Misskelley received life sentences.

On Monday, Riordan filed with federal court a document citing results of DNA testing by a private laboratory that shows no trace of the defendants' DNA in evidence collected by swabs, from beneath fingernails and on clothing from the victims. However, a report from the lab included in the filing shows much of the evidence failed to yield reportable results.

On Thursday, Riordan also said a statement made to investigators by Misskelley, which implicates the three who were convicted, should be tossed out by the courts because "Misskelley was borderline retarded."

"He was told if he'd cooperate, he knew there was a reward," Riordan said. "He said one victim was choked to death, absolutely false none of the victims were choked."

The state attorney general's office said Tuesday that a review of the new DNA analyses and other evidence in the case will take some time. A spokesman for Attorney General Dustin McDaniel said state officials are seeing the evidence for the first time.

"As litigation goes, this process will likely take months and possibly years," spokesman Gabe Holmstrom said. "Indeed, counsel for Echols has taken years to develop these claims so it will take the state a fair amount of time to properly respond."

Holmstrom said the state stands behind the convictions.

LOAD-DATE: November 3, 2007

EXHIBIT A-31



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

October 31, 2007 Wednesday 8:09 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 431 words

HEADLINE: AG spokesman: Review in West Memphis appeal will take time

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

The state attorney general's office said Tuesday that a review of new DNA tests and other evidence in the case of one of the teens convicted in the 1993 slayings of three boys in West Memphis will take some time.

In a statement, a spokesman for Attorney General Dustin McDaniel said state officials are seeing the evidence put forward by lawyers representing Damien Echols for the first time.

"As litigation goes, this process will likely take months and possibly years," spokesman Gabe Holmstrom said. "Indeed, counsel for Echols has taken years to develop these claims so it will take the state a fair amount of time to properly respond."

Holmstrom said the state stands behind the convictions of Echols and co-defendants Jason Baldwin and Jessie Misskelley, known by sympathizers as the "West Memphis Three." Echols, now 32, was sentenced to death over the slayings of Stevie Branch, Christopher Byers and Michael Moore. Baldwin and Misskelley received life sentences.

In a filing Monday, San Francisco attorney Dennis P. Riordan said Bode Technology, a private laboratory in Virginia, tested evidence collected on swabs, under fingernails and clothing from the 8-year-old victims. A report from the lab included in the filing shows much of the evidence failed to yield reportable results. However, on evidence able to be tested, the lab found no traces of the three convicted for the slaying.

The legal filing of several hundred pages, which asks a federal judge to reconsider Echols' conviction, also included claims by forensic experts saying the mutilation of the bodies and castration of one of the boys came after their death. In the filing, the experts say the cuts came from animals, rather than the blade of a knife.

The three victims disappeared while riding bicycles in their quiet, tree-lined neighborhood May 5, 1993. Their bodies were found the next day in a watery ditch near their homes.

The state Supreme Court unanimously affirmed the Baldwin and Echols' convictions in 1996, citing what it called substantial evidence of guilt.

In 2002, the state Supreme Court authorized further DNA testing in the case. In 2005, the high court rejected an effort by Echols to reopen the case so he could argue that his trial lawyers mishandled his defense. And the court also said the DNA testing should be expedited.

Holmstrom said the state has 10 days to respond to Echols' request that the new evidence be considered. If the request is granted, Holmstrom said, the state would have another 20 days to file a response to the new evidence, although he expects officials to ask for more time.

LOAD-DATE: November 1, 2007

EXHIBIT A-32



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

October 30, 2007 Tuesday 2:22 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 315 words

HEADLINE: Lawyer: DNA evidence doesn't match convicted 'W. Memphis Three'

BYLINE: By JON GAMBRELL, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

DNA evidence gathered after the 1993 slayings of three boys in West Memphis does not match the three teens imprisoned for the crimes, a lawyer for one of the convicted killers said.

Dennis P. Riordan, a San Francisco attorney representing Damien Echols, said the findings should exonerate the three men known by sympathizers as the "West Memphis Three."

Riordan's filings in federal court claim Bode Technology, a private laboratory in Virginia, tested evidence collected on swabs, under fingernails and clothing from 8-year-old victims Stevie Branch, Christopher Byers and Michael Moore. The company handled DNA testing on bone fragments found in rubble at the World Trade Center after the Sept. 11 terror attacks.

A report from the lab included in the filing shows much of the evidence failed to yield reportable results. However, on evidence able to be tested, the lab found no traces of Echols or co-defendants Jason Baldwin or Jessie Misskelly.

Echols, now 32, is on death row. Baldwin and Misskelly received life sentences.

All three of those convicted were teenagers at the time of the killings. The victims disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis, and their bodies were found the next day in a watery ditch near their homes.

In 2002, the state Supreme Court authorized further DNA testing in the case.

In 2005, the high court rejected an effort by Echols to reopen the case so he could argue that his trial lawyers mishandled his defense. In that ruling, the Supreme Court also urged those involved in the case to wrap up the genetic testing authorized three years earlier.

Riordan said the state will file a response and a federal judge will decide whether to hold a hearing over their claims.

"They tend to rise and fall together," Riordan said of three. "Anything that erodes the case against any one of them" erodes it against all of them.

LOAD-DATE: October 31, 2007

EXHIBIT A-33



Copyright 2007 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

May 18, 2007 Friday 8:47 AM GMT

SECTION: STATE AND REGIONAL

LENGTH: 331 words

HEADLINE: Lawyers confer with prosecutors over DNA from West Memphis case

DATELINE: LITTLE ROCK

BODY:

A lawyer for one of three men convicted as teenagers for killing three young boys at West Memphis in 1993 met Thursday at the state Crime Lab with prosecution officials to talk about DNA evidence from the 14-year-old case.

No details of where the DNA was obtained or its possible role in the case could be obtained from any of the lawyers involved.

Those lawyers included Dennis Riordan of San Francisco, attorney for Damien Echols, convicted of capital murder in 1994 and sentenced to be executed for the slayings the year before of 8-year-olds Stevie Branch, Michael Moore, and Christopher Byers. Two co-defendants, Jessie Misskelley and Jason Baldwin, were sentenced to life in prison.

Riordan would only say after the meeting at the Crime Lab that the session was "useful and productive."

All three of those convicted were teenagers at the time of the killings. The victims disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis, and their bodies were found the next day in a watery ditch near their homes.

In 2002, the state Supreme Court authorized further DNA testing in the case, but results if obtained have not yet been revealed.

In 2005, the high court rejected an effort by Echols to reopen the case so he could argue that his trial lawyers mishandled his defense. In that ruling, the Supreme Court also urged those involved in the case to wrap up the genetic testing authorized three years earlier.

Advocates of the convicted men called by sympathizers the "West Memphis Three" argue that the West Memphis Police Department botched the case.

Baldwin, also convicted of capital murder, is serving life without parole. Misskelley, tried separately after statements to police implicating himself as well as Echols and Baldwin, was sentenced to life in prison plus 40 years after being convicted of one count of first-degree murder and two counts of second-degree murder.

Echols was 19 when the boys were killed, while Baldwin was 16 and Misskelley was 17.

LOAD-DATE: May 19, 2007

EXHIBIT A-34



Copyright 2006 Associated Press
All Rights Reserved
The Associated Press State & Local Wire

May 13, 2006 Saturday 11:45 PM GMT

SECTION: STATE AND REGIONAL

LENGTH: 712 words

HEADLINE: Art show kicks off month of events for 'West Memphis Three'

BYLINE: By JUSTIN M. NORTON, Associated Press Writer

DATELINE: SAN FRANCISCO

BODY:

An art show featuring work by an Arkansas death row inmate opened this weekend to kick off a series of events this month advocating the release of the convicted killers known as the "West Memphis Three."

Damien Echols, 31, was one of three teenagers convicted in the 1993 bludgeoning deaths of three 8-year-old boys whose bodies were found in a ditch near their homes in West Memphis, Ark.

Supporters claim Echols, Jessie Misskelley and Jason Baldwin were railroaded because they listened to heavy metal, dressed in black clothing and read Stephen King novels. The case has become a cause celebre for a host of musicians and other big names, including Pearl Jam frontman Eddie Vedder, punk rocker Henry Rollins and comedian Margaret Cho.

"I think America can do a little better for you than what they got, being thrown in prison on such intense charges with no physical evidence," said Rollins, who spoke at the art show held at the 111 Minna Gallery on Friday. "This shouldn't happen in America."

The one-night show and auction, sponsored in part by Vedder, is the first of many events planned around the country to bring attention to the 13-year-old murder case. Money raised from the art auction and other events will go to the West Memphis Three Defense Fund.

The events will culminate with screenings of films about the case and concerts on June 3.

"Touching a nerve is not enough. We will not rest until those three guys are out of jail or at the very least granted a new trial," said Jello Biafra, an activist and former vocalist of the Dead Kennedys.

Friday's show prominently featured collage art Echols has assembled in his prison cell and a performance of songs Echols co-wrote with musicians. Other artists donated work for auction.

Echols' art, including a self portrait, were crafted with old magazines and prison-issued razors. One image features a woman who appears to be blowing a kiss surrounded by several butterflies. Opening bids on some artwork were as high as \$500.00.

The bludgeoned bodies of second-graders Steven Branch, Michael Moore and Christopher Byers were found submerged in a water-filled ditch near their homes in 1993. Echols was the only of the three defendants to end up on death row, while Baldwin was given life without parole and Misskelley was sentenced to life plus 40 years.

The case, with its lurid overtones of Satanism and witchcraft, gained national prominence with an HBO film "Paradise Lost."

Echols' San Francisco-based attorney Dennis Riordan says interest in the case hasn't ebbed in more than a decade.

"These were three poor kids with no resources to defend themselves, but there's an enormous amount of political support and resources being put into it now," Riordan said.

Brent Davis, the prosecutor who handled the case, didn't return calls requesting comment Friday, although his office said he was aware of the show.

All three men are awaiting DNA test results and likely will file for a retrial to allow the test results to be entered as evidence, Riordan said. Echols also has several appeals pending in federal court.

Rollins, who held a summer tour three years ago to raise money for the men, said he identified with Echols because of his experiences growing up as an outcast simply because he was a punk rock fan in an elite Washington, D.C., area prep school. He said the men want to go back to court.

"None of them want a get out of jail free card. They want to go to court with the DNA evidence, and that to me is the voice of an innocent man," he said.

Michale Graves, former vocalist of the seminal punk band The Misfits, is touring for a month playing songs he wrote based on lyrics Echols penned in prison. The inmate also co-wrote a song called "Army Reserve" on Pearl Jam's latest album.

Graves said writing songs with Echols has been the highlight of his musical career.

"These words and these lyrics, I read them and for a brief moment I can be where Damien is at," Graves said. "With this gift I've been given, the gift of song and music, I can grab my guitar and strum some chords and everyone who hears the song can feel those emotions."

On the Net:

West Memphis Three: <http://www.wm3.org>

Skeleton Key Art: <http://www.skeletonkeyart.com>

Henry Rollins: <http://www.two1361.com>

Michale Graves: <http://www.michalegraves.net>

LOAD-DATE: May 14, 2006

EXHIBIT A-35



Copyright 2005 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

March 2, 2005, Wednesday, BC cycle

SECTION: State and Regional

LENGTH: 394 words

HEADLINE: Arkansans recently sent to death row for killings while young

BYLINE: By The Associated Press

BODY:

The U.S. Supreme Court said Tuesday the Constitution forbids the execution of convicted killers who were under age 18 when the murders occurred. The court said the practice would violate the Eighth Amendment ban on cruel and unusual punishment. While Arkansas has a law that allows such executions, it had no such inmate on death row Tuesday.

Recent Arkansans sent to death row for killings while they were between the ages of 18 and 22 include:

AGE 18

Kenneth Reams, convicted Dec. 16, 1993, in Jefferson County in the May 1993 death of Gary W. Turner at an automatic teller machine.

Damien Wayne Echols, convicted March 19, 1994, in Craighead County in the May 1993 deaths of three West Memphis 8-year-olds - Steven Branch, Christopher Byers and Michael Moore - whose bodies were found in a ditch.

Robert Robbins, convicted June 18, 1998, in Craighead County in the November 1997 slaying of his former girlfriend Bethany White, 18. He admitted choking White and breaking her neck.

AGE 19

Roderick Rankin, convicted Feb. 13, 1996, in Jefferson County in the December 1994 deaths of three members of his ex-girlfriend's family: sister Zina Reynolds, 20; mother Ernestine Halford, 44; and stepfather Nathaniel Halford, 51.

Justin Anderson, convicted Jan. 31, 2002, in Lafayette County in the October 2000 shooting death of Clara Creech, 87, the mother-in-law of then-state Rep. Russ Bennett, R-Lewisville.

AGE 20

Kingrale Collins, convicted Oct. 22, 1997, in Cross County in the May 1996 death of Holly Holmes Stricklin, who was shot and killed after she answered the door at a Wynne home she and her husband were visiting.

Jason McGehee, convicted Jan. 8, 1998, in Boone County in the August 1996 torture, beating and strangulation of John Melbourne Jr., 15.

Kenneth Williams, convicted Aug. 30, 2000, in Lincoln County in the October 1999 death of farmer Cecil Boren, 57, after Williams escaped from the Cummins Unit prison where he was serving a life term for the death of University of Arkansas at Pine Bluff cheerleader Dominique Hurd.

AGE 21

Terrick T. Nooner, convicted Aug. 28, 1993, in Pulaski County in the March 1993 shooting death of college student Scot Stobaugh, 22, during a robbery at a Little Rock laundromat.

Compiled by Associated Press Writer Kelly P. Kissel from AP files.

LOAD-DATE: March 3, 2005

EXHIBIT A-36



Copyright 2005 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

February 25, 2005, Friday, BC cycle

SECTION: State and Regional

LENGTH: 328 words

HEADLINE: Ark. Supreme Court rejects Echols' petition

DATELINE: LITTLE ROCK

BODY:

Not for the first time, the Arkansas Supreme Court has rejected a plea from a man sent to death row for the slayings of three 8-year-old boys.

In a ruling Thursday, the high court also urged lawyers in the case to wrap up genetic testing that justices first authorized in 2002.

The court had rejected a Damien Echols appeal last month, but Echols asked the court for a rehearing. Echols said he wanted to reopen claims that his trial lawyers were ineffective, but the justices noted that they previously told Echols he could not bring new ineffective-assistance claims.

Echols' most recent appeal claimed that certain jurors at his trial were biased against him and that his conviction was partly based on a statement by co-defendant Jesse Misskelley that was not admitted into evidence.

In the rehearing denial entered Thursday, the state argued that no reconsideration of the case was necessary because Echols hadn't shown any error in the Jan. 20 decision.

Separately, the justices noted that the court had granted a number of extensions so parties could conclude DNA testing. After admonishing the parties in January that the court hadn't received an update about the testing, justices said Thursday that they now had one and "again stress to the parties the importance of concluding this matter."

Echols was convicted of capital murder in 1994 and sentenced to death for the May 1993 slayings of Steven Branch, Michael Moore and Christopher Byers. He was a teenager at the time.

Misskelley and Jason Baldwin, also teenagers then, were convicted of the murders. Baldwin is serving life without parole and Misskelley, tried separately after statements to police implicating himself as well as Echols and Baldwin, was sentenced to life in prison plus 40 years.

The victims had disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

LOAD-DATE: February 26, 2005

EXHIBIT A-37



Copyright 2005 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

February 17, 2005, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 220 words

HEADLINE: Echols' asks Ark. Supreme Court to reconsider appeal

DATELINE: LITTLE ROCK

BODY:

A man on death row for the slayings of three 8-year-old boys has asked the Arkansas Supreme Court to reconsider his appeal.

The high court denied Damien Echols' appeal for a second time Jan. 20, rejecting Echols' arguments that certain jurors at his trial were biased against him and that his conviction was partly based on a statement by co-defendant Jesse Misskelley that was not admitted into evidence.

Echols' petition for a rehearing was among those noted Thursday on a list of filings with the state Supreme Court. State lawyers said the high court shouldn't reconsider Echols' appeal because he hadn't shown any error in the court's Jan. 20 decision.

Echols was convicted of capital murder in 1994 and sentenced to death for the May 1993 slayings of Steven Branch, Michael Moore and Christopher Byers. He was a teenager at the time.

Misskelley and Jason Baldwin, also teenagers then, were convicted of the murders. Baldwin is serving life without parole and Misskelley, tried separately after statements to police implicating himself as well as Echols and Baldwin, was sentenced to life in prison plus 40 years.

The victims had disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

LOAD-DATE: February 18, 2005

EXHIBIT A-38



Copyright 2005 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

January 20, 2005, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 434 words

HEADLINE: Echols' requests denied again

BYLINE: By DAVID HAMMER, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

The Arkansas Supreme Court on Thursday denied for a second time an appeal for a new trial from convicted child killer Damien Echols, but had strong words for a circuit court, urging it to resolve Echols' two-year-old request for DNA testing.

Echols appealed to the Supreme Court in October to retry his 1994 conviction in the death penalty case on the same two grounds:

- He alleged the jury at his trial convicted him based in part on a statement by Jesse Misskelley, one of two co-defendants, that was not admitted into evidence.

- He claimed certain members of the jury were biased against him.

The Supreme Court denied Echols' initial appeal on these grounds in October 2003, but Echols argued that the Supreme Court had recalled its own mandate in a previous death penalty case. The high court said Thursday that was a special situation and Echols had nothing in common with that case other than the death penalty.

The court had previously separated Echols' claim that DNA evidence not available at the time of his conviction demonstrates his innocence, and had sent that claim back to Craighead County Circuit Court in September 2002. In the ruling Thursday, Justice Tom Glaze expressed dismay that the issue hadn't been resolved.

"Before we conclude this opinion, we must comment on the DNA testing Echols requested ... We wish to impress upon the trial court, the state and Echols' attorneys that this matter needs to be resolved," Glaze wrote.

He added that the Supreme Court had granted a 70-day extension back on June 19, 2003.

The three victims in the May 1993 slayings, 8-year-olds Steven Branch, Michael Moore and Christopher Byers, had disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

Echols, Jason Baldwin and Misskelley, all teenagers at the time, were convicted of the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley, tried separately after statements to police implicating himself as well as Echols and Baldwin, was sentenced to life in prison plus 40 years.

Echols has planned to appeal to a federal court as soon as he's exhausted all of his state court options.

Echols' execution date still remains uncertain because of the DNA appeal.

He also changed his defense team, and his new lawyers have argued that the previous trial lawyers, Val Price and Scott Davidson of Jonesboro, made repeated mistakes and played to documentary movie cameras in a way that hurt Echols' defense.

LOAD-DATE: January 21, 2005

EXHIBIT A-39



Copyright 2004 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 29, 2004, Friday, BC cycle

SECTION: State and Regional

LENGTH: 586 words

HEADLINE: Echols federal files federal appeal

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

Condemned child killer Damien Echols asked a federal judge Friday to review his case and set aside the death sentence he received in the deaths of three West Memphis boys more than a decade ago.

In the filing, Echols' claims, among other things, that he wasn't tried by an impartial jury and that DNA evidence not available at the time of his 1994 conviction demonstrates his innocence.

He also raises a new claim, that the jury at his trial convicted him based in part on a statement by Jesse Misskelley, one of two people charged with him, that was not admitted into evidence.

Echols made the same claim in a new motion filed late Friday with the state Supreme Court, according to his lawyer, Dennis P. Riordan of San Francisco.

"Legally, this is more explosive than anything that has ever been said about the case in the last 10 years," Riordan said.

The victims in the May 1993 slayings disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

Echols, Jason Baldwin and Misskelley, all teenagers at the time, were convicted in the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley, tried separately after statements to police implicating himself as well as Echols and Baldwin, was sentenced to life in prison plus 40 years.

With proceedings surrounding the DNA evidence still pending before the state Supreme Court, Echols asked that the federal court to delay consideration of the federal petition until he has exhausted all his state court claims. As an alternative, the filing asks the judge to order that the time it takes to settle the state court issue not count against the deadline for filing a federal petition.

As another alternative, the petition asks the federal court to proceed with a hearing to resolve the issues raised in his petition.

On Oct. 30, 2003, the state Supreme Court denied Echols a new trial in the deaths of three West Memphis second-graders, finding no merit in arguments that lawyers who represented him in a 1994 capital murder trial were ineffective.

Two weeks earlier, the court had ruled that Echols was not entitled to a hearing to determine whether he was mentally competent during his trial.

However, the twin decisions brought Echols only marginally closer to execution for the 1993 bludgeoning deaths of 8-year-olds Steven Branch, Michael Moore and Christopher Byers.

Still pending in the state court is the disposition of new DNA testing on evidence from the murders. A circuit judge in Craighead County is overseeing that aspect of the case.

Either Echols or the state could appeal that judge's ruling to the state Supreme Court. Echols' options also included appealing all three points in federal court, which he did Friday.

Echols' new defense team had argued that the condemned man's trial lawyers, Val Price and Scott Davidson of Jonesboro, made repeated blunders that undermined his defense during his month-long trial.

In particular, the defense focused on a deal struck to film a documentary during the trial, claiming that Price altered his strategy in a way that was contrary to Echols' best interests.

Echols' lawyers claimed that Price staged trial strategy meetings before the cameras and failed to seek a continuance or change of venue for Echols' 1994 trial, which began two weeks after a co-defendant was convicted in the same jurisdiction.

LOAD-DATE: October 30, 2004

EXHIBIT A-40



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 30, 2003, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 270 words

HEADLINE: Echols loses another round before high court

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

Convicted child killer Damien Echols on Thursday lost another round in his bid to avoid execution.

The Arkansas Supreme Court rejected Echols' argument that he deserved a new trial because the lawyers who represented him were ineffective.

In a unanimous decision, the court ruled that Echols' former lawyer, Val Price of Jonesboro, did not have a conflict of interest.

Price allowed a film crew from HBO to record a documentary featuring interviews from Echols during his trial in the deaths of three West Memphis boys.

The court also said Echols did not show any adverse effect that resulted from a film contract that Echols agreed to as an 18-year-old. The court said Echols' lawyers acted in Echols' interests and his defense was helped, not impeded, by the film contract.

On Oct. 16, the high court ruled that Echols was not entitled to a hearing to determine whether he was mentally competent during his trial. The justices ruled then, again unanimously, that Echols did not exercise due diligence in pursuing the point since his trial nearly a decade ago.

Echols was one of three teenagers convicted of killing three second-graders in 1993. Echols was sentenced to death; his two co-defendants received prison terms.

Steven Branch, Michael Moore and Christopher Byers, all age 8, disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

Two weeks ago the high court also rejected Echols' argument that prosecutors withheld information about another possible suspect.

LOAD-DATE: October 31, 2003

EXHIBIT A-41



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 30, 2003, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 551 words

HEADLINE: Convicted killer Echols loses another bid for new trial

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

For the second time in two weeks, the Arkansas Supreme Court on Thursday rejected arguments in convicted child killer Damien Echols' attempts to avoid execution.

In a unanimous decision, the high court denied Echols a new trial in the deaths of three West Memphis second-graders, finding no merit in arguments that lawyers who represented him in a 1994 capital murder trial were ineffective.

The court ruled Oct. 16 that Echols was not entitled to a hearing to determine whether he was mentally competent during his trial.

However, the twin decisions brought Echols only marginally closer to execution for the 1993 bludgeoning deaths of 8-year-olds Steven Branch, Michael Moore and Christopher Byers.

Still pending in the state court is the disposition of new DNA testing on evidence from the murders.

"We have a third front, a whole body of litigation pending because we have asserted his right to have the DNA testing to confirm his innocence," one of Echols' new lawyers, Edward Mallett of Houston, Texas, said.

The Supreme Court delayed proceedings in Echols' appeal for more than a year while details of the testing were worked out, before scheduling arguments on the other points this fall.

Mallett said Thursday that a date and facility for the tests still were being negotiated, but he suggested that the tests could be completed by the end of the year.

A circuit judge in Craighead County is overseeing that aspect of the case. Either Echols or the state could appeal his ruling to the state Supreme Court.

Echols also could appeal all three points in federal court, further delaying a possible execution date.

"You're talking years, easily," said Matt DeCamp, spokesman for state Attorney General Mike Beebe.

Echols' new defense team had argued that the condemned man's trial lawyers, Val Price and Scott Davidson of Jonesboro, made repeated blunders that undermined his defense during his month-long trial.

In particular, the defense focused on a deal struck to film a documentary during the trial, claiming that Price altered his strategy in a way that was contrary to Echols' best interests.

Echols' lawyers claimed that Price staged trial strategy meetings before the cameras and failed to seek a continuance or change of venue for Echols' 1994 trial, which began two weeks after a co-defendant was convicted in the same jurisdiction.

In a 1999 ruling, Circuit Judge David Burnett rejected Echols' arguments that his trial lawyers had a conflict of interest. The high court followed suit Thursday.

"Echols has failed to show that he was in any way prejudiced by counsel's performance," Justice Donald Corbin wrote. "We agree with the trial court that the record shows that counsel acted in Echols' interest, and that his defense was aided, not impeded, by the film contract."

The victims in the May 1993 slayings disappeared while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

Echols, Jason Baldwin and Jessie Misskelley, all teenagers at the time, were convicted in the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley, tried separately, was sentenced to life in prison plus 40 years.

GRAPHIC: With AP Photo

LOAD-DATE: October 31, 2003

EXHIBIT A-42



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 16, 2003, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 475 words

HEADLINE: High court rejects arguments from man convicted in 1993 child murders

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

The state Supreme Court said Thursday that convicted child killer Damien Echols is not entitled to a hearing to determine whether he was mentally competent during his trial.

The justices ruled unanimously that Echols did not exercise due diligence in pursuing the point since his trial nearly a decade ago.

"The defense team was aware of Echols' history of mental treatments at the time of trial," Justice Donald Corbin wrote in the opinion.

"The medical records upon which he now relies were not only available prior to the date of his trial, they were, in fact, offered by the defense at trial and considered by the jury," Corbin wrote, noting that Echols himself testified that he had been taking medication for manic-depression.

"His claim that he was not aware, at the time of his trial, of the extent of his mental problems is not credible in the face of the evidence to the contrary," the court concluded.

Echols lawyers Edward Mallett of Houston and Robert Owen of Austin, Texas, did not immediately return calls to their offices seeking comment.

Echols was one of three men convicted of killing three West Memphis second-graders in 1993. Echols was sentenced to death and two codefendants received prison terms.

Steven Branch, Michael Moore and Christopher Byers, all age 8, disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

The court Thursday also rejected Echols' argument that prosecutors withheld information about another possible suspect.

Echols' lawyers had argued in court briefs that prosecutors failed to disclose to the defense that, within two days of the bodies being found, a motorist fled from a traffic stop on Interstate 40 in West Memphis near the crime scene when told by police they were inquiring into the murders.

The court said Echols failed to show a reasonable probability that he was not have been convicted had the testimony been made known to the defense.

Still to be decided before the court is what evidence in the case will undergo DNA testing, and when that will happen.

Echols lawyers had argued at a hearing this month that new evidence showed that Echols was mentally ill when he stood trial in 1994.

The court did not address a second point argued, that Echols' trial lawyers, Val Price and Scott Davidson of Jonesboro, made repeated blunders that undermined his defense and that a deal struck to film a documentary during the trial was contrary to Echols' best interests.

Echols, Jason Baldwin and Jessie Misskelley, all teenagers at the time, were convicted in the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley, tried separately, was sentenced to life in prison plus 40 years.

LOAD-DATE: October 17, 2003

EXHIBIT A-43



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 3, 2003, Friday, BC cycle

SECTION: State and Regional

LENGTH: 715 words

HEADLINE: High court hears another argument in 1993 child murders

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

A new trial for death-row inmate Damien Echols, convicted a decade ago in the murders of three West Memphis second-graders, could result if either of two arguments offered to the state Supreme Court is successful.

Robert Owen of Austin, Texas, Echols' new lawyer, argued Thursday before the state's highest court Thursday that his client should get a new chance to prove he should not have been convicted.

A state Supreme Court ruling for the defense on its first point - that it's not too late to question Echols' mental state during his 1994 trial - would send the case back to circuit court for a competency hearing that could lead to a new trial.

If Echols' new defense team wins its second argument, that Echols' trial lawyers were incompetent, the high court itself could throw out the conviction and order a new trial.

Echols was sentenced to die for the May 1993 bludgeoning deaths of three 8-year-old boys. He does not currently have an execution date pending.

State lawyer David Raupp argued that it is too late for Echols' lawyers to raise new questions in the Arkansas court system.

"The concern is finality" in state court, Raupp told the justices, suggesting that Echols might more appropriately broach the subject in federal appeals that would follow a final state Supreme Court ruling.

The assistant attorney general also noted that "mentally ill people may be competent to stand trial, and that may have happened here."

However, argued that Echols was too far gone mentally to assist in his trial defense, and that "his own mental illness over time made it impossible to bring this information to his lawyers."

Owen referred to a 2000 evaluation of Echols by California forensic psychiatrist George Woods, who concluded that at the time of his trial Echols suffered from mental illness characterized by paranoid delusions, hallucinations, wild mood swings and a host of other serious psychiatric symptoms.

Documentation, including jail-cell letters Echols wrote, his hospitalization for mental treatment three times in the year leading up to his case and a finding of 100 percent mental disability by the Social Security Administration helped document "just a tremendous number of disruptions in his contact with reality and inability of him to participate in his own trial," the lawyer said.

Second-graders Steven Branch, Michael Moore and Christopher Byers disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighborhood in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

Echols, Jason Baldwin and Jessie Misskelley, all teenagers at the time, were convicted in the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley, tried separately, was sentenced to life in prison plus 40 years.

Echols' lawyers have argued that the condemned man's trial lawyers, Val Price and Scott Davidson of Jonesboro, made repeated blunders that undermined his defense during his month-long trial.

Thursday, Owen focused on a deal struck to film a documentary during the trial. Owen claimed that Echols' trial lawyers altered their strategy in a way that was contrary to Echols' best interests.

He said the lawyers, among other things, failed to seek a continuance or change of venue for Echols' 1994 trial, which began two weeks after Misskelley's conviction in the same jurisdiction, and staged trial strategy meetings before the cameras.

"A lawyer has limited time and resources for trial. The fact that some of this resource was diverted to play acting is the harm," Owen told the court Thursday.

Assistant Attorney General Jeff Weber said there was no conflict of interest in the HBO filmmaking because Echols himself signed the contract, with his parents' approval.

Assertions of harm to Echols was "just speculation," Weber said.

"They never say if they (the trial lawyers) had done those things (right) what would have happened. They don't say once how that affected Mr. Echols," he said.

Justice Robert Brown also reminded Owen, "You made all these arguments to the trial court, and you lost."

In a 1999 ruling, Circuit Judge David Burnett rejected Echols' arguments that his trial lawyers had a conflict of interest.

GRAPHIC: AP Photo LRM101

LOAD-DATE: October 4, 2003

EXHIBIT A-44



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 2, 2003, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 388 words

HEADLINE: High court to hear new Echols arguments in child murders

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

Lawyers for death-row inmate Damien Echols prepared to argue to Arkansas' highest court that court-appointed trial lawyers did a poor job of defending the condemned child killer.

Oral arguments were scheduled Thursday before the state Supreme Court in the case of Echols, sentenced to die for the May 1993 bludgeoning deaths of three 8-year-old West Memphis boys.

Echols' Texas lawyers will argue that Echols, now 28, got ineffective counsel from local public defenders who should have sought to have his trial moved or delayed because of publicity surrounding the proceeding, and that the trial lawyers should have demanded more extensive DNA testing.

Echols was represented by attorneys Val Price and Scott Davidson, both of Jonesboro.

Also, Echols' lawyers planned to argue that Circuit Judge David Burnett did not adequately respond to an earlier state Supreme Court order to fully explain why he denied Echols' request for a new trial.

Lawyer Edward Mallett of Houston, Texas, said Wednesday that the arguments were intended to win a new trial, not merely technical points intended to save Echols from the death chamber.

"We're arguing for a new trial because he is innocent," Mallett said.

"We will demonstrate to this court that what was prepared and presented at trial doesn't meet the present constitutional minimum" for adequate defense, he said.

Still pending in Echols' case is a resolution between his lawyers and prosecutors of the logistics of new DNA testing on some items in the case. The high court had delayed proceedings for more than a year, waiting on a resolution, but apparently decided to proceed with other matters.

Second-graders Steven Branch, Michael Moore and Christopher Byers disappeared May 5, 1993, while riding bicycles in their quiet, tree-lined neighbor in West Memphis. Their bodies were found the next day in a watery ditch near their homes.

Echols, Jason Baldwin and Jessie Misskelley, all teenagers at the time, were convicted in the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley was sentenced to life in prison plus 40 years.

Misskelley was tried separately in Corning, about 110 miles north of West Memphis. Echols and Baldwin were tried in Jonesboro, about 63 miles north of West Memphis.

LOAD-DATE: October 3, 2003

EXHIBIT A-45



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

July 7, 2003, Monday, BC cycle

SECTION: State and Regional

LENGTH: 788 words

HEADLINE: Months-long delay yields no new DNA tests in West Memphis murder case

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

Lawyers for condemned child killer Damien Echols face an end-of-August deadline with few details settled on planned new DNA testing that has delayed the appeal of Echols' death sentence for nearly a year.

The Arkansas Supreme Court on June 19 granted Echols' lawyers a 70-day extension to get tests performed on items related to the May 1993 slayings of three 8-year-old West Memphis boys.

The high court said it would grant no more delays in appeal proceedings that were first halted Sept. 12 to allow Echols to pursue forensic tests that the court said were warranted in the interest of justice.

"We're going to do our very best to comply" with the court deadline, Echols lawyer Robert Owen of Austin, Texas, said Monday. But after 10 months of delays, no decisions have been made about what items would be tested, when or where, he said.

"We're still negotiating with the prosecuting attorney," Owen said.

Prosecutor Brent Davis of Jonesboro said an entourage of lawyers from around the country representing Echols and two co-defendants came to Arkansas last month to conduct an inventory of more than 1,000 items held at the West Memphis Police Department, the State Crime Lab and at the Supreme Court.

Davis said lawyers and prosecutors likely would agree on some items for testing, but he said the lawyers' wish list likely would be longer than what prosecutors believe should be included. A judge would decide on the disputed items, he said.

Echols has maintained he was innocent in the bludgeoning deaths of second-graders Steven Branch, Michael Moore and Christopher Byers.

Echols' lawyers say they hope that more sophisticated DNA testing than was available 10 years ago will produce evidence that someone else committed the crimes.

Few items were tested in 1993 and tests that were done were inconclusive, the lawyers said. Modern techniques can test much smaller samples, they said, and a newer test for mitochondrial DNA allows scientists to examine a hair shaft. Previous tests required a hair root for testing.

"We've requested that all physical evidence in the case be given DNA testing for establishing the presence of unknown persons at the time and place of the murders," Echols lawyer Edward Mallett of Houston said.

July 7, 2003, Monday, BC cycle

The victims' clothing and other material in the area where the bodies were discovered are among the items the lawyers want tested.

"If the biological materials that were gathered at the scene where the children were murdered do not match any of the kids that were accused and convicted, that would be very strong evidence of their innocence," Owen said.

The lawyers also want new tests on a blood-stained knife to examine the possible involvement of a parent of one of the victims in the murders.

Previous DNA testing on the knife that Christopher Byers' stepfather, Mark Byers, gave a cameraman during Echols' trial revealed that the blood type on the knife matched both that of Byers and his deceased son.

Byers testified that the blood got on the knife after he cut himself while preparing deer meat.

Defense experts have testified that a state medical examiner erred by not performing saliva tests on a possible bite mark on Branch. The state maintains that state Crime Lab officials did not consider the wound a human bite mark and, therefore, the swab tests were unwarranted.

Joseph Cohen, a medical examiner and forensic pathologist for New York City, also testified at a hearing that the state medical examiner, Dr. Frank Peretti, may have wrongly concluded that wounds to Branch's genitals and mouth were caused by forced oral sex.

Davis acknowledged that technology had dramatically improved, but said he doubted new testing would exonerate anyone.

"Quite honestly, you still have to have certain types of evidence to reveal anything earth-shaking," the prosecutor said. "Personally, I don't believe the type of evidence is there to lend itself to a smoking gun. I don't think it will be particularly revealing one way or the other."

The boys disappeared May 5, 1993, while riding their bicycles. Their bodies were found the next day in a watery ditch near their homes in a quiet tree-lined neighborhood.

Echols, Jason Baldwin and Jessie Misskelley, all teen-agers at the time, were convicted in the murders. Echols was the only one sentenced to death. Baldwin is serving life without parole and Misskelley was sentenced to life in prison plus 40 years.

Owen said Monday that he, Mallett and another of Echols' attorneys, Al Schay of Little Rock, were working in conjunction with lawyers for Baldwin and Misskelley.

Supporters have established the West Memphis Three Legal Defense Fund to help pay for legal assistance.

LOAD-DATE: July 8, 2003

EXHIBIT A-46



Copyright 2003 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

June 19, 2003, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 265 words

HEADLINE: Court agrees to 'final' delay of condemned killer's appeals

DATELINE: LITTLE ROCK

BODY:

The state Supreme Court on Thursday granted convicted killer Damien Wayne Echols more time to complete DNA testing in the case of the slaying of three West Memphis boys a decade ago.

The high court agreed to delay Echols' appeals for 70 days, but said it was the last extension it would allow the death-row inmate.

Echols' appeals have been delayed for nine months while he pursued DNA testing of items related to the case. The high court first granted a 60-day stay last Sept. 12. It granted 90-day extensions in November and February.

"While we are mindful of our previous conclusion that the interests of justice will be better served by resolving this forensic issue before proceeding with appellant's appeals, we know that this matter has been pending for quite a lengthy time," the court said. "We therefore give notice to the parties that this is the final extension, and we will not issue any further stays in this matter."

Echols was convicted with Jason Baldwin and Jessie Misskelley in the May 5, 1993, murders of 8-year-olds Steven Branch, Michael Moore and Christopher Byers. The boys' bodies were found in a ditch near their homes in West Memphis.

Misskelley was convicted of one count of first-degree murder and two counts of second-degree murder and sentenced to life imprisonment and a total of 40 years' imprisonment.

Echols and Baldwin were tried together and were each convicted of three counts of capital murder. Baldwin received life imprisonment without parole, while Echols was sentenced to death. The Supreme Court upheld the convictions.

LOAD-DATE: June 20, 2003

EXHIBIT A-47



Copyright 2001 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

June 7, 2001, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 517 words

HEADLINE: Court denies state bid for rehearing in Echols

DATeline: LITTLE ROCK

BODY:

The Arkansas Supreme Court said Thursday there is no reason to grant the state's petition for rehearing in the case of child murderer Damien Echols.

In late April, the court ruled that the judge handling the death appeal of Echols must state specifically why he denied Echols' plea for a new trial.

Echols, sentenced to die for the murders of three West Memphis children in 1993, claims the lawyers who defended him were ineffective, partly because they struck a deal to film a movie during his trial.

Six weeks ago, the Supreme Court agreed with Echols' assertion that the trial judge's written order denying his appeal was insufficient under a state law designed to speed up the appeals process in death penalty cases.

In a 1999 ruling, Circuit Judge David Burnett rejected Echols' arguments that his trial lawyers Val Price and Scott Davidson of Jonesboro had a conflict of interest because they signed a contract with for a Home Box Office documentary about the case.

The judge's June 1999 order generally denied 19 of Echols' claims, specifically denied 12 and omitted rulings on 15 claims.

The Supreme Court agreed with Echols that the written findings were insufficient to comply with the standards of a 1997 act requiring specific findings of fact and conclusions of law with respect to each legal issue raised in a death-penalty petition. The law was intended to speed up the process.

The state asked for a rehearing, contending that Echols abandoned any issues that were not included in specific rulings.

The Supreme Court said Thursday that the burden is squarely on the shoulders of the trial court to make specific written findings of fact and conclusions of law on each issue raised in the petition,

"As clearly pointed out in our decision, the reason behind the adoption of such an exacting requirement is to enable a meaningful and comprehensive state-court review of postconviction issues in death cases," the court said.

The opinion said Echols may choose to pursue only some issues, but that the choice belongs to him. This waiver, the court said, "is not one that is done inadvertently or accidentally; rather, it is a choice that is made deliberately."

The court said that even if it granted a rehearing, the state would be no better off than it is now.

"We see no benefit to anyone involved to order the trial court to make specific written findings and conclusions on each of the 46 individual claims raised by Echols in his petition, as he has already chosen which issues to pursue on appeal," the court said. "In short, there is no reason to grant the petition and belabor this case any further."

Echols was 18 when he was convicted in Craighead County Circuit Court on three counts of capital murder in the deaths of 8-year-olds Steven Branch, Michael Moore and Christopher Byers. Their bodies were found submerged in a water-filled ditch near their homes.

An Echols' co-defendant, Jason Baldwin, received life without parole. A third defendant, Jessie Misskelley, was tried separately and was sentenced to life plus 40 years in prison.

LOAD-DATE: June 8, 2001

EXHIBIT A-48



Copyright 2001 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

April 26, 2001, Thursday, BC cycle

SECTION: State and Regional

LENGTH: 561 words

HEADLINE: Court orders written findings in Echols case

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: LITTLE ROCK

BODY:

The judge handling the death appeal of condemned child murderer Damien Echols must state specifically, in writing, why he denied Echols' plea for a new trial, the state Supreme Court ruled Thursday.

But the court cautioned that sending the case back to circuit court for clarification did not give Echols license to attempt to retry the case.

The court also rejected Echols' argument that the judge should have removed himself from hearing the appeal.

Echols, sentenced to die for the murders of three West Memphis children in 1993, claims the lawyers who defended him were ineffective, partly because they struck a deal to film a movie during his trial.

The Supreme Court agreed with Echols' assertion that the trial judge's written order denying his appeal was insufficient under a state law designed to speed up the appeals process in death penalty cases.

But the court limited the judge's obligation to making factual findings and legal conclusions only to the issues already raised by Echols on appeal.

"This remand should not be construed by Echols as an opportunity to reopen the evidence or raise new issues," Justice Donald Corbin wrote for the court.

In a 1999 ruling, Circuit Judge David Burnett rejected Echols' arguments that his trial lawyers Val Price and Scott Davidson of Jonesboro had a conflict of interest in representing him because they signed a contract with Creative Thinking International for a Home Box Office documentary about the case.

Burnett's ruling followed eight days of testimony over 10 months. But the judge did not enter written rulings on all the five general grounds and 46 specific claims that Echols raised for a new trial.

The judge's June 1999 order generally denied 19 of Echols' claims, specifically denied 12 and completely omitted rulings in 15 claims.

The Supreme Court agreed with Echols that the written findings were insufficient to comply with the standards of a 1997 act requiring specific findings of fact and conclusions of law with respect to each legal issue raised in a death-penalty petition. The law was intended to speed up the process.

"Thus, to deny review of issues raised in death cases on a purely procedural basis, without first exercising great care to assure that the denial rests on solid footing, would clearly thwart that purpose," the high court said Thursday.

The court gave Burnett 60 days to submit his findings in writing.

Echols was 18 when he was convicted in Craighead County Circuit Court on three counts of capital murder in the deaths of 8-year-olds Steven Branch, Michael Moore and Christopher Byers. Their bodies were found submerged in a water-filled ditch near their homes.

An Echols' co-defendant, Jason Baldwin, received life without parole. A third defendant, Jessie Misskelley, was tried separately and was sentenced to life plus 40 years in prison.

In arguments before the high court March 15, Echols lawyer Edward A. Mallett of Houston said the movie arrangement altered the trial lawyers' strategy in a way that was contrary to Echols' best interests.

Mallett was unavailable Thursday and did not return a call to his Texas office seeking comment.

David Raupp, an assistant attorney general representing the state, argued before the high court that Echols' agreement to the movie contract made the conflict argument moot.

LOAD-DATE: April 27, 2001

EXHIBIT A-49



Copyright 1999 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

December 7, 1999, Tuesday, AM cycle

SECTION: State and Regional

LENGTH: 154 words

HEADLINE: Man convicted in West Memphis killings marries in prison

DATeline: TUCKER, Ark.

BODY:

A man sentenced to death for his role as a teen-ager in the deaths of three 8-year-old West Memphis boys has been married in a prison ceremony.

Damien Wayne Echols married Lorri Davis on Friday at the Tucker Maximum Security Unit. He was allowed to kiss the bride, but had to return to his cell after the wedding before a Buddhist priest.

"There was no reception, no honeymoon, no overnight stay in Branson," said Dina Tyler, a spokeswoman for the state prison system.

Echols, Jessie Misskelley and Charles Jason Baldwin were convicted in 1994 in the May 1993 murders of second-graders Steven Branch, Michael Moore and Christopher Byers. Baldwin got a life sentence without parole. Misskelley got a life sentence, plus 40 years.

Echols turns 25 on Friday. The former Miss Davis is in her mid-30s.

Echols wore his prison attire and shackles for the service; it wasn't immediately known what the bride wore.

LOAD-DATE: December 8, 1999

EXHIBIT A-50



Copyright 1999 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 28, 1999, Thursday, PM cycle

SECTION: State and Regional

LENGTH: 294 words

HEADLINE: Convicted child-killer planning wedding in prison

DATELINE: MEMPHIS, Tenn.

BODY:

An Arkansas death row inmate convicted of killing three 8-year-old boys has asked for permission to get married in prison.

Damien Echols wants to get married in December and has placed a request to the warden at the maximum security Tucker Unit, Department of Correction spokeswoman Dina Tyler said Wednesday.

The wedding will go forward only if warden Greg Harmon is confident that he can maintain security, Tyler said. The ceremony could occur in the prison chapel and up to six guests may attend - the media excluded, Tyler said.

"If the officers felt it was secure enough, they might undo his hands, but I wouldn't guarantee it," Tyler said. "There won't be a honeymoon."

Prison officials declined to identify the bride-to-be, but Tyler said she is on Echols' confidential visitors' list. Conjugal visits are not allowed for Arkansas prisoners.

Damien Wayne Echols was convicted in Craighead County Circuit in 1994 on three counts of capital murder in the deaths of three 8-year-old West Memphis boys. Steven Branch, Michael Moore and Christopher Byers were found submerged in a water-filled ditch near their homes in 1993.

An Echols' co-defendant, Jason Baldwin, received life without parole. A third defendant, Jessie Misskelley, was tried separately and was sentenced to life plus 40 years in prison.

Echols and his co-defendants have gained notoriety because of a film documentary distributed by the Home Box Office cable station.

West Memphis detective Mike Allen, who recovered the bodies from the river, said the news of Echols' impending wedding was hard to believe.

"It's crazy, but it fits in with the whole case," Allen said.

Prosecutor Brent Davis said he was unaware of the wedding.

"I haven't received my invitation," he said.

LOAD-DATE: October 28, 1999

EXHIBIT A-51



Copyright 1999 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

June 21, 1999, Monday, PM cycle

SECTION: State and Regional

LENGTH: 338 words

HEADLINE: Judge turns down new trial request by Echols

DATELINE: JONESBORO, Ark.

BODY:

A convicted child killer on death row lost his appeal for a new trial when Circuit Judge David Burnett rejected his argument that his attorneys were ineffective.

Damien Wayne Echols was convicted in Craighead County Circuit in 1994 on three counts of capital murder in the deaths of three 8-year-old West Memphis boys. Steven Branch, Michael Moore and Christopher Byers were found submerged in a water-filled ditch near their homes in 1993.

An Echols' co-defendant, Jason Baldwin, received life without parole. A third defendant, Jessie Misskelley, was tried separately and was sentenced to life plus 40 years in prison.

In seeking a new trial, Echols said attorneys Val Price and Scott Davidson, both of Jonesboro, were ineffective.

Burnett said Thursday that Echols "failed to show either bias or prejudice by the trial judge and therefore fails to carry his burden."

During a hearing, Echols' new attorney, Edward A. Mallett of Houston, Texas, raised the question of new evidence in the case. Mallett said one of the young victims had a human bite mark on the left side of his face, but Burnett found otherwise.

"The bite mark evidence is not new because the marks were on the victim's face from the initial discovery of the bodies," Burnett said Thursday in a six-page opinion. "Furthermore, the evidence is not reliable. The bulk of the testimony at the evidentiary hearing was that no bite mark could be identified to a reasonable degree of medical certainty."

Mallett also claimed that Price and Davidson had a conflict of interest in representing Echols because they signed a contract with Creative Thinking International for a Home Box Office documentary about the case.

"Price was not ineffective with respect to the HBO video and (Echols) has failed to demonstrate any prejudice whatsoever as a result of the making of this video," Burnett said. "Price was not ineffective for failing to obtain funding for experts and the outcome of the trial would not have been different had he done otherwise."

LOAD-DATE: June 21, 1999

EXHIBIT A-52



Copyright 1999 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

March 19, 1999, Friday, AM cycle

SECTION: State and Regional

LENGTH: 240 words

HEADLINE: Lawyers given 30 days to submit written arguments in Echols hearing

DATELINE: MARION, Ark.

BODY:

A state medical examiner on Friday disputed convicted child killer Damien Echols' claim that bite marks on one of three victims' bodies were not investigated.

The testimony came in an ongoing hearing for Echols, who is seeking a new trial. Echols says his original attorneys, Val Price and Scott Davidson of Jonesboro, were ineffective in his defense at trial.

Circuit Judge David Burnett has given the attorneys 30 days to submit written arguments in the hearing. Under Arkansas law, Burnett has 90 days in which to issue a ruling in the hearing.

Dr. Frank Peretti of the medical examiner's office, who performed the autopsies on the victims, said there was no evidence of bite marks on the boys' badly beaten bodies.

Throughout the 10-month hearing, which has continued on and off since last May, Echols' new defense attorney, Edward Mallett of Houston, has maintained that a wound over the left eye of one of the victims was a human bite mark.

Mallett has claimed that Price erred by not having an expert review photographs of the wound and compare the dental impressions prior to Echols' 1994 trial.

Steven Branch, Michael Moore and Christopher Byers were found submerged in a water-filled ditch near their West Memphis homes in 1993. Echols was sentenced to death for the killings.

Echols has said that, if Burnett denies his request for a new trial, he will ask that his attorney appeal the ruling to federal court.

LOAD-DATE: March 19, 1999

EXHIBIT A-53



Copyright 1999 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

March 19, 1999, Friday, PM cycle

SECTION: State and Regional

LENGTH: 320 words

HEADLINE: Echols seeking new trial

DATeline: MARION, Ark.

BODY:

A state expert testified that condemned child killer Damien Echols is making an unfounded claim that evidence was wrongly omitted from his trial for the May 5, 1993, slayings of three West Memphis boys.

At a hearing Thursday, a forensics odontologist with the state Medical Examiner's Office testified autopsies on the victims - Steve Branch Jr., Michael Moore and Christopher Byers - revealed no evidence of human bite marks.

Echols has claimed that the bodies bore bite marks and that no dental impressions were taken to be admitted at his original trial. Echols is seeking a new trial.

"I did not see anything that resembled a human bite mark," Dr. Kevin Dugan testified.

Throughout the 10-month-long hearing, continuing on and off since last May, Echols' new defense attorney, Edward Mallett of Houston, has maintained that a wound over the left eye of the Branch child is a human bite mark. A dentist called by Echols at a proceeding last October said the marks are bites and that the marks did not match dental impressions of two others convicted.

Prosecutor Brent Davis contends the marks were made by a foreign object, such as a metal pipe.

The boys' bodies were found May 6, 1993, submerged in a water-filled ditch near their West Memphis homes.

Dr. Harry Mincer, a professor of oral pathology at the University of Tennessee, testified he also reviewed the autopsy photographs and did not consider the wound to be human bite marks. With no evidence of bites, there was no reason for dental impressions to be admitted at trial, he said.

Echols was sentenced to death for the crime, while Jason Baldwin received life without parole and Jessie Misskelley life, plus 40 years in prison.

Testimony was to continue today before Circuit Judge David Burnett of Osceola. Davis said he expected the hearing to end some time today.

Burnett will have 90 days following the hearing to rule on the matter.

LOAD-DATE: March 19, 1999

EXHIBIT A-54



Copyright 1999 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

January 27, 1999, Wednesday, PM cycle

SECTION: State and Regional

LENGTH: 189 words

HEADLINE: Hearing postponed on new-trial request

DATELINE: JONESBORO, Ark.

BODY:

A hearing scheduled Thursday on Damien Wayne Echols' request for a new trial in the 1993 slaying of three boys at West Memphis has been postponed, a case coordinator says.

Craighead County Circuit Judge David Burnett began a hearing in October on Echols' request, but recessed the proceeding until Thursday to accommodate some witnesses with health problems.

Echols, 24, argues that his trial lawyers were ineffective, that the state medical examiner's office did a poor job in examining the victims' bodies for evidence, and that Echols was at a disadvantage because the defense couldn't afford some expert witnesses.

Echols was one of three teen-agers convicted of murder in the May 5, 1993, killings of 8-year-olds Steven Branch, Michael Moore and Christopher Byers. The boys' bodies were found in a ditch near their homes in West Memphis.

Only Echols was given the death sentence in the case.

Michelle Grilletta, case coordinator for Burnett, said a medical examiner who plans to testify underwent heart surgery late last year and is still recuperating. No new date has been set for the hearing, Ms. Grilletta said.

LOAD-DATE: January 27, 1999

EXHIBIT A-55



Copyright 1998 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 29, 1998, Thursday, PM cycle

SECTION: State and Regional

LENGTH: 543 words

HEADLINE: Echols seeks new trial

DATELINE: JONESBORO, Ark.

BODY:

Defense testimony in a hearing on whether Damien Wayne Echols should get a new trial in the murders of three children has targeted state medical examinations of the victims.

Echols was convicted of capital murder and was sentenced to death in the May 5, 1993, killings of 8-year-olds Steven Branch, Michael Moore and Christopher Byers. The boys' bodies were found in a ditch near their homes in West Memphis.

Echols claims he had ineffective legal counsel during his first trial in 1994 and should get a new trial.

His hearing before Craighead County Circuit Judge David Burnett began Monday and will resume Jan. 28 and Jan. 29 to accommodate some witnesses who have health problems. The defense rested without Echols testifying.

Echols said that if Burnett denies his request, he will ask his attorney to appeal to federal court.

Since the opening of the hearing, defense experts have testified that a state medical examiner erred by not performing saliva tests on a possible bite mark on Branch and for not having a forensic odontologist called in for assistance.

The state maintains that state Crime Lab officials did not consider the wound a human bite mark and, therefore, the swab tests were unwarranted.

Dr. Joseph Cohen, a medical examiner and forensic pathologist for New York City, testified Wednesday that the possible bite mark on Branch's forehead should have been tested for saliva evidence. Cohen also testified that state Medical Examiner Dr. Frank Peretti may have wrongly concluded that wounds to Branch's genitals and mouth were caused by forced oral sex.

"I find it rather absurd that someone could offer a conclusion on how the injuries occurred," Cohen said.

He said the wounds could have been caused by "marine life," such as fish and turtles because the boys' bodies were submerged in water.

"Anytime bodies are found in water, movement against the bottom or (bank) can cause postmortem injuries," Cohen said.

West Memphis Detective Byrn Ridge testified for the state that the ditch had a smooth and muddy bottom.

The defense also argues that a lack of expert defense witnesses in the 1994 trial should entitle Echols to a new trial.

Ron Lax, a private investigator from Memphis, Tenn., testified that a lack of funding prevented the defense from hiring expert witnesses.

Lax said he had reviewed the autopsy photographs of the Branch child, but overlooked the wound as a possible bite mark. "I missed it," Lax said.

Earlier testimony indicated that dental impressions taken from Echols and co-defendants Jason Baldwin and Jessie Misskelley Jr. showed that they could not have caused the injury.

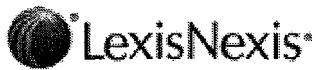
Lax also testified that he thought the defense's decision to provide Home Box Office producers interview access to Echols was a mistake. Lax said he suggested not allowing the interviews or camera access inside the trial, but his recommendations were ignored by Echols' original defense attorneys.

Baldwin and Misskelley also were convicted in the boys' murders. Baldwin was sentenced to life without parole and Misskelley to life plus 40 years.

Tuesday, Steven Branch, the father of the slain child, was removed from the courtroom after lunging at Echols. Branch was barred from attending further proceedings.

LOAD-DATE: October 29, 1998

EXHIBIT A-56



Copyright 1998 Associated Press
All Rights Reserved

The Associated Press State & Local Wire

October 27, 1998, Tuesday, PM cycle

SECTION: State and Regional

LENGTH: 280 words

HEADLINE: Echols' lawyer testifies about defense in West Memphis case

DATELINE: JONESBORO, Ark.

BODY:

A former lawyer for Damien Wayne Echols said jurors hearing a death-penalty case against Echols weren't asked about their feelings on satanic cults because he wasn't sure it was relevant to the slaying of three 8-year-olds at West Memphis in 1993.

Echols, now 23, was convicted of three counts of capital murder at his 1994 trial, and was the only one of three defendants sentenced to death.

Val Price of Jonesboro testified Monday at a hearing on Echols' request for a new trial. The hearing was a continuation of one that began in June.

Echols' new lawyers argue that his attorneys during his 1994 trial were ineffective in defending him.

Edward L. Mallett, one of Echols' new attorneys, asked Price about his conduct during questioning of potential jurors, including why he didn't object when the court reporter often recorded "no audible response" to questions asked by the judge.

Price said that accurately reflected the response of many prospective jurors, who would nod or shake their heads in response to a question, without saying anything.

Mallett also asked Price why he hadn't asked jurors how they felt about satanic cults, since Price knew Echols had written letters on the subject.

Those letters were written two years before the slayings occurred, Price said, and he didn't think they would be relevant to the case.

"We did not know what evidence they (prosecutors) would be submitting," Price said.

Echols, Jessie Misskelley and Charles Jason Baldwin were convicted in 1994 in the murders of 8-year-olds Steven Branch, Michael Moore and Christopher Byers. Baldwin got a life sentence without parole. Misskelley got a life sentence, plus 40 years.

LOAD-DATE: October 27, 1998

EXHIBIT A-57



Copyright 1998 Associated Press
All Rights Reserved

The Associated Press

March 4, 1998, Wednesday, PM cycle

SECTION: Domestic News

LENGTH: 281 words

HEADLINE: Judge rules for HBO film producers

DATELINE: JONESBORO, Ark.

BODY:

A federal judge ruled in favor of an HBO documentary's producers who were sued for \$ 10 million by the mother of one of three 8-year-old boys slain in West Memphis five years ago.

U.S. District Judge James M. Moody rejected claims that the filmmakers invaded the privacy of and inflicted emotional distress on Pamela Marie Hobbs, the mother of victim Steven Branch, by airing graphic scenes in "Paradise Lost: The Child Murders of Robinhood Hills."

The Emmy-award winning cable television movie relied, in part, on taped footage made by the West Memphis Police Department. The police footage, the judge said in a ruling last month, was a "public record of legitimate public interest."

Steven, Christopher Byers and Michael Moore were last seen riding their bikes May 5, 1993. Their bodies, sexually abused and mutilated, were found the next day in a drainage ditch near their homes.

Damien Wayne Echols, Charles Jason Baldwin and Jessie Lloyd Misskelley Jr. were convicted of the crimes. Echols faces a death sentence. Misskelley and Baldwin are in the state prison.

The lawsuit had claimed that HBO and filmmakers with Creative Thinking International, the New York producers, breached an agreement that no graphic material would be included.

Mrs. Hobbs suffered severe emotional distress when she learned that the movie contained graphic scenes that would be viewed by mass audiences, the suit said.

Filmmaker Joe Berlinger said in a telephone interview Tuesday that he and his partner harbor no ill will toward the Hobbs family. "They are directing their anger at the wrong people," he said.

A telephone call to Mrs. Hobbs' home at Memphis on Tuesday went unanswered.

LOAD-DATE: March 4, 1998

EXHIBIT A-58



Copyright 1994 Associated Press
All Rights Reserved

The Associated Press

March 18, 1994, Friday, AM cycle

SECTION: Domestic News

LENGTH: 298 words

HEADLINE: Teen-agers Convicted of Murdering Three 8-Year-Old Boys

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: JONESBORO, Ark.

BODY:

Two teen-agers were convicted Friday of killing three boys who were abducted and brutally beaten while on a bike ride through their neighborhood.

Jurors deliberated a little less than two days before convicting Damien Echols and Charles Jason Baldwin of three counts each of capital murder. They face the death penalty or life without possibility of parole.

Echols, 19, and Baldwin, 16, were convicted of killing West Memphis second-graders Steve Branch, Chris Byers and Michael Moore.

The three 8-year-olds disappeared May 5 while riding their bicycles near their homes in their West Memphis neighborhood. Their bodies were pulled from a drainage ditch the next day.

The boys were reportedly tied up and beaten, and the brutality of their slayings sent shock waves through their community across the Mississippi River from Memphis, Tenn.

Echols and Baldwin were arrested June 3 after a friend, Jessie Lloyd Misskelley Jr., made incriminating statements to police.

Misskelley, 18, was convicted last month of one count of first-degree murder and two counts of second-degree murder. He is serving a prison sentence of life plus 40 years.

The jury that convicted Echols and Baldwin will begin deliberations Saturday to determine if they should be sentenced to death or life in prison.

During their trial, prosecutors presented evidence suggesting Echols was a devil worshipper and Baldwin was his loyal follower. Witnesses testified that both bragged about the killings.

Defense attorneys contended that police, under intense public pressure, went after Echols and Baldwin when they couldn't find the real killers. They said prosecutors had no physical evidence linking either to the murders and police ignored evidence that suggested others may have committed the crime.

LOAD-DATE: March 18, 1994

EXHIBIT A-59



Copyright 1994 Associated Press
All Rights Reserved

The Associated Press

February 4, 1994, Friday, AM cycle

SECTION: Domestic News

LENGTH: 418 words

HEADLINE: Jury Finds Misskelley Guilty on Three Murder Counts

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATeline: CORNING, Ark.

BODY:

A teen-ager who said he watched two of his friends beat, hog-tie and kill three 8-year-old boys was convicted of murder Friday, but spared the death penalty.

Jessie Lloyd Misskelley, 18, was found guilty of one count of first-degree murder and two counts of second-degree murder in the deaths of Michael Moore, Steve Branch and Chris Byers. The Clay County Circuit Court jury returned its verdict after 10 hours of deliberations.

Circuit Judge David Burnett sentenced Misskelley to life in prison plus 40 years. The teen could have been sentenced to death if convicted of capital murder in the three slayings.

Two other teens accused of beating and hog-tying the boys and throwing them in a ditch are to be tried together on capital murder charges later this month.

Misskelley told authorities he watched as Damien Echols, 19, and Charles Jason Baldwin, 16, beat the boys, raped two of them and castrated one boy.

At one point, Misskelley said, he chased down Moore after he tried to escape and brought him back to the murder scene. He was convicted of first-degree murder in Moore's death.

The parents of Steve Branch and Michael Moore were composed as the verdicts were read, but Mark and Melissa Byers, whose son was castrated by the killers and bled to death, sobbed openly. The other two boys drowned in the drainage ditch. Misskelley's parents also wept as the verdict was read.

"The only satisfaction would be if one of them could die and my son could come back," Mark Byers said as he left the courthouse.

Misskelley sat expressionless with his eyes glued to the defense table as Burnett announced each verdict. While being sentenced, he stood between his lawyers, with his hands in his pockets and his head cocked slightly to the right.

Asked by Burnett if he understood the sentences, he answered, "Yes sir," in a quiet, high-pitched voice. Asked if he had anything to say, he said, "No sir."

Defense attorneys Dan Stidham and Greg Crow said they would appeal to the state Supreme Court. During the trial, they had alleged that West Memphis police interrogators manipulated Misskelley into confessing to a crime he did not commit.

Prosecutors Brent Davis and John Fogleman complimented the jury but made no further comment, citing the pending trial of Echols and Baldwin, who are to be tried later this month in Jonesboro.

The nude, battered bodies of the three boys were pulled from the drainage ditch less than a mile from their homes on May 6, a day after they disappeared.

LOAD-DATE: February 4, 1994

EXHIBIT A-60



Copyright 1994 Associated Press
All Rights Reserved

The Associated Press

February 4, 1994, Friday, PM cycle

SECTION: Domestic News

LENGTH: 345 words

HEADLINE: Teen Found Guilty In Slayings Of Three Boys, But Spared Death Penalty

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: CORNING, Ark.

BODY:

A teen-ager was convicted today in the slayings of three 8-year-old boys but was spared the death penalty by a jury that rejected the most serious charge, capital murder.

Jessie Lloyd Misskelley Jr., 18, was found guilty of first-degree murder in the death of a boy whom Misskelley admitted chasing down. He was convicted of second-degree murder in the deaths of the other two boys.

Steve Branch, Chris Byers and Michael Moore, all second-graders, disappeared from their West Memphis neighborhood May 5. Their nude, battered and hogtied bodies were found the next day.

Misskelley was the first of three teens to be tried in the killings. Damien Echols, 19, and Charles Jason Baldwin, 16, face trial later.

After getting the case late Thursday afternoon, jurors worked until 12:10 a.m. today, then resumed around mid-morning.

Prosecutors relied heavily on Misskelley's own taped statements to investigators. The defense said he was manipulated into making those statements.

"Jessie didn't tell police anything they didn't know," defense lawyer Dan Stidham said in closing arguments Thursday. "They led him through this entire recorded statement."

Misskelley told police in two recorded interviews that he watched as his two friends beat the boys, raped two of them and castrated one boy.

In his closing remarks, Prosecutor Brent Davis said Misskelley admitted chasing down one of the victims when he tried to get away.

"If this defendant does not chase down Michael Moore and bring him back, Michael Moore lives," Davis said. "But he chased him down like an animal and as a result Michael Moore is dead, Steve Branch is dead and Chris Byers is dead."

The first-degree murder conviction, for the death of Michael, carries a potential penalty of up to life in prison. Second-degree murder carries a penalty of five to 20 years. Jurors were to return for the trial's sentencing phase after a lunch break.

If they had convicted Misskelley of capital murder, jurors would have deliberated two options: the death penalty and life in prison without parole.

LOAD-DATE: February 4, 1994

EXHIBIT A-61



Copyright 1994 Associated Press
All Rights Reserved

The Associated Press

February 3, 1994, Thursday, AM cycle

SECTION: Domestic News

LENGTH: 332 words

HEADLINE: Case of Teen-ager Charged with Killing Three Boys Goes to Jury

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: CORNING, Ark.

BODY:

A teen-ager ran down an 8-year-old boy "like an animal," then brought him back to the woods to kill him and his two friends, a prosecutor said Thursday.

Michael Moore might have been able to escape from Jessie Lloyd Misskelley Jr. and call for help, prosecutor Brent Davis said in his closing argument as he held up an enlarged photograph of Michael in a Cub Scout uniform.

"If this defendant does not chase down Michael Moore and bring him back, Michael Moore lives," Davis said.

"But he chased him down like an animal and as a result Michael Moore is dead, Steve Branch is dead and Chris Byers is dead," he said.

Misskelley, 18, could get the death penalty if convicted of three capital murder counts. The jury began deliberating the case late Thursday afternoon.

The nude bodies of the three second-graders were found in a drainage ditch in woods less than a mile from their West Memphis homes on May 6. Their hands and feet had been bound with shoe laces.

The boys disappeared the day before when they went on a bike ride.

Defense attorney Dan Stidham said that police manipulated Misskelley into making a statement incriminating himself and two co-defendants in the case.

"Jessie didn't tell police anything they didn't know," Stidham said. "They led him through this entire recorded statement."

Stidham said Misskelley's confession was implausible.

"There are many, many reasonable doubts," he said. "Jessie's story, that's all they've got, this wild story that he told police."

Earlier Thursday, the defendant's father said he feared the worst. "I'm afraid they're going to railroad him," Jessie Misskelley Sr. said.

Misskelley told police in two recorded interviews that he watched as two friends beat the boys, raped two of them and castrated one boy. Defendants Damien Echols, 19, and Charles Jason Baldwin, 16, are to be tried later this month.

Police have said Misskelley told them that he and the others charged in the killings belonged to a satanic cult.

LOAD-DATE: February 4, 1994

EXHIBIT A-62



Copyright 1994 Associated Press
All Rights Reserved

The Associated Press

January 26, 1994, Wednesday, AM cycle

SECTION: Domestic News

LENGTH: 504 words

HEADLINE: Opening Statements in Murder Trial Of Teen Accused of Slaying Three Boys

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: CORNING, Ark.

BODY:

Relatives of three murdered second-graders bowed their heads Wednesday as they heard details of fractured skulls and sexual mutilation in the trial of a teen-ager accused in the boys' deaths.

Prosecutors showed jurors pictures of the three slain 8-year-olds and entered into evidence the bicycles they were riding when they were last seen by their families.

The defendant, Jessie Lloyd Misskelley Jr., told investigators things only a witness to the killings would know, Deputy Prosecutor John Fogleman said in his opening statement.

Police have said Misskelley told them that he and the other two teens charged in the killings belonged to a satanic cult. All three are charged with three counts of capital murder.

Defense lawyer Dan Stidham told the jury that Misskelley is innocent, and that his client was coerced into making statements in which he implicated himself.

Fogleman said two of the boys drowned and one bled to death after his genitals were cut off. All three had fractured skulls, he said.

Officials previously had said that Chris Byers, Steve Branch and Michael Moore were beaten to death.

The boys' nude bodies were found in a drainage ditch less than a mile from their West Memphis homes last May 6, their hands and feet bound with shoe laces.

Their parents last saw them the day before when the youngsters went for a bike ride.

After opening statements, the mothers of all three boys testified.

Michael Moore's mother, Dana Moore, said she saw the boys riding down the street and sent her 10-year-old daughter to tell her son it was time for dinner. Her daughter could not catch up with them.

"I just said, 'Well I missed them,'" Mrs. Moore said in a quiet tone. "I went back and waited for him to see if he'd come back. He didn't come back."

Pam Hobbs, Steve's mother, testified of the frantic search that began after the boys disappeared. She bit her lip and her voice cracked when asked to identify her son's bicycle and an enlarged photograph of him.

The victims' relatives were overcome with emotion at times, and all left when prosecutors showed large photographs of the boys' bodies to the jury.

Misskelley's father, Jessie Misskelley Sr., attended Wednesday's trial. He said he spent a few minutes with his son before the proceedings began, and that he visited with him Sunday.

"He was crying when we talked to him Sunday," the elder Misskelley said. "He's scared, afraid they're going to railroad him."

Misskelley, 18, faces a possible death sentence if convicted.

Misskelley's trial was moved to Corning, 110 miles north of West Memphis, because of pretrial publicity. West Memphis, a blue-collar city of 28,000, sits across the Mississippi River from Memphis, Tenn.

The other defendants, Damien Echols, 19, and Charles Jason Baldwin, 16, are scheduled for trial Feb. 22 in Jonesboro, 65 miles northwest of West Memphis. They have pleaded innocent.

Baldwin is being tried as an adult. Prosecutors have not yet said if they would seek the death penalty against them.

LOAD-DATE: January 26, 1994

EXHIBIT A-63



Copyright 1994 Associated Press
All Rights Reserved

The Associated Press

January 25, 1994, Tuesday, AM cycle

SECTION: Domestic News

LENGTH: 393 words

HEADLINE: Opening Statement Set in Trial of Teen Accused of Murdering Three 8-Year-Olds

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: CORNING, Ark.

BODY:

Melissa Byers waits with dreaded anticipation for the trial of a teen-ager accused in the bludgeoning deaths of her 8-year-old son and two of his friends.

Opening statements were scheduled for Wednesday in the capital murder trial of Jessie Lloyd Misskelley Jr. Police say Misskelley told them he and two other suspects were members of a satanic cult.

Misskelley's lawyers say their client is innocent and that he was coerced into making implicating statements. He faces a possible death penalty if convicted.

Mrs. Byers' son Chris, and two 8-year-old friends, Steve Branch and Michael Moore, disappeared May 5 while riding their bicycles. Their bodies were found the next day in a drainage ditch in a wooded area less than a mile from their West Memphis homes. Police said they died of blows to the head and that one had been sexually mutilated.

Mrs. Byers said she dreaded hearing graphic details about her son's slaying, but had to know the truth.

"He was my child," she said. "There's a mother's love; you want to know. I have to be here."

She and the other victims' parents attended selection of the 12-member jury last week and said they would attend the trial.

"This is just the start of it," Chris' father, Mark, said last week. "When (the defendants) are not breathing anymore, there'll be a lot more healing."

Circuit Judge David Burnett postponed opening statements for nearly a week, prompting speculation that a plea agreement was in the works.

Prosecutor Brent Davis refused to comment on a possible plea and said Tuesday he believed there would be a trial.

The trial was moved to Corning, 110 miles from West Memphis, because of the pretrial publicity.

The murders stunned West Memphis, a blue-collar city of 28,000.

"We know all these gross details are going to come out," said Sarah Kirkley, principal at Weaver Elementary School, where the victims were second-graders. "It died down, but now the mood is becoming emotional again as we are hearing these things because we know now that they did suffer."

Also charged with capital murder are Damien Echols, 19, and Charles Jason Baldwin, 16. They have pleaded innocent and are scheduled for trial Feb. 22 in Jonesboro, 65 miles northwest of West Memphis.

Baldwin is being tried as an adult. Prosecutors have not yet said if they would seek the death penalty against them.

LOAD-DATE: January 26, 1994

EXHIBIT A-64



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

September 28, 1993, Tuesday, PM cycle

SECTION: Domestic News

LENGTH: 307 words

HEADLINE: Police in Boy Slay Case Acknowledge Sexual Mutilation, Suspected Satanic Link

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: MARION, Ark.

BODY:

Police disclosed gruesome details in the slayings of three 8-year-old boys for the first time at a court hearing, and a judge moved the trials of the teens accused of killing them.

A police detective testified Monday the body of one of the slain boys was sexually mutilated. He also said one of the defendants told police he and the two others were members of a satanic cult.

Previously, West Memphis Police Department had refused to discuss reports of mutilation and suspected satanic activity.

Crittenden County Circuit Court Judge David Burnett granted defense motions to move trials about 65 northwest miles to Jonesboro, saying pretrial publicity would make it difficult to seat an unbiased jury.

In testimony to help decide a defense motion to suppress some evidence, police Detective Bryn Ridge said that one slain boy's genitals had been cut off. Ridge also said defendant Jessie Misskelley, 18, told investigators he and the other two defendants were members of a satanic cult.

Burnett rejected the defense motion that had sought to have hair samples, clothing fibers and clothes taken from the homes of two defendants not be used at trial. The search warrant used to obtain the evidence was based partly on allegations of satanic activity by the teens.

Misskelley will be tried separately from Charles Baldwin, 16, and Michael Echols, 18. The judge declined a defense motion to grant Baldwin and Echols separate trials.

All three teens have pleaded innocent to three counts of capital murder in the May slayings of Steven Branch, Michael Moore and Christopher Byers, second-graders from West Memphis. Police said they died from blows to the head.

Burnett set a tentative date of Feb. 21 for the first trial, and gave the prosecution 10 days to decide who would be tried first - Misskelley, or Baldwin and Echols.

LOAD-DATE: September 28, 1993

EXHIBIT A-65



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

September 27, 1993, Monday, AM cycle

SECTION: Domestic News

LENGTH: 207 words

HEADLINE: Judge Moves Trial, Sets Tentative Trial Date

DATELINE: MARION, Ark.

BODY:

The trials of three teen-agers accused of killing three 8-year-old boys will be moved because of extensive publicity, a judge decided Monday.

Crittenden County Circuit Judge David Burnett agreed to move the trials two counties away, and reserved the right to move them again if he found it impossible to seat a fair jury.

Charles Baldwin, 16, and Michael Echols and Jessie Misskelley Jr., both 18, are each charged with three counts of capital murder in the deaths of Steven Branch, Michael Moore and Christopher Byers.

The boys' bodies were found with hands and feet bound in a ditch near their West Memphis homes last May, a day after they disappeared while riding their bicycles. Police said they died from blows to the head.

The defendants have been held without bond since their arrest.

Defense attorneys have argued that it would be impossible to seat an impartial jury in Crittenden County.

Burnett said the interest of holding a fair trial superseded a law that says trials may not be moved farther than neighboring counties. He set a Feb. 21 trial date in Jonesboro in Craighead County.

Burnett had agreed to try Misskelley separately, but said Monday he saw no reason why the two others could not be tried together.

LOAD-DATE: September 27, 1993

EXHIBIT A-66



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

September 27, 1993, Monday, AM cycle

SECTION: Domestic News

LENGTH: 271 words

HEADLINE: Detective: One of Three Slain 8-year-olds Was Mutilated

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: MARION, Ark.

BODY:

One of three 8-year-old boys slain in May had been mutilated sexually, and one of three teen-agers charged with killing them said he and the other two defendants belonged to a cult, a detective said Monday.

Bryn Ridge gave the first confirmation of the gruesome details of the killings as he testified during a pretrial hearing.

Ridge, a detective in West Memphis, said he was at the scene where the bodies were found, and he that one boy's genitals had been cut off.

The detective said six people told investigators that the three suspects belonged to a satanic cult. He said one of the defendants, Jessie Misskelley Jr., 18, gave investigators a list of names of members of a cult, including himself and the other two defendants.

Police previously had refused to discuss reports of mutilation and suspected cult activity.

During the hearing, Crittenden County Circuit Judge David Burnett agreed to move the trials two counties away because of extensive publicity. He set a Feb. 21 trial date in Jonesboro in Craighead County.

Misskelley, Charles Baldwin, 16, and Michael Echols, 18, are each charged with three counts of capital murder in the deaths of Steven Branch, Michael Moore and Christopher Byers.

The boys' bodies were found with hands and feet bound in a ditch near their West Memphis homes in May, a day after they disappeared while riding their bicycles. Police said they died from blows to the head.

The defendants have been held without bond since their arrest.

Burnett had agreed to try Misskelley separately, but said Monday he saw no reason why the two others could not be tried together.

LOAD-DATE: September 28, 1993

EXHIBIT A-67



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

August 4, 1993, Wednesday, AM cycle

SECTION: Domestic News

LENGTH: 153 words

HEADLINE: Three Teens Enter Innocent Pleas

DATELINE: MARION, Ark.

BODY:

Three teen-agers charged with killing three 8-year-old boys pleaded innocent Wednesday before a courtroom filled with spectators including their family members and the victims' relatives.

Charles Jason Baldwin, 16, Jessie Lloyd Misskelley Jr., 18, and Michael Wayne "Damien" Echols, 18, appeared expressionless as each stood before Crittenden County Circuit Judge David Burnett.

The teen-agers, who have been jailed without bond since they were arrested June 3, are each charged with three counts of capital murder. Three second-graders, Christopher Byers, Michael Moore and Steven Edward Branch of West Memphis, were found dead in a drainage ditch May 6 near their homes. Police said they died of blows to the head.

Metal detectors and extra officers were employed at the courtroom, and there were no outbursts, unlike a June hearing in which the father of one of the dead boys tried to assault a suspect.

EXHIBIT A-68



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

June 10, 1993, Thursday, PM cycle

SECTION: Domestic News

LENGTH: 197 words

HEADLINE: Teen Accused in Slayings Apparently Attempts Suicide, Deputy Says

DATELINE: WEST MEMPHIS, Ark.

BODY:

One of three teen-agers accused in the slayings of three 8-year-old boys made an apparent suicide attempt in jail, an official said today.

Wayne Echols, 18, took an overdose of a prescription antidepressant on Tuesday, said Crittenden County Chief Deputy Bob Cooper.

Echols has been held at an undisclosed location, and Cooper refused to say where the overdose took place or the location of the hospital where Echols was treated.

Cooper said Echols had been taking the medication, Amitriptyline, prior to his June 3 arrest. It appeared that he pocketed the tablets for several days, then swallowed 12 tablets at once, Cooper said.

But he soon told jail workers what he had done, and they gave him a substance that caused him to vomit and then took him to a hospital, Cooper said. He was kept overnight and released.

Echols, Jessie Lloyd Misskelley Jr., 17, and Charles Jason Baldwin, 16, were charged last week in the deaths of Steve Branch, Christopher Byers and Michael Moore. The boys' bodies were found in a ditch May 6, the day after they disappeared while riding bicycles. Police said the boys' feet and hands were bound and they had died of blows to the head.

EXHIBIT A-69



Copyright 1993 Chicago Tribune Company
Chicago Tribune

June 6, 1993, Sunday, FINAL EDITION

SECTION: NEWS; Pg. 22; ZONE: C

LENGTH: 455 words

HEADLINE: Murder suspect linked to Satanism

BYLINE: Associated Press

DATELINE: WEST MEMPHIS, Ark.

BODY:

Michael Wayne Echols carried a cat's skull, wrote satanic poems and called himself "Damien," acquaintances said, and he once told a minister he worshiped the devil.

Many who know Echols said they weren't surprised when the 18-year-old high school dropout was arrested with two buddies and charged with capital murder in the deaths of three 8-year-old boys.

Echols, Jessie Lloyd Misskelley Jr., 17, and Charles Jason Baldwin, 16, were held without bond in undisclosed locations this weekend after separate appearances in municipal court Friday.

They will be tried as adults in the May 5 bludgeoning deaths of 2nd-graders Steve Branch, Chris Byers and Michael Moore.

As word of the arrests Thursday spread through this blue-collar community of 28,000, acquaintances of the accused trio said they were shocked at possible involvement by Baldwin and Misskelley.

Both were described as basically good kids. But schoolmates and neighbors said Echols had a dark side that people feared.

"He just scares me talking about him," said 16-year-old Roni Hendrix, who described Echols as a serious youth who seemed obsessed.

Roxanne Harrison, the mother of one of Echols' former friends, said Echols also frightened her. She said he once told her that he was a devil worshiper and displayed several satanic poems he had written. She said she forbid her 13-year-old daughter, Jennifer, to have contact with Echols last year.

Police have refused to comment on any links between the murders and the occult.

Keith Chism, a 16-year-old Marion High School junior, said Echols often brought a cat skull to school and sat sullenly in classes. Chism said Echols once flunked out of a business course the two students took together.

"While everyone else was working, he was just playing with that skull," Chism said.

Cats of all colors and sizes crept throughout the debris Friday at the dilapidated, garbage-strewn mobile home where Echols lived with his girlfriend north of West Memphis.

Echols' knee-high, black boots were in the bedroom. On one window was a framed case for a compact disc titled "Grim Reaper." Strewn across the floor were cassette tapes of heavy-metal artists Alice Cooper and Guns N' Roses.

Rick McKinney, youth minister at the Second Baptist Church in West Memphis, said he talked to Echols for more than two hours about a year ago after a service at the church in which a former Hell's Angels motorcycle gang member spoke about finding religion.

"I tried every approach I knew to win Echols to the Lord that night, but he told me there was no way he could be saved, his soul had already been committed" to the devil, McKinney said. "He said he had made a pact and would go to hell."

LOAD-DATE: 06-07-93

EXHIBIT A-70



Copyright 1993 The Times Mirror Company; Los Angeles Times

All Rights Reserved
Los Angeles Times

June 6, 1993, Sunday, Bulldog Edition

SECTION: Metro; Part B; Page 5; Column 1; National Desk

LENGTH: 108 words

HEADLINE: 3 TEENS SEIZED IN ARKANSAS SLAYING OF BOYS LEFT IN DITCH

BYLINE: By Associated Press

DATELINE: WEST MEMPHIS, Ark.

BODY:

Three teen-agers were arrested in the slayings of three 8-year-old boys found last month in a drainage ditch, police said Friday.

Police Inspector Gary Gitchell identified the suspects but would not discuss motive or reveal what investigators found in searching their homes.

He said Jesse Lloyd Misskelley, 17, of Marion; Michael Wayne Echols, 18, of West Memphis, and Charles Jason Baldwin, 16, of Marion would appear in court on capital murder charges.

The victims, Christopher Byers, Michael Moore and Steve Edward Branch disappeared May 5 while riding bicycles in their neighborhood. Authorities discovered their bodies the next day.

EXHIBIT A-71



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

June 5, 1993, Saturday, AM cycle

SECTION: Domestic News

LENGTH: 458 words

HEADLINE: Murder Suspect Once Told Minister He Worshiped the Devil

DATELINE: WEST MEMPHIS, Ark.

BODY:

Michael Wayne Echols carried a cat's skull, wrote satanic poems and called himself "Damien," acquaintances said, and he once told a minister he worshiped the devil.

Many who know Echols said they weren't surprised when the 18-year-old high school dropout was arrested with two buddies and charged with capital murder in the deaths of three 8-year-old boys.

Echols, Jessie Lloyd Misskelley Jr., 17, and Charles Jason Baldwin, 16, were held without bond in undisclosed locations this weekend after separate appearances in municipal court Friday.

They will be tried as adults in the May 5 bludgeoning deaths of second-graders Steve Branch, Chris Byers and Michael Moore.

As word of the arrests Thursday spread through this blue-collar community of 28,000, acquaintances of the accused trio said they were shocked by the possible involvement of Baldwin and Misskelley.

Both were described as basically good kids. But schoolmates and neighbors said Echols had a dark side that people feared.

"He just scares me talking about him," said 16-year-old Roni Hendrix, who described Echols as a serious youth who seemed obsessed.

Roxanne Harrison, the mother of one of Echols' former friends, said Echols also frightened her. She said he once told her that he was a devil worshiper and displayed several satanic poems he had written. She said she forbid her 13-year-old daughter, Jennifer, from having contact with Echols last year.

Police have refused to comment on any links between the murders and the occult.

Keith Chism, a 16-year-old Marion High School junior, said Echols often brought a cat skull to school and sat sullenly in classes. Chism said Echols once flunked out of a business course the two students took together.

"While everyone else was working, he was just playing with that skull," Chism said.

Cats of all colors and sizes crept throughout the debris Friday at the dilapidated, garbage-strewn mobile home where Echols had been staying with his girlfriend north of West Memphis.

Echols' knee-high, black boots were in the bedroom. On one window was a framed case for a compact disc titled "Grim Reaper." Strewn across the bedroom floor were cassette tapes of heavy-metal artists Alice Cooper and Guns N' Roses.

Rick McKinney, youth minister at the Second Baptist Church in West Memphis, said he talked to Echols for more than two hours about a year ago after a revival service at the church in which a former Hell's Angels motorcycle gang member spoke about finding religion.

"I tried every approach I knew to win Echols to the Lord that night, but he told me there was no way he could be saved, his soul had already been committed" to the devil, McKinney said. "He said he had made a pact and would go to hell."

EXHIBIT A-72



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

June 5, 1993, Saturday, PM cycle

SECTION: Domestic News

LENGTH: 597 words

HEADLINE: Triple Murder Suspects Described as Quiet Loners

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

On a typical day, friends say, young Jessie Lloyd Misskelley Jr. would watch pro wrestling on TV, poke around under the hood of a car or baby-sit.

But others in this Mississippi River town say Misskelley and two buddies frightened them with hints of devil worship and fascination with the occult.

On Friday, the three teens were charged with capital murder in the bludgeoning deaths of three second-grade boys.

A crowd of up to 200 people outside the courthouse shouted "murderer," "freak," "baby killers" and "shoot 'em" as the teen-agers were taken away.

Inside, the father of one of the victims lunged at a defendant, screaming, "I'll chase you all the way to hell!" Court officers subdued Steven Branch and led him out of the room.

Misskelley, 17, Michael Wayne Echols, 18, and Charles Jason Baldwin, 16, were arrested Thursday on charges of capital murder in the deaths of the three 8-year-olds: Steve Branch, Chris Byers and Michael Moore. They did not enter pleas at Friday's court appearance and were ordered held without bond.

Police would not discuss a motive, the condition of the bodies or any possible link to the occult.

The slayings stunned this blue-collar city of about 28,000, in the shadow of Memphis, Tenn. Rumors that the boys were killed and sexually mutilated as part of some ritual have persisted since the bodies were found May 6, one day after they vanished while out riding their bicycles.

Many parents had not allowed their children to play outside unsupervised since then.

Neighbors described Misskelley as an ordinary young man.

"Jessie's done nothing but be a boy," said Angela Baldwin (no relation to Charles). "He looks tough but he's sweet."

Baldwin's mother, who refused to give her name, described her son as a brainy child who made good grades and whose only brush with trouble had been stealing a bag of potato chips.

But others found their behavior ominous.

Chris Floyd, a 16-year-old from Marion High, said Baldwin kept to himself at school, hanging out other times with Echols and Misskelley, both dropouts.

They were fond of drawing pentagrams, skulls and snakes on art materials, and once came to a football game decked in black with black tears painted on their faces, Floyd said.

"Everybody assumed that they were going to end up in jail or something sooner or later," he said.

Some who knew Echols, whose nickname was "Damien," said they weren't surprised to hear he was in trouble with the law. Former schoolmates described him as an introspective loner who always wore black and never smiled.

"He told me at school one day that whatever he can do to hurt somebody he'd do it," said Jim Ferguson, a substitute teacher at Marion High. "He likes to rule people. He's like some wacko cult member. He'll pull you in."

Lisa Faulkner, who worked with Echols at a restaurant, called him "real weird. He never did talk too much, and he always stayed to himself. He would sit on the deep-freezer and act like he was praying. He used to say stuff about worshipping the devil."

Misskelley's father, Jessie Misskelley Sr. said during a break in court Friday that his son had told him that Echols drank blood.

The Rev. Tommy Stacy, pastor of Second Baptist Church, said the arrests brought a feeling of relief to the community. But he said they also troubled him because Echols and Baldwin had visited his youth group.

"Had we tried harder, maybe none of this would have happened," Stacy said. "So, while there's a sense of relief, at the same time, there is a feeling of guilt on my part. We could have reached them."

EXHIBIT A-73



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

June 4, 1993, Friday, AM cycle

SECTION: Domestic News

LENGTH: 420 words

HEADLINE: Father's Grief Turns to Rage at Young Defendants in Slayings of Boys

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

A father's grief turned to rage Friday when he rushed at one of three teen-agers accused of killing his boy and two playmates. "I'll chase you all the way to hell," he yelled.

Court officers subdued Steven Branch before he reached the defendant.

The teen-agers were arrested Thursday and charged with capital murder, but police Inspector Gary Gitchell wouldn't discuss a motive or reveal what was found during a search of their homes.

Jesse Lloyd Misskelley, 17, Michael Wayne Echols, 18, and Charles Jason Baldwin, 16, were arrested Thursday. They were charged in the slayings of three 8-year-olds who vanished May 5 while riding bicycles in their neighborhood.

The next day, authorities discovered the boys' bodies in a drainage ditch in nearby woods.

Municipal Judge Pal Rainey called a recess after Branch's outburst and warned that further disruptions would lead to contempt of court charges.

Branch bolted from his seat and ran for Echols, the first of the teen-agers brought before the judge.

"I'll chase you all the way to hell," Branch shouted, adding "I'll see you dead" before he was restrained and led out of the courtroom.

The teen-agers did not enter pleas and were ordered held without bond until the case is transferred to Circuit Court on Monday. Police wouldn't reveal where they were taken to protect their safety.

Rainey later granted a prosecution request to seal all police investigative files in the case.

Gitchell said Misskelley was arrested at the Police Department on Thursday afternoon and Echols and Baldwin were arrested at Echols' home Thursday night.

Detectives in this city just across the Mississippi River from Memphis, Tenn., had gone door to door in search of leads.

Gitchell said last month that a preliminary autopsy indicated the slain boys - Christopher Byers, Michael Moore and Steve Edward Branch - died of blows to the head.

The slayings of the three second-graders stunned the city of about 28,000, and many parents have not allowed their children to play outside unsupervised since the bodies were found.

On Friday, a crowd of up to 200 people behind the courthouse shouted "murderer," "freak," "baby killers" and "shoot 'em" at the teen-agers as they were taken away.

Echols' father, Joe, said police were trying to frame his son.

"For the past month, they've been following him, they've been harassing him everywhere he went," he said Thursday as police searched the family's trailer home. "I know without a doubt in my mind this boy didn't do it."

EXHIBIT A-74



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

June 4, 1993, Friday, PM cycle

SECTION: Domestic News

LENGTH: 302 words

HEADLINE: Police: Three Arrested in Murder of Three 8-Year-Olds

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

Three teen-agers were arrested in the slayings of three 8-year-old boys found last month in a drainage ditch, police said today.

Police Inspector Gary Gitchell identified the suspects but would not discuss motive, or reveal what investigators found in searching their homes.

He said Jesse Lloyd Misskelley, 17, of Marion; Michael Wayne Echols, 18, of West Memphis; and Charles Jason Baldwin, 16, of Marion would appear in court on capital murder charges.

The court hearing was interrupted after the father of one of the slain boys bolted from his seat and threatened Echols, the first of the suspects brought before the judge.

"I'll chase you all the way to hell," shouted the father, Steven Branch, who later said, "I'll see you dead," before officers restrained him and led him and Echols out of the courtroom.

West Memphis Municipal Judge Pal Rainey called a recess and warned that further disruptions would lead to contempt of court charges.

Gitchell said Misskelley was arrested at the West Memphis Police Department on Thursday afternoon and Echols and Baldwin were arrested at Echols' home Thursday night.

Gitchell said last month that a preliminary autopsy indicated that the victims died from blows to the head.

The victims, Christopher Byers, Michael Moore and Steve Edward Branch disappeared May 5 while riding bicycles in their neighborhood. Authorities the next day discovered their bodies in the ditch in a nearby wooded, undeveloped area known to residents as Robin Hood Park.

Detectives in this city just across the Mississippi River from Memphis, Tenn., had gone door-to-door in search of leads.

The killings of the three second-graders stunned the city of about 28,000 and many parents have not allowed their children to play outside unsupervised since the bodies were found.

EXHIBIT A-75



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

May 12, 1993, Wednesday, PM cycle

SECTION: Domestic News

LENGTH: 594 words

HEADLINE: Residents Remember Three Slain Boys as Fun-Loving 8-Year-Olds

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

Chris was a big talker with a passion for cartwheels and watercolors. Steve was the straight-A student who loved to read. Michael, the jester, once showed up in class in his father's Navy uniform.

The three 8-year-olds were best friends who bicycled everywhere in their leafy neighborhood in this blue-collar Mississippi River town.

A week ago, they rode off on their bikes and never came back.

Their bodies, bound at the hands and feet, were found a mile away the next day in a shallow creek running through Robin Hood Hill, a wooded play area popular with children but disliked by some parents.

Chris Byers, Steven Edward Branch and Michael Moore all died of blows to the head, investigators say. They refused to comment on reports that the boys were sexually mutilated.

Residents are grief-stricken and jittery, willing to do anything to help, wishing they had some answers.

"They're mad and they're scared. Everyone's wracking their brain to try to help the police," said James Presley, a clerk at J&B Grocery near where the bodies were found.

"Rumors are a dime a dozen, everything from gangs to cults are floating around. We try not to pay any attention ... but we just don't know."

Police have gone door-to-door. Investigators are checking hundreds of telephone tips. The FBI is developing a psychological profile. But so far, the search for suspects appears to be fruitless.

A third of the 70 police officers in West Memphis, a town of 28,000 across the river from its glitzy Tennessee neighbor, have been assigned to the case. Transients have been rounded up and questioned. The town, situated at the crossroads of Interstates 40 and 55, has an abundance of truck stops.

At Weaver Elementary School, where the second-graders' desks were decorated with flowers, teachers remembered, between tears, three happy, energetic youngsters.

Michael liked math and making classmates laugh, said Becky Miller, his teacher for two years. He had recently become a Cub Scout and was fascinated with uniforms.

"His daddy was in the Navy, and he came to school one day with his daddy's uniform on, the coat part and that little Navy hat," Mrs. Miller said. "When we'd do the pledge every morning, he'd spread those little legs, put his hands behind him and do that Scout salute."

When he wasn't doing cartwheels and painting, Chris was usually chatting up a storm, said his teacher, Imogene Jones. Steve, who also was in her class, loved books and excelled in his grades.

Michael's mother, Diane Moore, was one of the last to see the boys as they rode north along North 14th Street last Wednesday afternoon. She sent her daughter after them to order them home. By the time the girl rounded a curve in the street a half-block away, they had disappeared from view.

Melissa Byers said her son was not allowed to go into Robin Hood Hill, which is criss-crossed by bicycle paths and ditches. "He was forbidden to go in there. He knew better," she said.

Her husband, Mark, said he last saw Chris playing in the carport at their home around 5:30 p.m. When Byers left to pick up his other son, he told Chris to stay home. Returning an hour later, he asked his wife where Chris was. She had assumed he had been playing outside.

Chris and Michael lived across the street from each other in the Holiday Gardens neighborhood and Steve a block away.

"It could have been my kids," said Bernice Udell, a neighbor and mother of two. "I'm going to make sure I know where they are 24 hours a day. If I'm not there, somebody's going to be there watching them."

EXHIBIT A-76



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

May 9, 1993, Sunday, AM cycle

SECTION: Domestic News

LENGTH: 331 words

HEADLINE: Town Watches Its Children as Police Search for Killers

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

Investigators checked hundreds of telephone tips Saturday, and the FBI was asked to develop a psychological profile of whoever killed three 8-year-old boys.

Police went door-to-door, talking to neighbors of the boys, who disappeared Wednesday while riding their bicycles.

Their bodies were found Thursday in a drainage ditch about a mile from their homes. The state medical examiner's office said all three died of blows to the head. Police have refused comment on reports that the bodies were mutilated.

Police Inspector Gary Gitchell said the department was using the FBI's national crime database to match the crime to similar ones across the country in an effort to come up with suspects.

FBI behavioral-science experts in Quantico, Va., were asked to develop a profile of the killer or killers.

Sidewalks usually crammed with children at play were mostly deserted Saturday as police expanded their search for suspects in the deaths of three 8-year-old boys.

"Everybody's real scared, still reeling from what everybody's calling the worst tragedy that's ever been here," Pat Van Gundy said, glancing at his two children, aged 8 and 7. "This neighborhood is just full of children, and there's been nothing to be afraid of letting the children play alone for blocks down the street. But now, not even two blocks, not even next door."

The victims, Christopher Byers, Michael Moore and Steve Edward Branch, were last seen alive Wednesday afternoon as they rode bicycles in their neighborhood.

Authorities discovered their bodies in a nearby wooded area known to residents as Robin Hood Park. Bike paths criss-cross the popular play area for children.

Gitchell said the boys' hands and feet were tied, but he wouldn't say what material was used.

Some parents have complained because the police department did not immediately mount an all-out search after getting the first call that the boys were missing Wednesday night. The search began in earnest early Thursday.

EXHIBIT A-77



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

May 8, 1993, Saturday, PM cycle

SECTION: Domestic News

LENGTH: 313 words

HEADLINE: Adults Watch Over Children as Police Search for Killers

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

Sidewalks normally crowded with children were deserted throughout this small Mississippi River town a day after the bodies of three 8-year-old boys were found in a watery ditch.

Police spent the day chasing down hundreds of telephone tips, but said late Friday they still had no motive for the slaying and no suspects.

The bodies of Christopher Byers, Michael Moore and Steve Edward Branch were found Thursday in a wooded area known to residents as Robin Hood Park.

Bike paths cross the area, which is a popular gathering spot for children, but on Friday few youngsters were to be found anywhere in this city of 28,000. The few on the street were with parents or older siblings.

"It's making everybody more cautious," Arvester Brown said as he and his 8-year-old son, Arvester II, walked from a nearby store to their home a few hundred yards from where the bodies were found.

Donna Johnson, who lives in an apartment near Robin Hood Park, said she wouldn't let her children out of her sight.

"It happened right in our back doors," she said. "That's scary."

A third of the city's 70 police officers were assigned to the case, and some went door-to-door interviewing friends and neighbors of the boys, said Police Inspector Gary Gitchell. Officers also rounded up transients, but no one was arrested.

Gitchell said the boys were found tied hand and foot, but he refused to confirm earlier reports that they had been sexually mutilated. They died of blows to the head, the state medical examiner's office said.

At Weaver Elementary School, where the boys were in the second grade, counselors visited Friday, and friends decorated the boys' desks with flowers and notes.

"There's shock, there's fear, there's sadness, there's such a trauma that anything like this could happen," said local resident Rosita Greer. "Everybody is touched when a small child is hurt."

EXHIBIT A-78



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

May 7, 1993, Friday, AM cycle

SECTION: Domestic News

LENGTH: 355 words

HEADLINE: Fear Grips City After Three Boys Found Slain

BYLINE: By JAMES JEFFERSON, Associated Press Writer

DATELINE: WEST MEMPHIS, Ark.

BODY:

Fear for their children gripped this city on the Mississippi River as police searched for leads Friday in the deaths of three 8-year-old boys.

The bodies of Christopher Byers, Michael Moore and Steve Edward Branch were found Thursday in a watery drainage ditch, one day after their parents reported them missing from their quiet, middle-class neighborhood. The ditch was about a mile from their homes.

The boys were found with their hands and feet tied, but police Inspector Gary Gitchell refused to confirm earlier reports that they had been sexually mutilated. A preliminary autopsy report determined the boys all had died of blows to the head, he said.

A computer message West Memphis police sent to other law enforcement agencies Thursday night and obtained by news organizations including The Associated Press said the victims' hands were tied and their "genitals had been removed with a sharp instrument."

Detectives went door-to-door Friday questioning the boys' neighbors, and people living near where the bodies were found.

Donna Johnson was babysitting her 3-year-old son and two other small children at her apartment near where the bodies were found.

"I'm not going to let them get out of my sight, not until they catch who done it," she said. "There is fear over here. It happened right in our back doors. That's scary."

About two dozen of the city's 70 police officers were assigned to the case. But Friday they had no leads, no clues, no suspects, no motive.

"It's frustrating," Gitchell said. "We will rely heavily on the crime lab to bring forth some information to sort of steer us in one direction or the other."

The boys vanished Wednesday while riding bicycles in their neighborhood. The ditch where their bodies were found was about a mile away in a wooded area known as Robin Hood Park. Bike paths crisscross the area popular with children.

School officials dispatched extra counselors to Weaver Elementary School, where the boys were second-graders, to help their schoolmates cope with the deaths.

West Memphis, a town of about 28,000, is across the Mississippi River from Memphis, Tenn.

EXHIBIT A-79



Copyright 1993 Associated Press
All Rights Reserved

The Associated Press

May 7, 1993, Friday, PM cycle

SECTION: Domestic News

LENGTH: 193 words

HEADLINE: Police Seek Slayer of Three 8-Year-Olds

DATELINE: WEST MEMPHIS, Ark.

BODY:

Three 8-year-old boys who vanished while out riding their bikes were found slain in a watery drainage ditch.

Police said they had no suspects and wouldn't disclose how the youngsters were killed.

The Jonesboro Sun, citing a police message sent to other police agencies, reported today that the boys' hands were tied behind their backs and their "genitals removed with a sharp instrument."

Police Inspector Gary Gitchell said the boys' hands and feet were tied but that the message was inaccurate, though he wouldn't say what part was wrong.

Christopher Byers, Michael Moore and Steve Edward Branch were reported missing Wednesday. Their bodies were found Thursday in a wooded area criss-crossed with bike trails less than a half-mile from their neighborhood.

Sarah Kirkley, the principal at Weaver Elementary School, where the boys were pupils, said they were "were well-behaved, good little boys." She said extra counselors would be at the school today to help their schoolmates.

Mark Byers, Christopher's father, said whoever killed his son was an animal.

"I hope God shows a little mercy on his soul, because I sure wouldn't," he said.

EXHIBIT A-80



Copyright 2008 East Carolinian via U-Wire
University Wire

September 30, 2008 Tuesday

LENGTH: 754 words

HEADLINE: Column: The forgotten witch trial: The 'West Memphis Three'

BYLINE: By Jared Jackson, East Carolinian; **SOURCE:** East Carolina U.

DATELINE: GREENVILLE, N.C.

BODY:

More than 15 years have passed since eight year-olds Steve Branch, Christopher Byers and Michael Moore were found brutally murdered in West Memphis, Arkansas in May of 1993.

At the crime scene, a wooded creek area, the boys were found naked and hog-tied with their shoe laces. They had been severely beaten and Byers testicles were mutilated.

In one of the most radical injustices of all-time, Damien Echols, Jessie Misskelley and Jason Baldwin were convicted of the murders and labeled the "West Memphis Three." Echols currently sits on death row while Baldwin received life without parole and Misskelley received life plus 40 years.

Just last year, DNA collected from the crime scene that was tested was found not to match any of the "West Memphis Three," yet a hair from Terry Hobbs, the stepfather of Steve Branch, was found on the shoe laces that were used to bind the boys together.

But that wasn't enough. On Sept. 10, a circuit court judge rejected claims that the DNA proved the "West Memphis Three" were not guilty.

Why it is entirely possible that the "West Memphis Three" in fact did murder the three young boys, in a court of law the burden is to prove "beyond a reasonable doubt" that someone is either guilty or not. In the subsequent trial for the murders and the appeals, this was never accomplished.

The whole idea behind the injustice of this case is that Echols, Misskelley and Baldwin were convicted due to a so-called "Satanic Panic" that gripped the small Bible-belt town of West Memphis. The three wore black and listened to heavy metal in a time where such behavior raised red flags in comparison to modern acceptance of this behavior.

Pink Floyd and Metallica lyrics, Stephen King novels and their interest in heavy metal were all presented as evidence in court as to why these three young men were guilty.

In Echols' case, his interest in the Wicca religion was also used to paint him as a monster.

Misskelley was the sole reason why the three were arrested after being watched for a short period of time. He confessed to the murders and named Echols and Baldwin as accomplices. However, many of the details of the confession turned out to be false. Misskelley was interrogated by detectives for approximately three hours-without being recorded-while interrogators revealed key information of the case to him. Add in the fact that Misskelley's IQ score of 72, which almost qualifies him to be considered legally retarded.

Less than 24 hours after the murders, workers in a Bojangles restaurant less than a mile from the crime scene reported to authorities that an African-American male covered with mud and blood entered the women's bathroom. Even

Column: The forgotten white trial: The 'West Memphis Three' University Wire September 30, 2008 Tuesday

though the man had left before the police got to the scene they did not enter the bathroom or collect evidence until the following day. What evidence that was collected was deemed to be lost in the trial.

A hair identified as that of being of African-American descent was later removed from a sheet that was used to wrap up one of the victims.

During the trial, John Mark Byers, father of Christopher Byers came under speculation of his involvement. During the trial, Byers admitted to giving HBO documentary cameraman Doug Cooper a hunting knife. On the knife a small amount of blood was discovered. Byers claimed to have never used the knife only to recant the statement and claim that he had used it to cut deer meat, only to change his mind later saying that he may have cut his thumb with the weapon.

After the trial, an attorney representing the "West Memphis Three" discovered what appeared to be bite marks on the victims. Byers' teeth had been removed, without a consistent reason for their removal, which pushed him out of the investigation.

An informant, Vicki Hutchenson, even admitted in 2003 that she fabricated her story, which incriminated the three. She claimed that police insisted that if she did not cooperate with them that they would take her child away. She also claimed that when she entered the police station they had photographs of the three hanging on the wall to use as dart targets.

Since the convictions, a small grassroots movement started to earn the "West Memphis Three" a new trial has expanded nationally and globally and even includes celebrities such as Will Ferrel and Jack Black as well as musicians Eddie Vedder and Natalie Maines of the Dixie Chicks.

While just scratching the surface of this injustice, it certainly proves that a cloud hangs over the convictions of the "West Memphis Three."

(C) 2008 East Carolinian via UWIRE

LOAD-DATE: October 1, 2008

EXHIBIT A-81



Copyright 2008 The Deseret News Publishing Co.
Deseret Morning News (Salt Lake City)

September 11, 2008 Thursday

LENGTH: 157 words

HEADLINE: Judge rejects claims DNA clears 3 in slayings

BODY:

LITTLE ROCK, Ark. (AP) -- A judge on Wednesday rejected claims that DNA evidence clears three men convicted of killing three 8-year-old boys in 1993 and denied their requests for a new trial.

Lawyers for Damien Echols, Jason Baldwin and Jessie Misskelley -- known to supporters as the "West Memphis Three" -- had argued that new DNA tests would prove their clients' innocence.

Both Baldwin and Misskelley claimed their lawyers failed to adequately represent them during trial. Their lawyers said DNA evidence provided by Echols' defense team showed that the men did not kill Steven Branch, Christopher Byers and Michael Moore.

"The court finds that (Echols') DNA-testing results are inconclusive because they do not raise a reasonable probability that he did not commit the offenses; that is, they are inconclusive as to his claim of actual innocence," the Circuit Court judge wrote in a 10-page order denying the men's requests for a new trial.

LOAD-DATE: September 11, 2008

EXHIBIT A-82



Copyright 2008 Southeastern Newspapers Corporation
All Rights Reserved
The Augusta Chronicle (Georgia)

March 18, 2008 Tuesday
ALL EDITION

SECTION: XTREME; Trisha Pintavorn; Pg. B04

LENGTH: 384 words

HEADLINE: Were 3 teens railroaded?

BODY:

Documentaries have been made and their story was featured in People, yet the West Memphis Three are still not free.

On May 5, 1993, three 8-year-olds - Steve Branch, Christopher Byers and Michael Moore - were reported missing. The next day, their bodies were found in a creek. They had been brutally beaten.

One boy had died of blood loss, and the other two drowned. Jessie Misskelley, Damien Echols and Jason Baldwin, teenagers at the time, were convicted of the brutal murders and have been in prison for nearly 16 years.

When I came across this case while doing researching for school, I was shocked. To say the evidence surrounding the case is sketchy is an understatement. Nobody who testified was able to say that they saw the suspects walking or driving (the boys didn't have licenses) to the crime scene, and the stories people tossed around were absurd. One man said Mr. Echols levitated him; a woman said he wore dog skins around his neck. Lyrics from the suspects' notebooks, Stephen King novels and Mr. Echols' interest in heavy metal music were used as evidence against the teenagers. There is no DNA evidence linking the trio to the crime scene; however, there are two hairs found on two boys that could possibly match up to a victim's stepfather. A knife found in the creek was never proved to belong to the suspects.

Police failed to test blood found at the crime scene. They moved the bodies from the scene prematurely and lost evidence. They also put physical evidence into grocery bags.

During a 12-hour interrogation, Jessie Misskelley, who is borderline mentally impaired, made a confession that was completely false. Only 46 minutes of it were taped. He mixed up times; he changed the time of the murders from 9 in the morning to 6 at night. He also said the boys were raped, although seven forensic scientists testified later that they were not. He later withdrew the confession, saying he was intimidated by the police to make a confession in the first place, but the damage was done. All three boys were found guilty.

The next time you start doodling lyrics in your notebook, be careful. It might be used to sentence you to life imprisonment without parole, life imprisonment plus 40 years, or death.

Visit wm3.org for more information.

Trisha Pintavorn is a freshman at

Lakeside High School

LOAD-DATE: March 29, 2008

EXHIBIT A-83



Copyright 2007 Nationwide News Pty Limited
All Rights Reserved
The Australian (Australia)

December 31, 2007 Monday
1 - All-round Country Edition

SECTION: WORLD; Pg. 11

LENGTH: 808 words

HEADLINE: Murder case sounds death knell for capital punishment

BYLINE: John Harlow

BODY:

The reopening of a shocking case may close the book on the death penalty in the US, writes John Harlow

NEARLY 15 years ago, the murder of three Arkansas Cub Scouts in an alleged satanic rite sickened the US and strengthened the hand of death penalty supporters. Now the same crime may be the final nail in the coffin of capital punishment.

Over the next few weeks, the grim saga of the so-called West Memphis Three -- teenagers who were convicted of slaughtering three eight-year-old boys for kicks -- is expected to reach a conclusion as a new suspect is tested and fresh DNA evidence is presented in Arkansas.

Legal experts predict alleged ringleader Damien Echols, who in other states such as Texas would have been executed years ago, could be freed from death row within months.

Opponents of capital punishment are poised to adopt Echols, now a charismatic Buddhist preacher, as a poster child for a national moratorium on "state-sponsored killing".

It is already happening. Since September last year, dozens of executions have been postponed in the face of a legal challenge as to whether the supposedly pain-free lethal injection amounts to "cruel and unusual punishment", which is forbidden under the US constitution. The Supreme Court will hear evidence next month.

Even before the de facto moratorium, the number of state executions had fallen to its lowest level for a decade. The federal government, which used to execute dozens of people each year, has not executed anyone since Oklahoma City bomber Timothy McVeigh in 2001.

Four years ago, George Ryan startled fellow Republicans when, upon his retirement as governor of Illinois, he commuted all state death sentences to life sentences. Ryan said DNA testing suggested that as many as 70 of the 1099 Americans executed since capital punishment was revived in 1976 might have been innocent.

Earlier this month, New Jersey became the first state for 42 years to abolish the death penalty, and neighbouring Maryland is set to follow suit. Texas carries out 60 per cent of executions in the US.

Opinion polls suggest that while most Americans still favour the death penalty, many are expressing reservations about its inherent unfairness.

That doubt is at the heart of the case of the West Memphis Three. The case dates back to a summer night in May 1993 when the bodies of three eight-year-old boys -- James Moore, Steven Branch and Christopher Byers -- were found

Murder case sounds death knell for capital punishment The Australian (Australia) December 31, 2007 Monday

in a creek near their home. The quiet city of West Memphis went crazy, with mobs pulling suspicious strangers from cars.

At the murder scene, police asked Jerry Driver, a born-again Christian probation officer, if he had any suspects. He named Echols, a bipolar 18-year-old who, Driver believed, was a satanist because he wore a black leather coat in all weather and listened to "devil music" such as Pink Floyd and Metallica.

Police questioned Echols's friend Jessie Misskelley, an intellectually disabled 17-year-old. During 14 hours of interrogation, unprotected by parent or lawyer, the boy confessed that he, Echols and friend Jason Baldwin met the children in the woods by accident and then stabbed and raped them for satanic purposes.

This statement, lacking DNA evidence, weapons or a deeper motive, was the cornerstone of the prosecution, even as it emerged during the trial that police had coached Misskelley with lurid details and the victims had not been stabbed but beaten -- and had not been sexually assaulted. The mutilations, which inspired local newspaper stories of devil worship, were caused by snapping turtles.

The jury, gripped by the "devil curses" found in Echols's diaries, which had been lifted from the works of the author Stephen King, took an hour to find all three guilty. Echols was sentenced to death and his two friends to life imprisonment.

At first the distraught parents were relieved but then the case started falling to pieces. Driver was unmasked as a fraudster, and a key witness admitted that she had invented everything in a deal with police for a cash reward.

Just before Christmas, Natalie Maines, outspoken leader of the Dixie Chicks, addressed a 500-strong protest meeting in Little Rock, Arkansas, demanding a fresh trial.

This now seems likely. Six weeks ago, Echols's lawyer revealed that new, independent DNA tests of the murder scene not only cleared the trio but also pointed to a friend of one of the victims' parents who had a brutal history. The man has been interviewed by West Memphis police.

Two sets of bereaved parents recently declared they felt betrayed by police and lawyers, and wanted an inquest.

"We can only thank God that Damien Echols has survived death row," said John Mark Byers, stepfather of Chris Byers. "Otherwise, not only would we have lost the chance of finding the truth but we, too, would have blood on our hands. And that would have been unbearable."

LOAD-DATE: December 30, 2007

EXHIBIT A-84



Copyright 2007 ProQuest Information and Learning
All Rights Reserved
Copyright 2007 Memphis Flyer
Memphis Flyer (Tennessee)

November 15, 2007 - November 21, 2007

SECTION: THE FLY-BY; Pg. 9 No. 977

ACC-NO: 58727

LENGTH: 494 words

HEADLINE: Defense Theory

BYLINE: Phillips, Bianca

BODY:

ABSTRACT

"People look at this terrible genital injury and say, where's all the blood?" said Dennis Riordan, a San Francisco-based attorney who took [Damien Echols]' case in May 2004. "But if [[Christopher Byers]] drowned before he was subjected to this wound, it wouldn't bleed."

"Have you ever been at the scene where a dog has killed a person? There's no blood because, for the animal, that's the whole point," Riordan says.

"But," Riordan says, "it would have a tremendous effect on what the state decides to do with the other two."

FULL TEXT

SPOTLIGHT

New evidence in the Damien Echols case disputes Satanic ritual theory.

During the 1994 trials of Damien Echols, Jason Baldwin, and Jesse Misskelley Jr. - collectively known as the West Memphis Three - there was a mystery that neither the prosecution nor the defense could explain.

Though the penis of Christopher Byers, one of three 8-year-old boys found hog-tied and murdered in a West Memphis ditch in 1993, was removed, there was no blood found at the scene.

In a 500-plus page document filed with the court Octobet 29th, Echols' defense team attempts to explain the lack of blood. It also reports DNA results of hair and other material found at the crime scene.

"People look at this terrible genital injury and say, where's all the blood?" said Dennis Riordan, a San Francisco-based attorney who took Echols' case in May 2004. "But if [Byers] drowned before he was subjected to this wound, it wouldn't bleed."

The document suggests that the boys were drowned in a creek, and then an animal, perhaps a dog or raccoon, removed Byers' penis.

"Have you ever been at the scene where a dog has killed a person? There's no blood because, for the animal, that's the whole point," Riordan says.

Defense Theory Memphis Flyer (Tennessee) November 15, 2007, November 21, 2007

Forensic pathology studies show that other wounds on the boys are consistent with those caused by animal claws and teeth.

During the trials, the prosecution suggested the murders of Byers, Stevie Branch, and Michael Moore were part of a Satanic ritual led by Echols. He was given the death penalty. Baldwin and Misskelley were both sentenced for life.

In July, news broke that DNA tests had linked hair in a shoelace used to hog-tie the boys to Terry Hobbs, Branch's stepfather. Another hair found on a nearby tree stump was linked to Hobbs' friend, David Jacoby.

In 2003, Echols' lawyers began DNA tests on existing evidence. Arkansas did not allow DNA testing on closed cases until 2001.

According to Gabe Holstrom, spokesperson for Arkansas Attorney General Dustin McDaniel, it could take months for the state to study the report.

"While the state will look at the new allegations and evidence objectively, it stands behind the conviction of Echols and that of his co-defendants," Holstrom said.

Since the papers were filed in Echols' case, a new trial for Echols would not necessarily mean a new trial for Baldwin or Misskelley.

"But," Riordan says, "it would have a tremendous effect on what the state decides to do with the other two."

LOAD-DATE: December 3, 2007

EXHIBIT A-85



Copyright 2007 Guardian Newspapers Limited
All Rights Reserved
The Observer (England)

November 4, 2007

SECTION: OBSERVER FOREIGN PAGES; Pg. 43

LENGTH: 759 words

HEADLINE: DNA could clear 'Satanic' triple murder teenagers: After 15 years, the verdict in case that shocked America is denounced as a travesty of justice

BYLINE: Paul Harris, New York

BODY:

THE HORRIFIC crime shocked a nation. Three young boys, cub scouts, were tied up, murdered and their naked bodies dumped in a drainage ditch.

As a Deep South community bayed for justice, attention focused on a group of misfit teenagers, heavy metal fans accused of killing the children in a Satanic ritual. The case became a sensation at a time when a 'Satanic panic' over cults was gripping 1990s America. All three were found guilty. Jason Baldwin, then 16, and Jessie Misskelley, 17, got life sentences. Damien Echols, 18, was put on death row, where he remains.

Now evidence, including DNA samples, has emerged to suggest the real killers are still at large and that three innocent men have been behind bars for almost 15 years. 'No reasonable juror would convict. . . knowing what we know today,' said defence lawyer Dennis Riordan.

The facts were simple enough. The victims - Christopher Byers, Steve Branch and James Moore - were last seen riding their bikes on 5 May, 1993. Their bodies, tied with shoelaces, were discovered a day later near the Arkansas town of West Memphis, close to the Mississippi river. They were only a few miles from home. Police were shocked by the terrible knife wounds and signs of torture and concluded that some sort of cult ritual had occurred. Attention quickly focused on the town misfits. Under pressure, Misskelley confessed to the killings and all three were found guilty.

Now lawyers for Echols have lodged new evidence seeking to prove his innocence. The case against the West Memphis Three appears to have been more about rushed police work and hyped-up paranoia over non-existent Satanism than evidence. The suspects were just unfortunate to be social outcasts and to like rock music.

First there was Misskelley's confession. Despite coaching by investigators, Misskelley - who was mentally retarded and had a drug problem - described the murders incorrectly. He described sexual abuse that forensics proved had not happened. He said the murders were in the morning, when the victims were in school, and that they were tied with ropes, not shoelaces. Much of his confession seemed to be suggested by police interrogators.

The prosecution's assertion that a Satanic ritual had taken place has also now been discredited. The key expert witness on cults, Dale Griffis, had claimed in court that the marks on the bodies were clearly Satanic. However, it was later proved that Griffis had got his 'PhD in cult studies' from a fake Californian university that was later closed for being a 'diploma mill'. 'Apart from being a travesty of justice, this is not a Satanic murder. There is no ritual,' said John Douglas, a veteran of the FBI who is working with the defence team.

The wounds that police claimed were ritually inflicted, including sexual mutilation, have also been shown to have been caused by wild animals, probably stray dogs, clawing at the bodies after death. 'To sell that to a jury was uncon-

scionable. They are scratch marks from some kind of animal,' said Dr Richard Souviron, a forensics expert in bite marks.

Defence lawyers have tested two hairs found at the scene. One was found entangled in one of the ligatures tying up one of the boys. It has been matched with DNA samples from Terry Hobbs, a stepfather of one of the victims. Another hair, found on a tree stump, has been linked by DNA sampling to David Jacoby, a friend of Hobbs who was with him on the day of the murder and provided him with an alibi. No DNA evidence of any kind has been found at the scene to match any of the West Memphis Three. Douglas, who pioneered the profiling of serial killers at the FBI, also believes they do not match the psychological profile of whoever carried out the crime. He said the way the boys were killed, and their bikes, clothes and bodies hidden, suggested a sophisticated adult who knew the victims.

Sympathy for the Three is growing across America. Marilyn Manson and Eddie Vedder of the band Pearl Jam have joined the campaign to overturn the verdicts. A film is also being made about the case. Called Devil's Knot, it is being co-produced by Clark Peterson, who made Monster, starring Charlize Theron. 'This is one of the great crime stories of modern history, and the new evidence makes it all the more compelling,' Peterson said.

But for the moment the fate of the West Memphis Three still lies with the Arkansas attorney-general's office. It was last week examining the evidence and appeared in no rush to make a judgment. 'This process will likely take months, and possibly years,' said a spokesman.

LOAD-DATE: November 5, 2007

EXHIBIT A-86



Copyright 2007 Los Angeles Times
All Rights Reserved
Los Angeles Times

October 30, 2007 Tuesday
Home Edition

SECTION: MAIN NEWS; National Desk; Part A; Pg. 8

LENGTH: 971 words

HEADLINE: THE NATION;
Lawyers file DNA motion in Cub Scout murder case

BYLINE: Henry Weinstein, Times Staff Writer

BODY:

Attorneys for a death row inmate found guilty of killing three 8-year-old boys in Arkansas in 1993 filed a motion in federal court to overturn his conviction based on new evidence, including DNA test results that found no genetic material on the victims' bodies from his client or two others convicted with him.

The sensational case in West Memphis concerned three Cub Scouts whose bodies were found submerged in a drainage ditch not far from their homes; one boy's body appeared to have been sexually mutilated. Two of the defendants frequently dressed in black and were described as "Goths." Accusations of satanic rituals were presented in court testimony.

In June 1993, three teenagers -- Damien Wayne Echols, 18 at the time of the killings, Charles "Jason" Baldwin, 16, and Jessie Lloyd Misskelley Jr., 17 -- were arrested and charged with murder. They were convicted a year later. Echols was sentenced to death, Baldwin received life without parole and Misskelley, who told prosecutors he saw Echols and Baldwin beat and assault the boys, got life with parole.

But skeptics have long doubted the guilt of the three young men. The case also has drawn the attention of documentary filmmakers and others.

Eddie Vedder, lead singer of the rock group Pearl Jam, performed at a benefit concert that helped fund the DNA tests and appellate work. Lorri Davis, a New York landscape architect who saw a film about the case in 1996 and became so interested that she moved to Little Rock, Ark., married Echols and took a key role in organizing post-trial investigations and appeals.

On Monday in Little Rock federal court, Echols' appellate attorney filed a habeas corpus petition, along with dozens of exhibits and affidavits, alleging that his client, along with the other two young men, had been wrongly convicted.

The brief states that DNA tests of items recovered at the crime scene show that no genetic material of three defendants was present on the victims' bodies.

"That is an exculpatory fact of great importance," according to the brief submitted by five attorneys led by Dennis P. Riordan and Donald M. Horgan of San Francisco. That, they said, undercut the confession of Misskelley, who said that he saw Echols and Baldwin beat and sexually attack Christopher Byers, Steve Branch and James Michael Moore.

In addition, an unidentified person's genetic material was found on the penis of one victim.

Tests also revealed that a hair containing DNA consistent with that of Terry Hobbs, the stepfather of one of the boys, was found on black-and-white shoelaces used to hog-tie another of the victims. Another hair found on a tree root

at the crime scene contained the DNA of David Jacoby, who, according to court documents, was with his friend Hobbs in the hours before and after the victims disappeared.

The brief acknowledges that this evidence "does not establish guilt of Hobbs or Jacoby." Hobbs has said the hair on the shoelaces must have been innocently transferred from himself to one of the victims, who "played with our little boy regularly."

The new petition includes analyses done by seven forensic scientists, including Dr. Richard Souviron, chief forensic odontologist at the Miami-Dade County Medical Examiner Department, who played a significant role in Florida's successful 1979 prosecution of serial killer Ted Bundy. All of them challenge prosecutors' claims that Christopher had been sexually mutilated with a knife.

The forensic pathologists and odontologists, who separately reviewed autopsy tests, photos and trial testimony, state that the evidence strongly indicates that after Christopher was killed by blunt-force blows, animals ate parts of his body.

The brief also states that some of the key testimony asserting that the teenagers were part of a satanic cult -- something they have denied -- was presented by a so-called witchcraft expert with "a fraudulent PhD" from a California school that was put out of business by state authorities.

Echols' attorneys maintain that members of the jury that convicted and sentenced him to death in Jonesboro, Ark., in 1994 made misleading statements about what they knew about the case when questioned during voir dire, and considered Misskelley's confession during their deliberations -- something that the trial judge specifically told them not to do.

Misskelley was tried first. His attorneys maintained that he was borderline mentally retarded, and that he had only made a statement to prosecutors in the hope of being rewarded.

He was convicted, but it was established in court that he had changed key aspects of his story more than once. He initially told police that he saw the crimes occur at a time at which it was established that the three victims and Baldwin were in school, Echols was at the doctor's and Misskelley was at work on a roofing job.

During voir dire for the separate trial of Echols and Baldwin, the judge learned that virtually all of the jurors had heard a lot about the case from newspaper and television accounts.

The judge specifically told the jury not to consider anything they might have heard about Misskelley's statement to the police. But in recent interviews, three jurors -- including the foreman -- said the statement was a factor they considered. "How could you not?" the foreman said, according to court documents. "It was a primary and deciding factor."

The jury's consideration of the statement alone violated Echols' right to a fair trial, according to his attorneys.

Chief prosecutor Brent Davis did not respond to a call and an e-mail seeking comment.

On Monday, Davis said she was hopeful that her husband and the other defendants would eventually be freed. "After all this time, you have a case that was built on a lot of hysteria and satanic panic. . . . The truth is finally seeing the light of day."

--

henry.weinstein@latimes.com

GRAPHIC: PHOTO: BENEFIT: A 2006 San Francisco reception sponsored by Eddie Vedder of Pearl Jam was held to assist the West Memphis Three -- Damien Echols, pictured, Jason Baldwin and Jessie Misskelley.
PHOTOGRAPHER: Erin Lubin Associated Press

LOAD-DATE: October 30, 2007

EXHIBIT A-87



Copyright 2006 ProQuest Information and Learning
All Rights Reserved
Copyright 2006 Memphis Flyer
Memphis Flyer (Tennessee)

September 21, 2006 - September 27, 2006

SECTION: COVER STORY; Pg. 18 No. 917

ACC-NO: 58727

LENGTH: 3977 words

HEADLINE: LIFE AFTER DEATH

BYLINE: Stark, Annette

BODY:

ABSTRACT

The family that stood by [Damien Echols] during the trial has scattered. His mother calls maybe once a year; his dad remarried about six years ago and has a new family. His son's mother, Domini, was around for two years after his incarceration and then married someone else. "People don't stick around when you're on death row," Echols says. "In the beginning everyone rallies around you, but you can't expect them to put their lives on hold just because yours is."

"In the beginning, I was not convinced," [Lorri Davis]' mom, Lynn, remembers. "I said, 'Should he get out, I wonder if he rolls over in bed and says, 'Lorri, I did it. I beat the system.'" But we met with Damien about four times, and the first time I asked him. I said, 'Damien, did you do it?' And he said, 'I did not.' And I felt it. I just knew that he couldn't do that to those little boys. I know that every little town has its problems, and they pinpointed Damien and his buddies because he was a thorn in their side."

"That's it," Byers says, satisfied. "People ask me for my autograph all the time," he tells me later. "There wouldn't even have been a Paradise Lost 2 if it wasn't for me."

FULL TEXT

In 1994, the West Memphis Three were convicted of child murder. But troubling questions and a series of films have led many to doubt their guilt.

The Robin Hood Hills child-murder crime scene has grown incredibly cold in 13 years. Even the morbidly curious college students finally stopped haunting the drainage ditch behind the Blue Beacon Truck Wash in West Memphis, Arkansas, where 8-year-olds Christopher Byers, James Michael Moore, and Steven Branch were found killed and mutilated on May 5, 1993. "We tore that old place down," says a Blue Beacon worker. He refuses to discuss the murders and won't give me his name. "It's over with, and I'm not allowed to talk about it. All these years later, I'm still trying to figure out if those three kids that got killed were the same kids we told not to play here that day because of the trucks."

When I ask him if he believes they got the guys who did it, he hangs up.

The town has moved on. But questions about the murders and subsequent convictions of three West Memphis teenagers linger, many of them raised by two HBO documentaries, *Paradise Lost: The Child Murders at Robin Hood Hills* and *Paradise Lost 2: Revelations*.

Paradise Lost documentarians Joe Berlinger and Bruce Sinofsky (who both also directed Metallica: Some Kind of Monster) first chronicled the 1994 Arkansas trials and subsequent convictions of three West Memphis teenagers - Damien Echols, Jason Baldwin, and Jessie Misskelley - now known as the West Memphis Three. (Baldwin and Misskelley got life. Echols got the death penalty.)

The follow-up, Reelations, revisits West Memphis for Echols' ill-fated state appeals and also highlights the earliest efforts of a now-worldwide network of WM3 supporters, led in the beginning by three Los Angeles advocates from the film industry: Kathy Bakken, Burk Sauls, and Grove Pashley.

And interest in the case is still growing. Sinofsky and Berlinger's Paradise Lost 3 is slated for release sometime this year, and Dimension Films plans to release a film in 2007, which will be based on the book Devil's Knot: The True Story of the West Memphis Three by Arkansas-based investigative journalist Mara Leveritt.

Paradise Lost turned the West Memphis Three into icons. Supporters say it's impossible to watch the documentary and miss the awful sense of American justice gone wrong, that the only crime the West Memphis Three ever committed was sticking out as black-clad outsiders in 1993 in a small Southern town.

"What struck me was that I kept thinking I was watching a movie with character actors," recalls former Black Flag singer Henry Rollins. "The things the prosecution was saying, their witnesses, it was all so hopelessly stupid and sad. Justice got a black eye in those trials."

Rollins is one of an ever-growing list of celebrity WM3 supporters that includes Johnny Depp, Eddie Vedder, Jello Biafra, Winona Ryder, Jack Black, Steve Earle, Trey Parker, and Metallica - to name a few - whose fund-raising efforts include concerts, art benefits, and compilation CDs. In 2002, Rollins released Rise Above, a CD of 24 Black Flag songs performed by various artists including Tom Araya (Slayer), Lemmy (Motörhead), Nick Oliveri (Queens of the Stone Age), Corey Taylor (Slipknot), and Ice-T, with all proceeds going to the West Memphis Three defense. The support Web site wm3.org, which is run out of Los Angeles, has received more than 3,485,769 visitors as of this writing.

Today, West Memphis advertises itself as "a hometown feeling with big-city attractions," a description you can read on the town's chamber of commerce Web site or just glean by counting churches and ministries that line the residential streets. But West Memphis is also a known drug hub, where cops regularly seize illegal guns, pounds of marijuana, and kilos of cocaine at the West Memphis cargo inspection station, described by the National Drug Intelligence Center as one of the two busiest in the nation.

"I would characterize West Memphis as a place where a lot of folks travel through," says spokesperson Steve Frazier of the FBI in Little Rock. "It's a crossroads, a highly traveled city, and sometimes that brings the criminals who travel I-40."

Yet, when the bludgeoned bodies of three small children were found in a drainage ditch behind the Blue Beacon Truck Wash, local police convinced the public that three impoverished local teens were good for the killing. This was accomplished with a stunning lack of evidence, the West Memphis Three advocates say. Moreover, it was accomplished within one day.

THE SIGN OF THE CROSS

Christopher Byers, James Moore, and Steven Branch first went missing on the evening of May 5, 1993. According to John Mark Byers, the boy's stepfather, Christopher had misbehaved at Weaver Elementary School and was sent home. "I spanked him three times with my belt with his pants up," Byers recalls. And then he told the child not to leave the house. When Byers returned home at 6 p.m., Christopher was not there. Byers first told a cop that Christopher was missing at 6:30 that night and then was the first parent to report to the West Memphis police at around 8 p.m.

The children's bodies were discovered in the ditch on the afternoon of May 6th. All three were naked and had received multiple head, limb, and torso injuries; they were hog-tied with shoelaces binding their wrists to their ankles. Steven Branch had bite marks on his face. It was determined that both James Moore and Steven Branch had drowned and suggested that Christopher Byers had drowned as well. Of the three, Christopher Byers had sustained the most violent injuries, including what appeared to be a sexual assault. He had a skull fracture at the base of his neck, stab wounds on his genitals; his penis was skinned and the killer had removed the child's testes and scrotum.

One day later, the West Memphis Police Department had a motive - ritual child sacrifice, a profile of the killers, who they decided were probably members of a satanic cult - and three suspects: local heavy-metal fans Damien Echols

(18), Jason Baldwin (16), and Jessie Misskelley (17). At noon on the following day, they visited the Broadway Trailer Park residence of Echols and began questioning him.

Jessie Misskelley has an IQ of 72, an indicator of mild mental retardation. On June 3rd, West Memphis police investigators questioned Misskelley about his role in the heinous crimes. The interrogation lasted 12 hours. Misskelley was never provided legal counsel or allowed to call his family. Only about the last hour of this was recorded, during which Misskelley confessed, implicating himself, Echols, and Baldwin in the murders.

The Misskelley statement was riddled with errors. He repeatedly got the timeline wrong. First he said the murders had occurred at 9 a.m., which would have been impossible as the children were all accounted for at school. Then he changed it to noon - also impossible.

Misskelley recanted his statement almost immediately, and his public defender, Dan Stidham, said that the only reason his client confessed was because he thought he could get the \$50,000 reward. But within a day, the three teenagers were formally charged with murder.

Misskelley was tried and convicted in February 1994, but since he refused to testify against his friends, his statement was ruled inadmissible in the Baldwin/Echols trial. That commenced within the month, with Berlinger, Sinofsky, and the HBO cameras following every step of the way. "We thought we were going there to make a real-life River's Edge and that these kids were guilty," recalls Sinofsky. "We wanted to look into why they would commit such a heinous crime. When we realized they were innocent we went back to HBO and let them know it had gone in a different direction. We said we were kind of thinking the stepfather John Mark Byers did it. He was a fighting kind of guy, and one time he even said to us, 'Just remember, boys, it all started here.'"

In March 1994, Echols and Baldwin were convicted of triple homicide. Echols was sentenced to death by lethal injection and is on death row at the Arkansas state penitentiary in Grady, where Misskelley is serving life plus 40 and Baldwin life without parole.

There was no weapon at the scene and no blood, other than what had collected when police removed the bodies from the water and placed them on the ground, leading to speculation that the murders were committed someplace else and the bodies dragged to the ditch. The state's evidence that Echols was a Satanist amounted to an expert witness in the occult who had a mail-order degree and pentagrams Echols had scribbled in jail. The murder weapon was a clean knife that was found in a lake near Echols' home, which resembled the knife that was possibly used at the crime.

Echols' current attorney, noted San Francisco defense lawyer Dennis Riordan, was retained in 2004. He says: "The thing that led me to take this case was the startling sense that, in a death penalty case, there just wasn't any credible evidence that connected him to the crime. You can read the Arkansas State Court opinion and they list everything that was offered against them, and it's just terrifying that anyone could have been sentenced to death on any one of those six factors. A knife that was serrated? You could go into any home in Arkansas and find a serrated knife."

According to FBI's Frazier, who checked the old files, there was a request for an FBI profile on a probable killer - at first they were looking for a "Rambo" type - but it was not completed. "The West Memphis Police Department request for a profile was discontinued based on the fact that arrests had been made," he says.

THE DEVIL WEARS PRADA

Damien Echols wasn't every teenager in America in 1993, but you could pretty much recognize the type. He dressed in black, wore skull earrings, and thought Guns N' Roses singer Axl Rose was God. Some say he dabbled in the occult. And he was poor - there wasn't always enough to eat. He lived in a shabby trailer park with a mom he loved and a stepfather he was ambivalent about. So he hung out with his friends, listening to heavy metal and reading Stephen King and Anne Rice. Sometimes they'd just sit by the lake all day and throw rocks at the water.

Echols was strange, but he didn't have a history of violence; there was one brush with the law when he was 15, and he ran away with his girlfriend after her father discovered them having sex. He was then sent for treatment for a non-specific "psychotic disorder" at Charter Hospital. Echols was prescribed the usual antidepressants available at that time. By the time he was released, the conclusion by his doctors was that he was no longer depressed.

In his muck-gray and bulletproof glass visitors' cell on death row, Echols (now 30) says, "If I had to do it all over again, I would not have stood out."

Death row inmates are allowed a two-hour no-contact visit with the media. So Echols speaks through a vent in the wall. When wife Lorri Davis comes on Fridays, she is allowed one extra hour, and she gets to sit in the fishbowl with him.

He's pale and anemic - he lives on a diet of Froot Loops and granola bars provided by Davis. In his prison whites he blends into the walls, except for his eyes, which are big brown sockets. He explains that he has arthritic hips from spending 13 years in a nine-by-nine-foot concrete cell, getting fed through a slit in the door. There have been an estimated 30 executions since he got here - many of the other inmates have become so desensitized to the process they don't even look up from the television.

Attorneys have come and gone in 12 years - and there have been three failed appeals. Even though several jurors now admit to considering the inadmissible Misskelley statement, the appeals court ruled that it came too late, stating: "Echols' claim of juror misconduct has been brought over a decade after his conviction. Clearly, this is a matter which could have been brought in a motion for new trial immediately after the verdict and conviction, but the argument is now untimely."

Echols shakes his head: "Basically they are saying, 'You didn't file it on time so we're going to kill you on a technicality.'"

There is no reason to expect a different Damien Echols from the one seen in *Paradise Lost*; after all, he went straight from that documentary to death row. Many of his supporters cite his intelligence and his outspokenness and that this is what they liked about him from day one. "I'll tell you anything," he says.

During his trial, his dismissive attitude and contemptuousness hurt him on the stand. When asked to explain the difference between Wicca and Satanism (so as to exonerate himself from charges that he worshipped the devil), his exasperated voice and facial demeanor indicated to the jury that this just wasn't worth his time.

"I was in shock at my trial," he explains. "When you're innocent, you keep thinking surely somebody's gonna realize something's wrong and say, 'This has gone on long enough.'"

In the late 1990s, Echols became a Buddhist, inspired by the teachings of another Arkansas death row inmate, Jusan Frankie Parker, who was executed in 1998. He meditates - sometimes as much as five hours a day - wrote his autobiography, *Almost Home*, Volume 1, and has had his poetry published in *Porcupine*, a literary arts magazine. He estimates he's read 1,000 books.

"A huge deal for me is not even thinking about this place," he says. "I read from the time I get up in the morning til the time I go to bed. My cell is nine-by-nine. There's nowhere to look away."

"Damien has done an amazing job of adapting to his environment and finding a way to deal with it," Rollins observes. "He's really impressive. If he could find a way to get it across, he could be a great teacher."

So he reads catalogues and dreams about getting out - about wearing Prada ties and a nice Brooks Brothers suit, working in a bookstore, raising children, and voting in a presidential election. He dreams about the political impact he could have on this system one day.

"I was taught - and I believed - that our system worked; an innocent man couldn't be convicted in America. I thought any moment now, I'm going home," says Echols.

The family that stood by Echols during the trial has scattered. His mother calls maybe once a year; his dad remarried about six years ago and has a new family. His son's mother, Domini, was around for two years after his incarceration and then married someone else. "People don't stick around when you're on death row," Echols says. "In the beginning everyone rallies around you, but you can't expect them to put their lives on hold just because yours is."

WAITING FOR THE DNA

Mostly now it's just about his wife. Pretty and wholesome - with long brown hair, bangs, and a bike rack on her car - Lorri Davis' sweet voice and demeanor suggest she hasn't had a tough day in her life. Originally from Morgantown, West Virginia, Davis was living in New York and working as a landscape architect when she attended a screening in 1996 of *Paradise Lost*. It hit her about halfway through the film: "I was so horribly upset by it, and the next morning I woke up and thought, Oh my God, they didn't do it. I never saw a movie and felt compelled to do something."

She began writing Echols within a few days. One year later, she quit the New York job - "Rue the day," she says - and moved to Little Rock, where she gets to spend three hours every Friday visiting her husband in prison. She brings him the granola bars, strokes the fund-raising machine, shuttles supporters back and forth from the airport, packs Echols' 26 boxes of books, types his manuscripts, or sends a book he picked out to a stranger who took the time to write.

One could easily conclude that Davis is crazy. Even Stidham recalls thinking as much when he learned that Davis had married Echols. "Naturally, I made that assumption," he says. "But she's just a decent human being. And once you meet her, you realize she's very intelligent and sane. I admire and respect her."

Decent, sane, and tenacious: Last year, right before she hired Dennis Riordan, she got the cell phone numbers of several noted defense attorneys. She called and begged them until they finally asked her to stop.

"When I first moved here, I would go to court hearings and sit way in the back," she says. "I didn't want anyone to know who I was. When we got married, I thought, I'm married to this person and I've got this role."

"In the beginning, I was not convinced," Davis' mom, Lynn, remembers. "I said, 'Should he get out, I wonder if he rolls over in bed and says, 'Lorri, I did it. I beat the system.'" But we met with Damien about four times, and the first time I asked him. I said, 'Damien, did you do it?' And he said, 'I did not.' And I felt it. I just knew that he couldn't do that to those little boys. I know that every little town has its problems, and they pinpointed Damien and his buddies because he was a thorn in their side."

With nearly every state appeal exhausted, Echols hopes to be headed for federal court, but Misskelley and Baldwin still have pending state appeals. All three are waiting for the results of DNA testing. (Baldwin and Misskelley declined through their attorneys to be interviewed for this article.)

TRAGEDY MAKES A REALITY STAR

John Mark Byers stands by the coffee machine in the Parkway convenience store in Millington, Tennessee. He listens, visibly bored, to another man's story about being wrongfully arrested for a car theft. By anyone's standards, this isn't the most interesting tale, but to John Mark Byers, stepfather star of the two *Paradise Lost* HBO documentaries, it's gotta sound dull as dirt. So when the man finally works around to the part where he gets his car out of the police impound, Byers interrupts. "Do you recognize me?" he asks, impatiently.

The man shakes his head slowly. "I've seen you," he says. Clearly, he has not.

"Were you in this area in '93?" He was.

"Do you remember the three 8-year-olds that were murdered in West Memphis? One of those three 8-year-olds was my son. Do you remember seeing me in the media?"

The man registers shock, but he nods politely. Uh-huh, maybe ...

"That's it," Byers says, satisfied. "People ask me for my autograph all the time," he tells me later. "There wouldn't even have been a *Paradise Lost 2* if it wasn't for me."

He repeats it a couple of times during our two-hour breakfast at the convenience store, where we chow down on eggs, bacon, biscuits, and grits. "You don't know what these are," he says, pointing to the plate heaped with grits. He's gracious, but it's a challenge: A New York liberal - which he believes me to be - doesn't eat grits, and John Mark Byers doesn't like New Yorkers.

A lot of people don't understand Byers, including a lot of big-city folk who believe the WM3 were victims of "hill-billy justice." He reserves special venom for the producers of *Paradise Lost*.

"Two Jew-boys from New York City took advantage of our families in this crisis to make money," he says.

Still, he's gracious. His new wife, Jackie, is a lovely person. They buy me breakfast and Byers helps me off with my jacket. He's currently working as a house painter.

Believing in the guilt of the West Memphis Three and resentful of the documentaries that stirred up questions about their innocence, the parents of James Moore and Steven Branch have mostly avoided the press. Byers, on the other hand, made quite an impression in *Paradise Lost*: In one scene he was ranting and raving about the details of the crime, in another he curses the men who killed his babies. He gave the HBO producers a knife, which turned out to have his and Christophers blood on it. Additionally, it turns out that Byers was working for the police as a drug informant. His

antics made such an impression on the HBO producers that, halfway through the filming of *Paradise Lost*, they began to believe that he might have been the killer. Byers has a long history of drug and alcohol abuse and was drunk throughout the making of both films.

"I wasn't in my right mind," he admits. "I tried to stay on medicine and marijuana, and they [Sinofsky and Berliner] capitalized on that. They set me up to look like the fool."

In July 1994, Byers was arrested for contributing to the delinquency of a minor for allegedly instigating a knife fight between two youngsters. That same month, he was arrested for burglary. During that summer, neighbors filed restraining orders against Byers for allegedly whipping their sons with the metal handle of a flyswatter and tiring shots at their home. Byers was on probation when he was arrested for selling Xanax to a narc in 1999. He served 18 months. His ex-wife, Melissa, who was highly visible during *Paradise*, had a longstanding heroin problem. She died of undetermined causes on March 29, 1996.

Byers made Jackie watch the documentaries the first week they met. "I watched them and I was like, dang," says Jackie Byers. "My major in college was psychology. I'm a pretty good judge of character, and if I thought for one second he did something terrible in his life I wouldn't have married him."

WM3 supporters have tried to connect Byers to the murders, but they've turned up very little in the way of hard evidence. His recollections of the crime include some inaccuracies: He claims the WM3 Hunked lie detector tests when there is no evidence to support this; he claims Echols had driven by his house a few months before the murders when Echols never had a driver's license and had never driven a car.

Misskelley's lawyer, Stidham, says the case is confused because Byers and Echols both act strange: "[Echols] was a kid and not sophisticated enough to understand how he came off. And Byers still doesn't understand how his antics made him look guilty."

Byers regrets that he didn't get more money for appearing in the documentaries and swears he's not going to do another. A few minutes later, he corrects this. He might, if he has a contract and a lawyer by his side.

At the end of our interview, he asks me, "Now that you've met me and I've answered every question, do you think I'm the kind of guy who could have done such an awful thing?"

Decades of research by the FBI and hundreds of millions of dollars committed to investigating the "phenomenon" of satanic murders have not turned up a single example of a ritual child-killing in this country by any religious group - including "Satanists" - in the last century. As of this writing, Damien Echols has been on death row 4,796 days.

This story originally appeared in Los Angeles CityBeat.

SIDEBAR

"Basically they are saying, 'You didn't file it on time so we're going to kill you on a technicality.'"

- Damien Echols

GRAPHIC: Photographs

LOAD-DATE: August 17, 2007

EXHIBIT A-88



Copyright 2006 Woodward Communications, Inc.
All Rights Reserved
Telegraph Herald (Dubuque, IA)

May 12, 2006 Friday

SECTION: NATIONAL/WORLD; Pg. a3

LENGTH: 330 words

HEADLINE: Musicians supporting convicts;
Some say West Memphis 3 were wrongly convicted of 3 murders

BYLINE: Telegraph Herald Staff

BODY:

Several bands and a number of local guest speakers are coming together to support what they believe is a wrongfully convicted trio.

Tri-State Area West Memphis Three World Awareness Day weekend, June 2-4, will attract defenders from around the globe. Events will be held in Dubuque, Galena, Ill., and Hazel Green, Wis.

On June 2, Johnny Roker will perform at The Grape Escape (233 S. Main St., Galena) for a night of music designed to raise awareness and money for the defense fund of Damien Echols, Jessie Misskelley Jr. and Jason Baldwin.

The music will start at 9 p.m. following the 6 p.m. presentation of Joe Berlinger and Bruce Sinofsky's HBO crime documentary, "Paradise Lost: The Child Murders at Robin Hood Hills."

On Awareness Day, June 3, The Safes from Chicago will perform at Gobbies/Second Wind Bar and Grill (219 N. Main St., Galena) at 9 p.m. following the 6 p.m. presentation of the sequel, "Paradise Lost II: Revelations."

On June 4 at The Busted Lift (180 Main St., Dubuque), three bands, to include Smothering Angels will perform from 5 to 9 p.m.

The three Arkansas men, dubbed the West Memphis Three, were convicted of the 1993 murders of three elementary schoolchildren. Since their trials were chronicled by HBO, a groundswell of support has formed around Echols, Misskelley, and Baldwin - support that includes a wide array of artists such as Metallica, Winona Ryder and Jack Black.

Echols, Misskelley and Baldwin - all teenagers at the time - were convicted in 1994 for the brutal murders of three 8-year-old boys (Stevie Branch, Michael Moore and Christopher Byers) in West Memphis, Ark.

Misskelley was sentenced to life plus 40 years; Baldwin is serving a life sentence without the possibility of parole, and Echols - deemed the ringleader of the attacks - is currently on death row as he awaits the outcome of the appeals process.

Events to raise money for the West Memphis Three defense fund are scheduled to take place in more than 50 cities around the world.

LOAD-DATE: May 12, 2006

EXHIBIT A-89



Copyright 2004 University Daily Kansan via U-Wire
University Wire

December 1, 2004 Wednesday

SECTION: COLUMN

LENGTH: 669 words

HEADLINE: Evidence points to another killer, let falsely accused go

BYLINE: By Steve Vockrodt, University Daily Kansan; **SOURCE:** U. Kansas

DATELINE: LAWRENCE, Kan.

BODY:

Will the real killer of three Arkansas children please go on trial?

While Damien Echols, Jason Baldwin and Jessie Misskelley Jr. all fight their way through an expensive justice system to absolve themselves from their wrongful conviction, John Mark Byers somehow still remains free and unquestioned by local authorities in West Memphis, Ark.

The West Memphis 3 recently made a legal breakthrough when Echols' lawyers filed a petition for a writ of habeas corpus to appeal their involvement in the savage 1993 murders of the three 8-year-old boys, Christopher Byers, Michael Moore and Stevie Branch. The West Memphis 3, all teenagers at the time of their convictions, were sent to jail mostly under the auspices of their anti-Christian nature and their status as community outcasts rather than any solid evidence.

These convictions are the best -- or perhaps worst -- examples of a verdict delivered from hearsay in the midst of the absence of direct or even circumstantial evidence.

By now, several celebrities have taken up the cause in trying to free the West Memphis 3, including Henry Rollins, Eddie Vedder and Winona Ryder. But comparatively few are taking to the fight to place John Mark Byers on trial. The case isn't so much about the lack of evidence to convict the three, but the plentiful evidence that points directly to Byers.

Byers, incidentally, is the stepfather of one of the victims, and therefore was one of the bogus reasons that West Memphis investigators refused to question him, along with the fact that he was one of police department's drug informants.

Byers has no real solid alibi, and has changed it several times depending on the circumstances. The most of his alibis that can be corroborated place him near the scene of the crime -- a heavily wooded area in West Memphis where the bodies were dumped -- right around the time of the murders, but he was nowhere to be found directly at the time of the murders.

Much of the evidence exists right on the bodies of victims. The bodies were bitten several times, leaving impressions of teeth. One forensic expert testified in an appeal that the impressions did not match any of those convicted. It left questions directed toward Byers, but incidentally, he claimed he had recently lost all his teeth as the result of a bar fight and prescription medications.

Another major piece of evidence that casts doubt about Byers' innocence is the mutilation of one of the boy's bodies. Christopher Byers was castrated while still alive. The resulting blood loss was the cause of his death.

According to the prosecution timeline, the three convicts had done the crime quickly and savagely. However, the precision involved in the castration was very specific and careful. Even one of the prosecution witnesses, the pathologist

Frank Peretti, acknowledged that the process would require exact precision and plenty of time, two things the convicts didn't have in the narrow timeline in the dark woods the prosecution offered.

Byers was a professional jewel-cutter, in contrast. It's widely believed that of anyone involved in the case, he would be the only person able to perform the castration as it was done.

Furthermore, a knife was found in Byers' possession that contained blood of two different people. It matched him and his stepson. His contradictory statements as to the purpose of that knife and how the blood got there is another worrisome aspect. Prosecutors resisted questioning Byers further, just like they have consistently resisted allowing further DNA testing to be done in the trials and appeals.

Now it is up to the defense to conduct these expensive DNA tests on their own bill. It appears that that these tests are on the horizon. They will likely absolve the West Memphis 3, which would be no surprise to anyone familiar with the case. But those familiar with the case, as well as anyone else, should be more interested in getting Byers on the stand to face the questions that point directly at him.

(C) 2003 University Daily Kansan via U-WIRE

LOAD-DATE: December 1, 2004

EXHIBIT A-90



Copyright 2003 The Times (Shreveport, LA)
All Rights Reserved
The Times (Shreveport, LA)

October 12, 2003 Sunday

SECTION: LIVING; Pg. 4D

LENGTH: 454 words

HEADLINE: At the library

BYLINE: Barbara moore, Freelance OK

BODY:

Philadelphia Murals and the Stories They Tell by Jane Golden, Robin Rice, and Monica Yant Kinney (nonfiction).

In June 1984, Jane Golden, a young muralist, headed up a project that was originally planned as a six-week youth program in the fledgling Philadelphia Anti-Graffiti Network. In the process, mural art helped to change the look of the city. In this book you will go behind the scenes to find out how murals are made. Be sure to see page 127, where Shreveport's 25,000-square-foot mural is mentioned and Meg Saligman's technique is discussed.

Black Dahlia Avenger by Steve Hodel (nonfiction).

In 1947 in California, a woman's body was discovered. That crime became known to history as the Black Dahlia murder. It made front-page headlines coast-to-coast for weeks, as the LAPD sought vainly to track down the killer. The author demonstrates that there was a massive cover-up by the LAPD, who had identified the actual suspect and allowed him, a psychopathic serial killer, to remain free to prey for years on other beautiful lone women. Even more startling is the identity of the murderer, true-life Jekyll and Hyde, a man who by day was a highly respected member of society and by night a mad, sadistic killer. This book is the result of more than two years of meticulous investigation by a professional homicide detective.

Red Zone: The Behind-the-Scenes Story of the San Francisco Dog Mauling by Aphrodite Jones (nonfiction). It was the story that shocked the nation and captured headlines for more than a year. In January 2001, Diane Alexis Whipple bled to death in the hallway of her apartment building when she was mauled by two Presa Canarios, a vicious breed of attack dog imported from the Canary Islands. New York Times best-selling author Jones shows that the mauling was only one part of a frightening story involving obsession, bestiality and illegal dog rings. Jones has interviewed the complete cast of characters and can now tell the full story of what happened in that apartment hallway.

Devil's Knot: The True Story of the West Memphis Three by Mara Leveritt (nonfiction).

On the evening of May 5, 1993, in the small town of West Memphis, Ark, three 8-year-old boys disappeared. The next afternoon, the naked bodies of Stevie Branch, Christopher Byers and Michael Moore were found submerged in a nearby stream. Finally, a month after the murders, detectives announced three arrests and a startling theory of the crime: that the children had been killed by members of a satanic cult. Jurors found all three teenagers guilty. An HBO documentary raised questions about the lack of evidence in the case, but the Arkansas Supreme Court affirmed the verdicts.

Compiled by Barbara V. Moore

LOAD-DATE: October 14, 2003

EXHIBIT A-91



Copyright 2003 Stern Publishing, Inc.
LA Weekly (California)

September 5, 2003, Friday

SECTION: Features; Pg. 24

LENGTH: 6297 words

HEADLINE: THE DEVILS' ADVOCATES

BYLINE: STEPHEN LEMONS

BODY:

Seated behind a pane of smudged Plexiglas, his white prison garb a suggestive contrast to the puke-colored walls of the dingy cubbyhole he's in, prisoner #SK931, Damien Echols, is explaining how he became Jyoti Priya Karuna, Lover of the Light Compassion.

"That's the name my teacher Reverend Karuna Dharma gave me," says Echols, his voice muffled through the wire-mesh strip along the bottom of the Plexiglas. "She's the abbess of the IBMC, the International Buddhist Meditation Center, in Los Angeles. Your teacher gives you a new name once you're a novice monk, as I am. The teacher's name becomes the student's last name."

It was Frankie Parker, another prisoner on Arkansas' death row, who introduced Echols to Zen Buddhism. Parker, known as Jusan, was executed by lethal injection on August 8, 1996, despite appeals for clemency by the Dalai Lama, Nelson Mandela and others. After Parker's death, Echols "took refuge" -- was inducted as a Buddhist layperson -- with the Zen priest who had been Parker's teacher. In 2001, Echols took the first steps toward total ordination with Reverend Karuna.

"I practice zazen meditation, yoga and tai chi," says Echols, 28, his dark eyes staring out from behind wire rims that make the gaunt, raven-haired inmate look like a graduate student. "Any form of martial arts is really frowned upon here, so that's out. When I first started, I was doing up to five or six hours of meditation a day. Now it's more like an hour in the morning and an hour at night during weekdays."

Meditating is made more difficult by the chaos of Echols' surroundings. The schizophrenic next door to him is a Jesus freak and likes to watch The Benny Hill Show all day on the shared TV set. Also, the shouting of deranged inmates never ceases, and, from what Echols says, the majority of cross-cell confabs consist of one inmate telling another how many times he's going to stab and/or fuck him, though not necessarily in that order. All of which is hardly conducive to spiritual pursuits.

Echols credits the discipline of Buddhism with helping him to survive being in lockdown nearly 24 hours a day, seven days a week. He's allowed a 10-minute shower three times a week, and every other day he's supposed to get an hour of exercise in the yard, though more often than not the guards "forget." In the 10 years he's been in "safe keeping" (hence the "SK" prefixed to his number), he's been the victim of the usual prison bullshit -- like the time a guard planted a shank in his cell and subsequently confined him to the hole. Were it not for Buddhism and his wife, Lorri, an architect from New York who married Echols in a Buddhist ceremony in 2000 and now lives in Little Rock, his anger at being number one of the West Memphis Three -- notorious convicted kid killers and causes celebres -- would have consumed him.

"I had to do something about it. Zen Buddhism has allowed me to control that rage. Without it and without Lorri, I would have given up long ago."

Shortly after he says this, a blue-shirted guard knocks on the door to the visitor's cubicle and tells us it's time. Three and a half hours have passed. Echols rises, places a hand against the glass to thank me for coming. "I actually enjoyed it," he says, seeming somewhat surprised by the admission. As I begin to follow the guard out the door, Echols bows to me Japanese style two or three times, an unexpected act of humility that both embarrasses and saddens me.

I walk out of that red-brick sore of a building, past tall steel fencing topped with razor wire, thinking of Echols returning to that 9-by-12-foot cell. As I head back through miles of farmland to the relative civilization of Little Rock, I wonder how Echols' life could possibly get any worse.

The answer comes about a week later when, under the cover of darkness and with no warning, Arkansas' Department of Corrections moves all 39 men on death row at Tucker to a so-called SuperMax facility, some 90 minutes south, where they will each be held in what is essentially solitary confinement. Echols' cell is now three concrete walls and a solid steel door with a slit through which he'll be fed. In one wall, behind glass, is a TV set over which he has no control. He cannot even listen to classical music on his small transistor radio because the prison's thick walls make reception impossible. It remains to be seen if he will have access to all of the books supporters send him via his wish list at Amazon.com.

From the cacophony of screams to the silence of an Orwellian dungeon, Echols' trials seem never-ending. He'll need all the strength he derives from his Zen exercises to endure this latest ordeal. Even then, his extreme isolation from the world is especially troubling, almost as if the prison authorities are hoping he'll commit suicide to save them the trouble of executing him.

Two thousand miles west, in an especially funky little cranny of Los Angeles' Lincoln Heights, artist Emmeric James Konrad is hard at work on a giant crucifix in the studio of his townhouse apartment. Actually, the crucifix is still mostly in his mind and in his sketchbook: stark black-and-white images of three murdered 8-year-olds that will form the head and arms of a colossal 8-by-10-foot cross.

"I've already told them I want an entire wall," says Konrad, excitedly. "I'm going to spray-paint a black outline around it. In the center will be the dead kid with the bite marks, on the bottom will be the stepfather, and below him will be the initials of the three kids, a line of red going through them, with the stepdad's initials below. You know, like a gangbanger's tags."

Konrad's creepy conception incorporates three famous photos of Christopher Byers, Stevie Branch and Michael Moore, as they were in life before their bodies were pulled from the muddy water of a drainage ditch running through a spooky patch of woods known as the Robin Hood Hills in West Memphis, Arkansas. They were found there May 6, 1993, a day after they had been reported missing, naked and tied ankle to wrist with their own shoelaces, like deer after the kill. The "stepfather" Konrad refers to is John Mark Byers, known to the viewers of the award-winning HBO documentaries *Paradise Lost: The Child Murders of Robin Hood Hills* and *Paradise Lost 2: Revelations* as the belligerent, mullet-headed oaf whose comic self-incriminations are lost on the Keystone Kops at the West Memphis Police Department.

Instead, the police alleged that the three children were murdered as part of some sort of sloppy satanic ritual carried out by Damien Echols, then 18, and his two cultic cohorts, Jessie Misskelley, 17, and Jason Baldwin, 16. Problem is, the cops never had any real evidence to link Echols, Baldwin and Misskelley to the slayings, which were especially brutal -- Christopher Byers was emasculated. Though the boys had been mercilessly battered and mutilated, there was no blood found at the site, nor were any murder weapons recovered. This startling lack of clues encouraged the 80-member police force to look to the supernatural for an answer, and they found it in Echols, a self-described Wiccan at the time who liked to wear black, listen to heavy metal music and read Stephen King.

With the confession of the mentally handicapped Misskelley acquired through ye olde third degree and dutifully leaked to the press, and a public mood more akin to Marion Starkey's *The Devil in Massachusetts* than Harper Valley P.T.A., the authorities railroaded Echols, et al., with the aid of two pliant juries. The alt-weekly *Arkansas Times* referred to them as "Witch Trials," and the phrase "satanic panic" was bandied about. Misskelley and Baldwin caught life without parole. Echols got death and has been waiting to die ever since. They're now known worldwide as the West Memphis Three.

"I wanted to bring it back to the three boys who were murdered," says Konrad, a silver-haired, motorcycle-riding ex-Marine who, in paint-splattered jeans and T-shirt, looks every inch the artist. "I don't want it to just be these guys get out of prison and it to end. I want it to be these guys get out of prison, and they get the guy who did this."

Out of the paint-and-paper chaos of Konrad's workspace emerge the faces of the dead children, rendered in charcoal, their spectral visages hovering like nightmares. In the background, Konrad's CD player is cranking out a cover of the Stones' "Paint It Black" by the L.A. band the Hyperions.

I feel a weird tingle, like a cold salamander slithering up my spine, as I look at the images.

"I want it to have that feel of an icon, like the Hispanic graves where they have the picture of the deceased. It's been so hard for me to do this. Once I get going, usually I can bang stuff out, but this kills me. I have to keep walking away," says Konrad.

Konrad is but one of about 20 artists set to participate in a show at downtown's sixspace gallery September 6 through 20. "Cruel and Unusual: An Exhibition To Benefit the West Memphis Three" is meant both as a fund-raiser for the WM3's legal-defense fund, the entity that pays the legal bills associated with the appeals for the three convicts, and as a commemorative event to mark the 10th anniversary of their arrests, in June of 1993. Featured will be the artwork of Marilyn Manson, Raymond Pettibon, Exene Cervenka, Robbie Conal, Shepard Fairey, Glen E. Friedman and others. Winona Ryder will host the opening-night reception Saturday from 5 to 10 p.m., and Jello Biafra will be in house to render one of his spoken-word rants. Also present will be Arkansas journalist Mara Leveritt, signing copies of her eye-ball-popping expose Devil's Knot: The True Story of the West Memphis Three (Atria/Simon & Schuster), the bible for anyone interested in the crime.

The exhibit's being organized by the L.A.-based Web site www.WM3.org, also known as the West Memphis Three "support group," run by a handful of Angelenos who for the past seven years have tirelessly publicized the case and helped turn it into a movement on par with the effort to free Rubin "Hurricane" Carter in the '70s. The art show is the brainchild of Chad Robertson, a painter and graphic designer with extensive contacts in L.A.'s art world. His girlfriend, Kathy Bakken, one of the founding members of the WM3 support group, introduced him to the case.

"She broke it to me on our first date," says Robertson, who with his spiked black hair looks like he'd still fit right in at the Big O skate park in Orange County where he spent his early teens. "I borrowed the Paradise Lost videos from her and watched the first one by myself. I was kinda like, 'Man, something's wrong, but those guys are fucking crazy.' Then I watched the second one, and I was like, 'Holy shit! These guys are so fucking innocent.'"

It's a common reaction for those who've seen both documentaries. In the first, filmmakers Joe Berlinger and Bruce Sinofsky left viewers with the nagging feeling that Echols, Misskelley and Baldwin may have had something to do with the crime, even though there appeared to be nothing of substance in the prosecution's case. However, in the sequel, Berlinger and Sinofsky go bare-knuckles with the proposition that the West Memphis Three are guilty. They focus on the drug-addled, borderline-psychotic behavior of John Mark Byers, the mysterious demise of his wife, Melissa, whose cause of death is still "undetermined," and the highly suspicious way he just happened to lose all of his teeth around the same time bite-mark evidence became a crucial issue in the appeals process. In short, it's difficult to come away from Paradise Lost 2 and not believe that the West Memphis Three are the victims of a colossal miscarriage of justice.

Initially, Robertson planned to paint only the three men, but then he read an interview with Henry Rollins, a supporter of the WM3 who last year released *Rise Above: 24 Black Flag Songs To Benefit the West Memphis Three* and has since been doing a worldwide tour to support the album, which includes covers by Iggy Pop, Lemmy and Ice T. (According to Rollins' Web site, \$10,000 has gone to the WM3's legal-defense fund so far.) In the article, Rollins discussed the case and his activism, saying he'd run out of ideas and would like to hear from anyone who had any. The proverbial light bulb went on over Robertson's head, and "Cruel and Unusual," a particularly apt title in view of Echols' recent treatment, was born.

"Originally, I picked Raymond Pettibon just based on his artwork," says Robertson. "He's so outspoken, with an extremely interesting point of view. And I felt he would be a really great voice for what's going down -- the strangeness of this matching the strangeness of his art. Then I picked some of my heroes, like Exene -- X, of course, was my all-time favorite band. Then, as the show started picking up speed, Kathy brought in Matt Mahurin, and Grove brought in Floria Sigismondi. So it wasn't all just my choosing. But the original, core people were, and they were based on the punk rock values, shall we say."

Many artists in the show expressed a personal connection to the case in addition to a desire to raise awareness of the larger issues involved. For Dead Kennedys founder Jello Biafra, the idea of people being sentenced to life in prison or death row because of their appearance and their musical tastes struck a nerve.

"I was an outcast from the moment I started school," explains Biafra, "and it took me many years before I became proud of that. It still meant I wound up accused of many things I didn't do both at school and at home, and it kind of stoked a fire inside of me as far as my strong opinions of the justice system go."

Poster artist and billboard liberator Shepard Fairey, he of the ubiquitous Obey Giant images, met Robertson at Rollins' free Amoeba show back in December to promote the Rise Above CD. Fairey, who recalls being harassed by Southern cops for "looking funny," instantly signed on, and did a blue-and-black silk-screened poster of Rollins to benefit the WM3. Sales of the poster have so far garnered the legal-defense fund \$2,000, and Fairey's doing a two-tone silk-screen of the three young men for the show.

Punk rock Daumier Raymond Pettibon's Remember the West Memphis Three is a scathing, hilarious denunciation of America's backstabbing snitch culture wherein Joe Citizen is your worst Stalinist nightmare come true. Other than its title, the pen-and-ink drawing does not refer directly to the case.

"It's human nature to have concerns raised by the things you're closest to," explains Pettibon. "I think the fact that it had to do with rock music and that sort of thing probably brings a lot of attention to it from artists and musicians and so forth. That's a genuine response, but in my case, I'd be suspicious of going in that direction because this sort of thing happens, it's systemic. That's kind of the problem when there's so little attention raised to the many victims of the justice system."

In November, the support group went to Arkansas to visit the WM3 in their respective prisons. It was Robertson's first trip, the umpteenth for the other hardcore members of this late-30s-to-early-40-something Mod Squad, which includes writer and prop maestro Burk Sauls, photographer Grove Pashley, Frontier Records owner Lisa Fancher, and graphic artist Bakken. The art show was already in the planning stages, but stepping through the looking glass into the reality of the Arkansas pen motivated Robertson. Using images he captured with a digital camera, he created an oil-on-canvas triptych of the young men reminiscent of Lucian Freud and David Hockney. Titled simply Jason, Damien, Jessie, the men's faces are studies in fear and suffering, their features made to seem double-exposed, thus intensifying the emotions portrayed.

In comparison with the trip, organizing the show has been a whiz. "Everyone's been really great in calling me back, and everyone's said yes," Robertson says. He finally settled on gallery newcomer sixspace at 549 W. 23rd Street, downtown, whose owners generously donated their time and space. "They're a really awesome young married couple, Caryn Coleman and Sean Bonner," says Robertson. "Glen Friedman was their first show, which is pretty cool. I love his work, and I really liked the people who were showing up there. It's not like a gallery where little rich ladies go to buy paintings, like at Bergamot."

The advance buzz for the show has spread to such places as the New York Post, Wired magazine, MTV.com, People.com and Eonline.com. Robertson deserves credit for what promises to be a successful event. However, "Cruel and Unusual" is in fact just the most recent manifestation of a pop-culture phenomenon that has its ground zero in Los Angeles with Sauls, Pashley, Bakken and Fancher -- the core of www.wm3.org. In the midst of this Big Nowhere, there are actually a few human beings lurking about, and a goodly number work in the entertainment biz, believe it or not.

"Everybody has their function," explains Fancher, who runs punk-pioneer label Frontier Records (Adolescents, Circle Jerks, Suicidal Tendencies) from her small house in Valley Village. "Kathy and Grove are real Web-savvy, graphic artists and all that kind of stuff. We're all really good friends now, which is really an amazing byproduct of this whole thing. We actually go to the movies and do non--West Memphis things together. But it's tough, we feel so attached to the guys, it's like it's happening to your family or something. When you actually go to the prisons, you're just so drawn to their plight."

Since Fancher was already familiar with mail order, she eventually slid into the role of heading up the merchandising department for the site. One of her ideas: a POW ("Prisoner of West Memphis") bracelet modeled on the POW/MIA bracelets sold by Vietnam-vet support groups in the '80s, with the names of all three men in black, their arrest date and a blank space to fill in their eventual release date. Proceeds go to maintain the Web site and publicize the case.

Bakken, an intelligent woman with a generous smile and charming Kentucky twang, designs advertising for Fox Broadcasting, but creating movie posters has always been her passion. It was while she was working for an ad agency with a contract to do the art for HBO's America Undercover series that she first saw Paradise Lost. It was 1996, and she had taken the video home as research for the key art, which she designed. In it she recognized everything she loathed about the South, the narrow-mindedness and religious bigotry.

She shared the tape with two friends -- Sauls, whom she knew from the time she was working for CNN in Atlanta, where he'd been a video-store clerk and an aspiring filmmaker, and Pashley, a commercial photographer from Ogden, Utah, whom she'd met here in L.A. They were both intrigued, though maybe Sauls more than Pashley at first.

The group hopped on the still-nascent Internet, but found only dribs and drabs. After HBO showed the film, they began discussing the case on different newsgroups. A Harvard student named Max Shaeffer built them a small, four-page Web site about a year after the film came out. He graduated, and they took it over.

Since then, it's grown to a gargantuan 850 pages and includes an extensive archive of photos, court documents, evidence, trial synopses, press accounts, interviews, the latest news on the appeals process, updates on the health and welfare of the three inmates, links, and even QuickTime footage of Baldwin and Misskelley. According to Bakken, the site averages 1,500 to 2,500 hits a day, but spiked as high as 70,000 hits a day when *Paradise Lost 2: Revelations* was shown on HBO. Their announcement-only e-mail list has 4,000 addresses, and their active discussion list includes more than 800 people. Though there are other West Memphis Three Web sites and message boards, WM3.org is the grandpappy of them all. Many, such as the fiery Arkansas Web site ARWAR.org, use information and photos culled from their cyber progenitor.

One of the more amusing bits of self-promotion on the site is the popular black T-shirt featuring mug shots of Baldwin, Echols and Misskelley and the slogan "Free the West Memphis Three" in white. Sauls designed the shirts, which sell for \$25, and they've achieved a sort of cult-icon status. Dawson's Creek characters have worn them, as have socially conscious celebs such as Eddie Vedder, Corey Taylor of Slipknot, Henry Rollins, South Park co-creator Trey Parker, Metallica's Jason Newsted, and Eddie Spaghetti of the Supersuckers. After every sighting, a photo and a news item with the exclamation "John Doe Wears the Shirt!" goes up.

And yet the support group's influence is far more profound: The Web site also raises money for the prisoners' commissary accounts, which allows them to buy such exotic items as bread, peanut butter, vitamins and toothpaste. They provide a direct link to their Amazon wish lists, usually the safest way to send the WM3 books. The attorneys for the three men keep the support group at arm's length for legal reasons, but the Web site has long opened with a letter from Lorri Davis, Damien Echols' wife, asking for donations to the WM3's legal-defense fund, an entirely separate entity, from which many of the lawyers, investigators and others laboring on the case are paid.

"What they're doing has been instrumental in keeping this case in the public eye," says Misskelley's longtime lawyer Dan Stidham, the roly-poly Atticus Finch of the *Paradise Lost* films. "Unfortunately, in a lot of these cases where a miscarriage of justice has occurred, there's no Web site, no HBO documentary. They have the tendency to get swept under the rug, especially here in the South, where the death penalty tends to be more prevalent."

Indeed, there might never have been a *Paradise Lost 2*, or at least not one in its present form, had it not been for the support group. Much of *Paradise Lost 2* deals with the efforts of the Web-site folks to affect the case. They more or less play the part of narrators, traveling to Arkansas to witness the appeals process, interacting with unusual characters like John Mark Byers, and asking the questions that we the audience would ask if we could. Their amateur sleuthing got noted profiler Brent Turvey involved, which led to the discovery of bite marks on one of the victims. Dental impressions were taken of all three of the convicted men, and none of those impressions matched the bite marks.

Unfortunately, Judge David Burnett, the judge in both trials, who, through a quirk in Arkansas law, is allowed to rule on his own trial as a part of the appeals process, did not agree that this new evidence was significant.

"Burnett decided he was an odontologist and said they weren't bite marks, though he'd just been told they were," says a contemptuous Sauls. "The court ordered dental impressions taken from the guys in prison when they apparently figured it was worth doing. But when the results came back and they didn't match, he says, 'Oh, they aren't bite marks.'"

Another Southerner, who hails from Tallahassee, Florida, Sauls is the smart-ass of the group. His loft in the Brewery complex downtown is part fun house, part freak show, part workspace filled with items he's made for his other gig: freelance movie-prop maestro. When I visit him for the article, he's hard at work pumping out fake Nazi gold bars for the film adaptation of the *Hell Boy* comic book series. On his bookcase is a little portrait he painted of the West Memphis Police Department's Chief Inspector, Gary Gitchell, the person primarily responsible for arresting the WM3, his hands dripping blood and gore.

"My connection to it is that it's just familiar to me," Sauls remarks in what's left of his Deep South drawl. "I grew up in the Bible Belt, and I remember everyone talking about devil worshippers. I remember hearing the argument that if

you don't go to church, that means you must worship Satan, because if you don't worship Jesus, then it follows automatically that you must therefore worship Satan. And if you worship Satan, what's stopping you from killing people?"

As an erstwhile son of the South, I can remember the kind of moronic, Bible-thumping totalitarianism he's describing. Most denizens of Los Angeles have no idea. You never know what's going to come out of Sauls' mouth next. In glasses, his head shaved like a homeboy's, he has this oddball sang-froid that makes him difficult to read. But he admits that his "second job" affects him.

"It's tough sometimes, especially visiting the guys in prison, which is depressing," he says. "And it's sad to think about the kids who've been murdered. There are one or two people out there who've accused us of supporting child-killers. But part of the reason we got so heavily involved in this thing is because on our first trip out there to Arkansas, we met Dan Stidham. He put a bunch of the autopsy photos in front of us. I guess he was testing us, you know. Since we were from California, he probably thought we were 'Save the Whales' kind of people. He laid these horrible pictures out, and it was shocking. Not something you see every day. But we really looked at them, and really began to realize how terrible and complicated this crime really was."

Grove Pashley recalls that moment with Stidham back in 1996 as being a real turning point for him personally. Tall and physically fit, with dirty-blond hair and blue eyes, Pashley describes himself as a "behind-the-scenes guy," who's not afraid to call up the lawyers, the press or whoever needs calling. He says Sauls and Bakken "were the first to jump on this," but Pashley was holding back a bit up until that point.

"It had a huge impact on us when we saw the dead children," says Pashley. "We realized for the first time, it wasn't just these three guys who are serving sentences, it's these three little children as well. And Dan said this to us -- and it was so true back then -- the only people around who are going to help these guys are sitting in this room right now. We'd discussed doing the support fund before, but that is when reality hit. It gave us a responsibility I almost didn't want to take on. I always feel like I didn't choose it, it chose me."

Pashley's stark, black-and-white pictures of Damien, Jessie and Jason will also be in the show. Like Sauls, Bakken and Fancher, he's usually wearing one of the POW bracelets. But he took it to the next level after the second film came out, getting WM3 tattooed in Braille on the inside of his left wrist. "For me, it's about blind justice," he says, as if he wants to help justice read. There's the sense that the WM3 have "marked" him, just as the tattooist did with needle and blue ink.

"There are times and days when I get consumed by it," he says. "And it seems to all happen at once. Most of the time when I'm working on it myself and seeing the stuff that's going on and knowing what's going on and convinced as I am that they didn't do this crime, I get really optimistic. But when I see how slow things go and I can see that the money is in such desperate need -- more now than during the trial -- and when I talk to people in Arkansas who say it's not going to happen on the state level, I wonder, 'God, how much more do we need?' What's it going to take to convince these people that these guys are innocent and that they got a real killer out there?"

"I just know we're right," Bakken says. "I'm just so convinced, so adamant that these guys are going to get out one of these days, and my job is to try to make their lives easy and bearable until then -- giving people access to them, so their viewpoint is always focused outside prison instead of in. They're not convicts. They're not normal prisoners whose lives have become prison. They're always focused on us, on their girlfriends, or their wives. They have all of these supporters giving them all of this love. Sending them letters, money, offering to help. I like keeping them focused that way. So they're not making their life in prison, they're preparing for life outside."

"I personally can't imagine Damien ever being executed," says Pashley. "That would affect me too much. I would just be so bitter and angry."

The more I learn about the case, about the incompetence and corruption of the officials in Arkansas, the more I too am fearful of how it will all end. Mara Leveritt's book *Devil's Knot* documents in heavily footnoted detail how drug trafficking through Crittenden County -- where West Memphis is located -- has tainted the legal process there. She offers evidence that John Mark Byers was a narc for the Crittenden County Drug Task Force, and she alleges a systematic pattern of preferential treatment given to Byers in a series of sometimes-violent criminal incidents before and after the murders took place. Byers, who reportedly lives in Tennessee somewhere near Memphis, could not be reached for comment, but his bizarre, antisocial behavior in both *Paradise Lost* films has done nothing to calm the speculation surrounding him. Leveritt says the West Memphis Police Department "bent over backwards" not to investigate him properly.

"If you look at the way the police questioned John Mark Byers, it does not conform to the way police in any other police department in the country I believe would look at a man with that record," Leveritt tells me. "The very fact that here is a guy whose stepson is murdered and nowhere in the police investigative file is there a mention of the fact that he was convicted of a 'terroristic threatening' of his ex-wife. It boggles the mind."

While looking into Leveritt's claims, I spoke to Victoria Hutcheson, who testified against Jessie Misskelley and who was instrumental in helping the West Memphis Police Department pin this triple murder on the WM3. Now 40, and still in Arkansas, Hutcheson expressed profound regret for her role in the investigation and Misskelley's trial, and she claimed she was under duress from the West Memphis PD to act as she did. She said there were indirect threats by the WMPD at the time to implicate her in the crime, and possibly take her child Aaron from her. As for her testimony against Misskelley:

"Someone should have checked my blood alcohol content. It took a lot for me to get up there and say all that. I can't sit here and tell you I lied, because I don't want to go to prison for -- whatever it is -- perjury without an attorney present. But someone should've checked to see how many pills I'd had before I got on the stand. There were certain times I even threw Stidham some remarks, trying to steer it another way. That's a part of my life I regret, very much so. Jessie was like a little brother to me. And I had to make a choice between him and my son."

Asked specifically about the story she told, of attending some sort of witches' orgy in the West Memphis woods with Misskelley and the others, she was intentionally vague.

"That story evolved. Can we say it like that? Instead of the story was real, the story was anything, it evolved."

"I thought that one day I could take it all back. I don't know how I can without it ruining me." Later, she added about the police, "Yeah, it's just their story, that's the only one that works. You don't come at them with anything else. They were running the show."

Hutcheson says she lives in fear of Byers coming after her, and says she believes Byers had something to do with the crime. Interestingly, at least one of the jurors in the Echols-Baldwin trial concurs with her suspicion of Byers, who had to testify at the trial when he gave the HBO filmmakers a hunting knife with blood on it that they subsequently turned over to the West Memphis PD (Tests showed that it could have been either Byers' blood or the blood of his murdered stepson.)

"I truly believe he was there or had something to do with it," former juror Sharon French told me regarding Byers' testimony. "But he wasn't on trial. Us jurors discussed that, that he was there, but we couldn't do anything about that because he wasn't on trial."

As for Echols, she explained her regret this way:

"I'm sorry I voted to give him the death penalty. I have one son who's about their age. During the trial, everyone thought they were guilty from the start. Now I don't know. He maybe ought to have a new trial. If the DNA proves he didn't do it, I hope he gets off. Now I hope both or all three of them get a new trial, if there's new evidence and DNA."

Nevertheless, the police, the prosecutors and the judges involved remain hostile to any idea that they may have convicted the wrong men and let the real killer or killers remain free. Prosecutor Brent Davis, who bears an eerie resemblance to Brad Dourif's character in Mississippi Burning, says he has "not one iota" of a doubt. His former deputy John Fogleman, now a circuit-court judge, claimed he was still convinced, though he says, "There are always little nagging doubts about things, things that don't make sense, or don't add up."

Some of the things that don't add up include why in 1992 -- one year before the murders -- Judge Burnett formally expunged Byers' felony conviction of threatening his ex-wife with an electric shocker. There's also the fact that 10 years ago, Brent Davis declined to prosecute Byers for a scam that involved the theft of two Rolex watches from UPS, even though he had confessed to the crime, according to Leveritt's book. And there's the mysterious death of Byers' wife, Melissa, who never awoke from lying down to take a nap with her husband in March of 1996.

The apparently "incarceration-proof" Byers finally did 15 months in prison, but only after he was nabbed for selling Xanax to undercover narcotics officers in an incident even Arkansas police couldn't ignore. But it goes higher than Arkansas. Leveritt's book discusses an incident in which Byers was arrested in Memphis in July of 1992, nearly a year before the murders, by Sheriff's deputies on charges of conspiring to sell cocaine and carrying a dangerous weapon. Sometime during the night, he was taken into the custody of the U.S. Marshals Service. The paper trail ends there.

Chief Deputy Tommy Thompson, at the U.S. Marshals Service, Western District of Tennessee, responded to a Freedom of Information Act request by stating, "We do have some records in our computer of him being in our custody in 1992." But he added, "Our headquarters will have to advise me what can be released." A few days later, the Justice Department formally rejected the FOIA request on grounds that releasing the information would be a violation of Byers' privacy.

Damien Echols may be one of the best-read individuals I've ever met. In fact, he tells me he limits himself to a book every couple of days because his eyesight is getting so poor. Physically, with his pale complexion and coal-black hair, he looks like Jack White of the White Stripes. He'd fit right in at some coffeehouse in Santa Monica talking about Carl Jung or Martin Heidegger, two of his favorite authors. During our meeting, the conversation jumped all over, from his interest in tarot to Buffy the Vampire Slayer ("How could they cancel that show?!") to the significance of certain dreams and nightmares. He tells me that his dreams are mostly about the West Memphis PD harassing him.

If he gets out, Echols plans to move as far away from Arkansas as he can get, definitely to the West Coast, where many of his friends live. "Seattle sounds nice," he tells me. Also, his pal Eddie Vedder lives there. "I'd like to open a used-book store, but with really good used books. But it wouldn't just be a bookstore. We'd sell oils and incense, things like that, and give classes in yoga." He says he just wants to disappear after this is all over. He doesn't think about death, he says, or worry about his appeals process. He leaves dealing with the lawyers to Lorri, who is his bridge to the outside world.

It was through Lorri that he granted this visit at the last minute, knowing that, as he told me in a telephone interview in 2000, most people "cannot separate me from the case." Because he was seeing me against the advice of counsel, Lorri had asked me not to record our conversation or take notes. My account here, including the quotes, is taken from memory and from notes made afterward.

Last year, Echols' lawyers petitioned the Arkansas Supreme Court to retest some of the biological evidence for DNA using more sensitive tests than were available a decade ago. After granting them several delays, the Supreme Court finally ordered that Echols' defense get the testing done before a deadline that will just have expired as this paper goes to print. When I pressed Joe Margulies, Echols' top lawyer, as to why the defense was letting this valuable opportunity slip away, he hung up on me, saying coldly, "If it doesn't meet with your satisfaction, that's unfortunate."

In my rental car, passing through small towns that look like they've been trapped in amber since Eisenhower was president, I keep thinking of that line in the Dylan song about Rubin Carter: "How can the life of such a man/Be in the palm of some fool's hand?" That was off the 1975 Desire album, and Carter's ordeal wasn't over until a federal judge ordered him released in 1985 and prosecutors declined to retry him a third time. Echols may have a long road ahead before justice is done, if he can stay alive long enough to walk it.

"Cruel and Unusual: An Exhibition To Benefit the West Memphis Three" will be at sixspace gallery September 6 through 20.

GRAPHIC: TRIPLE THREAT? (left to right) JASON BALDWIN, DAMIEN ECHOLS AND JESSIE MISSKELLEY, by grove pashley

BURK SAULS, GROVE PASHLEY, KATHY BAKKEN

PHOTOS BY TED SOQUI

above: JASON, DAMIEN, JESSIE BY CHAD ROBERTSON

right: RAYMOND PETTIBONFS REMEMBER THE WEST MEMPHIS THREE

Below: HELP ME I WANT OUT BY THE CLAYTON BROTHERS

BIG PUN: "CRUEL AND UNUSUAL" CURATOR CHAD ROBERTSON

LOAD-DATE: September 10, 2003

EXHIBIT A-92



Copyright 2003 The Salt Lake Tribune
Salt Lake Tribune (Utah)

June 27, 2003, Friday

SECTION: Final; Pg. D1

LENGTH: 1981 words

HEADLINE: A chorus of doubt; Musicians speak out for West Memphis Three; Musicians seek answers in murder case

BYLINE: Dan Nailen , The Salt Lake Tribune

BODY:

In America, people don't go to jail because of the books they read, the music they like or the clothes they wear.

But a decade-old murder case in West Memphis, Ark. -- rife with small-town politics, religious overtones, issues of social class, adolescent turmoil and rock 'n' roll -- challenges that presumption.

The case, in which three teens were convicted -- many people believe wrongly -- of the sadistic murders of three 8-year-old boys, has produced two documentaries, a Hollywood film slated for release next year, an investigative book by an award-winning Arkansas journalist, a Web site devoted to the trio's defense, two major benefit albums and a national groundswell of support from musicians, including two punk legends stopping in Salt Lake City tonight to do a benefit concert.

Keith Morris and Henry Rollins were the first and last singers of Los Angeles '80s punk legends Black Flag, and they are currently touring with Rollins' band, doing songs that have not been heard live in years. Proceeds are helping pay for DNA testing that could either exonerate the so-called "West Memphis Three" or prove that Arkansas authorities were right all along.

"Innocent, guilty, we don't know, just like no one on the street knows," Rollins said in an interview. "What will help us out is conclusive DNA evidence . . . and if the DNA evidence implicates them, then now we know for sure.

"As it is now, no one knows."

The murders: On May 5, 1993, second-graders Stevie Branch, Christopher Byers and Michael Moore disappeared while riding their bikes after school. A search that night of their West Memphis neighborhood and a nearby patch of woods known as Robin Hood Hills yielded nothing. But the next afternoon, police discovered their naked bodies submerged in a nearby stream, hogtied with their own shoelaces. They had been severely beaten, and one of the boys was castrated.

Almost immediately, police began publicly discussing the possibility that the boys were the victims of a satanic cult-inspired ritual killing. That wasn't far-fetched for many of the area's fundamentalist Christians: How else to explain the sexual mutilation and scant blood at the place the bodies were found?

Nearly a month later, with the community growing increasingly anxious, the West Memphis police announced three arrests: Jessie Misskelley Jr., a 17-year-old, had confessed and implicated 16-year-old Jason Baldwin and 18-year-old Damien Echols. Echols in particular fit the police department's occult theory, as he often wore black and was considered a strange character in the small town.

A chorus of doubt; Musicians seek out for West Memphis Three; Musicians seek answers in murder case Salt Lake Tribune (Utah) June 27, 2003, Friday

Police were asked how confident they were, on a scale of 1 to 10, that Misskelley, Baldwin and Echols were guilty. "Eleven," boasted chief inspector Gary Gitchell. The case seemed so airtight that Judge David Burnett allowed a documentary crew from HBO to film the trials of the accused killers.

It was a decision the judge would later regret.

'Paradise Lost': Filmmakers Joe Berlinger and Bruce Sinofsky filmed the trials of Misskelley, Baldwin and Echols through the winter of 1994. The teens were convicted, with Misskelley and Baldwin receiving life sentences and Echols the death penalty. But it wasn't until "Paradise Lost: The Child Murders at Robin Hood Hills" debuted two years later at the Sundance Film Festival and subsequently screened on HBO that the world outside Arkansas got a glimpse of the proceedings.

Absent any physical evidence linking the West Memphis Three to the crimes, prosecutors made the argument that the boys were involved in satanic cults. Their proof? The teens listened to music like Metallica and Megadeth, dressed in heavy-metal T-shirts and black trenchcoats and read authors like Stephen King and Anne Rice. Echols had shown interest in the Wicca religion, which was apparently enough for the jury to buy that he was a cult ringleader of some sort.

Misskelley's confession, elicited after 12 hours of interrogation and riddled with inaccuracies, was all that linked the trio to the crime. The 17-year-old Misskelley, whose IQ measured in the low 70s, had dropped out of school in ninth grade, with skills barely at the fourth-grade level. Psychologists classified him as "slow" or "mildly retarded" throughout his childhood. Arkansas investigative reporter Mara Leveritt's book on the case, Devil's Knot: The True Story of the West Memphis Three, said the 12-hour interrogation included coercion by the police, forcing Misskelley to look at a photo of one of the murdered children, a polygraph test Misskelley passed -- but was told he failed -- and offers that things would go easier for him if he helped get Baldwin and Echols. Only 34 minutes of the 12 hours were recorded.

"Paradise Lost" showed Misskelley's lawyer questioning the West Memphis Police Department's methods, and lawyers for Baldwin and Echols asking for any physical evidence that linked their clients to the crime. But the movie ends with the teens being chained and driven to prison, convicted of murder.

www.wm3.org: "You just assume they did it," said Burk Sauls, a Los Angeles writer and visual consultant in the entertainment industry, about watching "Paradise Lost" for the first time. "They got convicted. The jury must have heard something I didn't hear. Of course, films don't show you everything.

"It was one of those things that just bugged me, though. Like, 'Why are these filmmakers so bad that they don't show any of the evidence against these guys? Didn't they have access to any information? They had cameras right in the courtroom -- why didn't they show us any evidence?'"

Sauls and two friends, Kathy Bakken and Ogden native Grove Pashley, saw the film when Bakken's graphics company was hired to create the movie poster. They thought it was simply a creepy movie about heavy-metal teenagers dabbling in satanism and committing a sensational murder.

"I grew up in the South, and I always heard about devil worshippers and stuff, and I always thought it was kind of stupid and funny, how easy it was to scare some people," said Sauls, a Florida native. But they were struck by how strange the case seemed on film.

"Maybe within six months of seeing the film, we had gone out to Arkansas," Pashley said. "We were interested in talking to the guys directly about it and talking to anyone else we could talk to about it. There was an idea back then that maybe we should start a support group for these guys, but we did have to do our own research first."

Sauls, Pashley and Bakken were allowed to meet with the boys in their respective prisons and bring cameras and tape recorders. They also met with Misskelley's attorney, Dan Stidham, who showed them autopsy photos.

"It had a huge impact on us to see how horrible this crime was, and that not only were there these three kids who were convicted of this crime, but there were these victims, these children and their parents," Pashley said. "Dan, at the end of this meeting, said, 'The only people that are here to help these guys are sitting in this room.' And that was kind of a responsibility that I didn't want to take on. I didn't want to believe that. But I felt we were the first ones to discover that, 'Hey, these guys probably aren't guilty at all, and there are still murderers out there.'"

A chorus of doubt; Musicians set out for West Memphis Three; Musicians set answers in murder case Salt Lake Tribune (Utah) June 27, 2003, Friday

Sauls, Pashley and Bakken created www.wm3.org, an informational clearinghouse about the case. The efforts of the [wm3.org](http://www.wm3.org) group were a major part of "Paradise Lost 2: Revelations," the 2000 sequel that advocated the innocence of the West Memphis Three.

Rock 'n' roll reacts: The Supersuckers' Eddie Spaghetti watched the first "Paradise Lost" expecting a movie about "deranged heavy metal kids [who] go off the deep end and commit a satanic murder."

What Spaghetti saw was something else, a story of three kids who were apparently railroaded because they were outcasts in a small town, listened to rock music, read horror books and came from families too poor to mount a defense. The band and its then-manager, Danny Bland, contacted the creators of the Web site and eventually produced a benefit CD in 2000, "Free the West Memphis Three," that featured such artists as Tom Waits, Steve Earle, Pearl Jam's Eddie Vedder and L7.

Spaghetti has stayed in touch with the inmates through letters and visits and continues to spread the word about the case however he can. When the Supersuckers headlined a show at the Zephyr Club last week, Spaghetti wore a "Free the West Memphis Three" T-shirt, a regular piece of his stage attire.

"It started with just a little interest in this, and the feeling that it could have been me, it could have been you, it could have been anybody who's ever had a left-of-center thought in a small town," Spaghetti said. "Wearing your Ozzy T-shirt, walking down the street being spit on by the baseball team, . . . I totally related to it. To see that it's gone this far is really disturbing."

Henry Rollins, whose band is doing the Salt Lake City benefit concert, came across the West Memphis Three case through "Paradise Lost" as well. He is currently touring to raise money for DNA testing of tissue found under one of the victims' fingernails that could potentially prove whether Misskelley, Baldwin or Echols was involved in the murders. Last year, he produced a benefit album, "Rise Above: 24 Black Flag Songs to Benefit the West Memphis Three."

Rollins, unlike Spaghetti, doesn't see the case as something that could have happened to him as a punk-rocker growing up in Washington, D.C. He sees the case as a murder that happened in a small community unprepared to deal with such a heinous crime. The crime scene was poorly managed, he says: bodies moved around and people tramping through the area.

"The thing that burned me the most was the lack of due process, and just the failure of the justice system to do its job," Rollins said. "When you don't get your Miranda rights read to you, when you're mentally challenged and you're yelled at by interrogators for 12 hours and then the tape recorder is flipped on, that's just not how you try anybody."

Rollins is hopeful that justice will eventually be done.

"The only thing separating these guys from a life of incarceration or death is the will of good people to do the right thing. At this point, that's all. The state of Arkansas will not pay for the [DNA] testing. God will not pay for the testing. It's just down to you, me and anyone who gives a damn."

At DV8

The Rollins Band, with special guest Keith Morris, plays at DV8, 115 S. West Temple, Salt Lake City, tonight at 7:30. Form of Rocket opens.

Tickets are \$ 17 at all Smith's Tix outlets, www.24Tix.com or at the door.

Learn more

<http://www.wm3.org>. This Web site is an informational clearinghouse on all aspects of the West Memphis Three case. It includes recent legal developments, sections on how to get involved, biographical information on the defendants and links to books, films, T-shirts and other products.

Devil's Knot: The True Story of the West Memphis Three by Arkansas investigative journalist Mara Leveritt is a comprehensive look at the case that brings to light the questionable police investigation and trials of the West Memphis Three, with materials reporters did not have access to at the time.

"Paradise Lost: The Child Murders at Robin Hood Hills," the 1996 documentary termed "true crime reporting at its most bitterly revealing" by the New York Times and the inspiration for the groundswell of justice seekers who have since become involved in the West Memphis Three case.

A chorus of doubt; Musicians : k out for West Memphis Three; Musicians se nswers in murder case Salt Lake
Tribune (Utah) June 27, 2003, Friday

"Paradise Lost 2: Revelations," a 2000 sequel that delves further into the case and more strongly advocates the West Memphis Three's innocence, details the efforts of their supporters and includes interviews with the three accused after five years in prison.

GRAPHIC: Eddie Spaghetti of the Supersuckers wears a "Free the West Memphis Three" T-shirt at the Zephyr Club.; Misskelley, Echols and Baldwin are currently serving prison terms.

LOAD-DATE: June 27, 2003

EXHIBIT A-93



Copyright 2002 U-WIRE via U-Wire
University Wire

October 23, 2002, Wednesday

SECTION: INTERVIEW

LENGTH: 812 words

HEADLINE: Henry Rollins rises 'Above' for West Memphis Three

BYLINE: By Caley Cook, U-WIRE

SOURCE: U-WIRE

DATELINE: San Diego

BODY:

On May 5, 1993, three 8-year-old boys left their homes for school in West Memphis, Arkansas. The next day, the bodies of Christopher Byers, Steve Branch and Michael Moore -- naked, tied ankle to wrist in a hog-tie fashion and, in the case of Byers, castrated and stabbed multiple times in the groin area -- were pulled from a creek in the nearby Robin Hood Hills area.

The chaos that immediately followed this 1:45 p.m. discovery eventually encompassed a nation. Soon after the discovery of the children's bodies, three local men who stood out because of their unconventional appearances and interests -- Jessie Misskelley, Damien Echols and Jason Baldwin -- were convicted of the murders and sent to prison on what many believe were colossally shaky grounds. Botched investigations, shallow community threats and questionable evidence all converged in a trial that left Echols on death row and Misskelley and Baldwin in prison for life.

The debate over the verdict eventually sparked a book, two HBO documentaries, hundreds of Web sites, celebrity deliberation, massive political and judicial overhaul, two benefit albums and a legion of active dissenters. Former Black Flag frontman Henry Rollins is one of them.

Rollins was so enraged with the verdict that he spearheaded the second benefit album in two years. "Rise Above," a collection of Black Flag covers by such notables as Iggy Pop, Corey Taylor, Chuck D, Ice Tea, Exene Cervanka, Hank Williams III and Ryan Adams roars through the band's material with newfound vigor. Through planning, publicity, music and personal investment, Rollins is absolutely adamant about supporting the cause of the West Memphis Three.

U-WIRE: How did you originally stumble upon the WM3 case documentaries on HBO?

Henry Rollins: Someone at my office gave me one of the videos. I watched it and it made me want to know more. I saw the second [documentary] and that made me want to get involved.

U-WIRE: Do many things make you angry or was the WM3's case especially maddening?

HR: Lots of things make me angry. Racism, things like that. The one thing that makes me the maddest on this particular case is that I don't think the accused got due process.

U-WIRE: Why not just write a check for this one? Why a benefit album?

HR: I was after awareness more than money, that's why.

U-WIRE: Why should college kids care about the WM3? What can they do to change this? (Especially when a few bucks for an album doesn't seem like much of a change.)

HR: They should care because it's happening in this country. They should be angry when anyone gets slighted [in] the legal system. There might be some apathetic people at universities. It's nothing to be proud of nor is apathetic the way to be. It's lame and disgraceful to live in this country and act that way.

U-WIRE: If you could say your piece to the managers of artists who were "too busy" to help with this benefit, what would you say?

HR: You'll only be remembered for your arrogance.

U-WIRE: Why Black Flag songs? Why not original material?

HR: Great concept, great protest music.

U-WIRE: Do you believe that the WM3's clothing and musical choice led to their condemnation?

HR: The prosecution needed to get someone so they zeroed in on these kids. They stood out. They were relatively easy targets.

U-WIRE: Have any of the contributing artists joined a more active approach to protest outside of the disc?

HR: Yes. Many have done a lot of interviews and general spreading of information on the case.

U-WIRE: What part of the recording process was most memorable for you?

HR: My favorite moments were when Tom Araya, Iggy Pop and Chuck D. all confirmed their will to participate.

U-WIRE: Is there any way to prevent a future WM3 or shall we just chalk it up to democracy?

HR: Our justice system is great. But, any system has glitches and we have to be careful and take good care of it.

U-WIRE: If everyone involved with this shindig was so outwardly positive, why do you think it's taken so long for this case to come to mainstream light?

HR: Never underestimate people's desire to live their own lives and get on with it. It's not easy to look outside yourself and do something.

U-WIRE: What does the legal team plan to do with the money raised by this album?

HR: I think that's best answered by them but as far as I know, they have been putting a lot of work into gathering evidence, conducting interviews and hiring private investigators.

U-WIRE: Does your role ever become daunting?

HR: I was the ringleader in making this record, nothing more. The project was never daunting, just a ton of work.

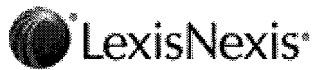
U-WIRE: What's next, or does the fight end here?

HR: We still have a lot of work to do on this record so until that's done, this is it for now. When we get this one put to bed, we'll come up with something else.

(C) 2002 U-WIRE via U-WIRE

LOAD-DATE: October 23, 2002

EXHIBIT A-94



Copyright 2002 El Pais Internacional S.A.
El Pais

October 8, 2002

EDITION: Andalucia edition

SECTION: Espectaculos; Base; Pg.40

LENGTH: 456 words

HEADLINE: HENRY ROLLINS PIDE JUSTICIA PARA TRES JOVENES CON 'RISE ABOVE' LAS VENTAS DEL DISCO COSTEARAN LAS DEFENSAS DE LOS CONDENADOS

BYLINE: Fernando Martin

DATELINE: Madrid

HIGHLIGHT:

Henry Rollins (Washington DC, 1961), ex bateria del grupo californiano de punk Black Flag, cantante y escritor, ha reclutado a grandes figuras del rock y el hip hop -Iggy Pop, Ryan Adams, Chuck D. (de Public Enemy) o Lemmy (de Motorhead)- para grabar el disco benefico Rise above. Con esta iniciativa se pagaran los gastos de defensa de tres jovenes condenados en EE UU, uno de ellos a muerte.

BODY:

La pesadilla de Damien Echols, Jessie Misskelley y Jason Baldwin comenzo el 5 de mayo de 1993, cuando contaban entre 15 y 17 anos de edad. Ese dia Steve Branch, Christopher Byers y Michael Moore, de ocho anos, salieron de la escuela en el barrio de West Memphis (Arkansas). Un dia despues, sus cuerpos aparecian en un riachuelo del area cercana de Robin Hood Hills. Los tres habian sido golpeados hasta morir y uno de ellos, Christopher Byers, apunado repetidamente en la ingle y castrado. La policia local propicio que las primeras pruebas y evidencias del crimen fueran destruidas o arruinadas en el mismo lugar en el que se hallaron los cuerpos. Ademas, un oficial que vigila a personas en libertad condicional, presente en aquel momento, sugirio el nombre de un conocido joven asocial de la zona llamado Damien Echols.

Por otra parte, Vicky Hutcheson, una vecina metida en lios con la justicia por firmar cheques sin fondos, se ofrecio a ayudar a esclarecer el caso, tal vez espoleada por los 32.000 dolares de recompensa prometidos a quien aportase pruebas. Tras un par de intentonas fallidas de incriminar a Damien, en las que llego a utilizar incluso a su propio hijo, Vicky convencio a un disminuido mental de 17 anos, Jessie Misskelley, para que fuera a comisaria a confesar que habia visto a Echols matar a los ninos. La policia interrogo a Misskelley durante 12 horas, sin testigos, ni garantias, pero solo un pequeno fragmento del interrogatorio quedo grabado. Curiosamente, aquel en el que se escucha justo lo que la policia buscaba: Jessie acuso a Damien Echols, a Jason Baldwin, un amigo de Damien, y, por sorpresa, se autoinculpo en los asesinatos. Los tres fueron juzgados, a pesar de no haber una sola prueba que los incriminase.

Durante el juicio, especialistas en confesiones falsas y coaccion policial a testigos citados por la defensa declararon que el interrogatorio a Misskelley era un "clasico ejemplo de coercion policial". Pese a estos testimonios, el juicio, plagado de irregularidades, prosiguio, concluyendo con Jason y Jessie sentenciados a cadena perpetua sin posibilidad de redencion, y a Damien a morir por inyeccion letal.

Ante esta situacion, Rollins, preocupado por un caso que ha removido a la opinion publica en su pais -el actor Johnny Depp, entre otras personalidades, se ha manifestado publicamente a favor de la libertad de los jovenes conocidos

como The West Memphis Three-, se decidio a poner en marcha el proyecto del disco Rise above. Rollins afirma que "aparte de salvar la vida de unos chicos que ya han pasado algunos de los anos mas importantes de su vida en prision esta el hecho de que una condena sin pruebas puede hacer tambalearse al sistema legal americano".

LOAD-DATE: October 8, 2002

EXHIBIT A-95



Copyright 2002 El Pais Internacional S.A.
El Pais

October 8, 2002

EDITION: Barcelona edition

SECTION: Espectaculos; Base; Pg.39

LENGTH: 518 words

HEADLINE: EL MUSICO HENRY ROLLINS PIDE JUSTICIA PARA TRES JOVENES CON EL DISCO BENEFICO 'RISE ABOVE'

BYLINE: Fernando Martin

DATELINE: Madrid

BODY:

Henry Rollins (Washington DC, 1961), ex bateria del grupo californiano de punk Black Flag, cantante y escritor, ha reclutado a grandes figuras del rock y el hip hop -Iggy Pop, Ryan Adams, Chuck D. (de Public Enemy) o Lemmy (de Motorhead)- para grabar el disco benefico Rise above. Con esta iniciativa se pagaran los gastos de defensa de tres jovenes condenados en EE UU, uno de ellos a muerte.

La pesadilla de Damien Echols, Jessie Misskelley y Jason Baldwin comenzo el 5 de mayo de 1993, cuando contaban entre 15 y 17 anos de edad. Ese dia Steve Branch, Christopher Byers y Michael Moore, de ocho anos, salieron de la escuela en el barrio de West Memphis (Arkansas). Un dia despues, sus cuerpos aparecian en un riachuelo del area cercana de Robin Hood Hills. Los tres habian sido golpeados hasta morir y uno de ellos, Christopher Byers, fue apunhalado repetidamente en la ingle y castrado. La policia local propicio que las primeras pruebas y evidencias del crimen fueran destruidas o arruinadas en el mismo lugar en el que se hallaron los cuerpos. Ademias, un oficial que vigila a personas en libertad condicional, presente en aquel momento, sugirio el nombre de un conocido joven asocial de la zona llamado Damien Echols.

Por otra parte, Vicky Hutcheson, una vecina metida en lios con la justicia por firmar cheques sin fondos, se ofrecio a ayudar a esclarecer el caso, tal vez espoleada por los 32.000 dolares de recompensa prometidos a quien aportase pruebas. Tras un par de intentonas fallidas de incriminar a Damien, en las que llego a utilizar incluso a su propio hijo, Vicky convencio a un disminuido mental de 17 anos, Jessie Misskelley, para que fuera a comisaria a confesar que habia visto a Echols matar a los ninos. La policia interrogo a Misskelley durante 12 horas, sin testigos, ni garantias, pero solo un pequeno fragmento del interrogatorio quedo grabado. Curiosamente, aquel en el que se escucha justo lo que la policia buscaba: Jessie acuso a Damien Echols, a Jason Baldwin, un amigo de Damien, y, por sorpresa, se autoinculpo en los asesinatos. Los tres fueron juzgados, a pesar de no haber una sola prueba que los incriminase.

Durante el juicio, especialistas en confesiones falsas y coaccion policial a testigos citados por la defensa declararon que el interrogatorio a Misskelley era un "clasico ejemplo de coercion policial". Pese a estos testimonios, el juicio, plagado de irregularidades, prosiguio, concluyendo con Jason y Jessie sentenciados a cadena perpetua sin posibilidad de redencion, y a Damien a morir por inyeccion letal. Ante esta situacion, Rollins, preocupado por un caso que ha removido a la opinion publica en su pais -el actor Johnny Depp, entre otras personalidades, se ha manifestado publicamente a favor de la libertad de los jovenes-, se decidio a poner en marcha el proyecto del disco Rise above. Rollins afirma que, "aparte de salvar la vida de unos chicos que ya han pasado algunos de los anos mas importantes de su vida en prision, esta el hecho de que una condena sin pruebas puede hacer tambalearse al sistema legal norteamericano".

EL MUSICO HENRY ROLL, PIDE JUSTICIA PARA TRES JOVENES C EL DISCO BENEFICO 'RISE
ABOVE' El Pais October 8, 2002

LOAD-DATE: October 8, 2002

EXHIBIT A-96



Copyright 2002 The Atlanta Journal-Constitution

The Atlanta Journal-Constitution

ajc.com

The Atlanta Journal-Constitution

February 11, 2002 Monday, Home Edition

SECTION: News; Pg. 1A

LENGTH: 2168 words

HEADLINE: Murder and melodrama;
Did Arkansas town go on a witch hunt, or are activists playing the 'redneck' card?

BYLINE: DREW JUBERA

SOURCE: AJC

BODY:

West Memphis, Ark. --- This is a drive-through town. You exit I-40 for a fill-up or a Happy Meal or a night's sleep. You stay longer if you're one of the town's 28,000 mostly working-class citizens, and maybe you come back if you like to bet on the dogs over at Southland Greyhound Park. Otherwise, you just keep heading to wherever you're headed, which probably is anywhere but here.

Yet for a city with such a transitory, 18-wheeler identity --- I-40 might as well be designated Main Street --- it now has an unexpected infamy: center of a movement that has turned "West Memphis" into a kind of underground shorthand for intolerance.

"When I go out of town and tell people I'm from West Memphis, they go, 'Oh, that's where they arrested those kids for murder because they were black,'" Laura Cartwright, a West Memphis High School senior, says in low tones from behind the counter of a local TCBY, where she works after school. "It's the unspoken thing here. Everybody knows about it, but nobody talks about it."

Free the West Memphis Three, an Internet-fueled network run largely from a Web site created in Los Angeles, seeks the release of three men convicted as teenagers in the gruesome murders of three young boys near an interstate service road here nine years ago.

Two of the teens were sentenced to life. The third --- Damien Echols, a Goth-looking kid who dressed in black, grew his fingernails absurdly long, listened to heavy metal and noodled with witchcraft --- was shipped to death row.

The Arkansas appeals courts that have reviewed the case --- as well as all but one of the dead children's parents --- remain satisfied that justice was done.

But with its renown sparked by two award-winning HBO documentaries, the case is regarded by West Memphis Three disciples as a Bible Belt witch hunt. Made up of people from all walks of life --- students, musicians, Wiccans, anti-death penalty activists, metalheads-turned-housewives --- they vend T-shirts and bumper stickers and CDs at benefits around the country, including one over the weekend at a Birmingham rock club.

They hold online chats with Echols from death row. They make pilgrimages to the crime scene. They attend appeals in Little Rock, circling the courthouse to show support.

Murder and melodrama; Did Ark. towns go on a witch hunt, or are activists playing the 'redneck' card? The Atlanta Journal-Constitution February 11, 2002 Monday,

The three convicts are the subject of dozens of Web sites, and they've received public backing from such youth culture celebrities as "South Park" co-creator Trey Parker and Pearl Jam frontman Eddie Vedder. The case's Southern backdrop is one reason it continues to generate such intense interest. Some supporters outside the region --- from posts as far-flung as Germany, Australia and the Netherlands --- bring old-South stereotypes to the crime's post-modern narrative of kids adrift in a world of cool, casual violence.

For these people, Arkansas is an inbred backwater, a trailer-strewn landscape where teeth are scarce and ignorance rampant. Where drawling, God-fearing cops, judges and juries couldn't be anything but hostile toward kids who run around town wearing Metallica T-shirts.

In this interpretation, West Memphis is where Goth meets Southern Gothic.

On a spring afternoon in 1993, the hog-tied bodies of three 8-year-old boys were found in Robin Hood Hills, a 4-acre patch of scratchy woods behind the Blue Beacon truck wash.

They had been slain, though it remains unclear at exactly what hour. Steve Branch, Michael Moore and Christopher Byers, second-graders from the adjoining subdivision who had been out riding bikes the evening before, were left naked in a dingy creek near a drainage canal.

Steve and Michael had been brutally beaten and had drowned. Christopher had been castrated and had bled to death.

Those constitute just about the last unambiguous elements in this case. It was a horrific crime --- maybe this town's worst ever --- and its eye-averting ghastliness may partly explain whatever investigative missteps followed.

There's no need to retry that investigation here, as the WM3 crowd does obsessively on Internet message boards (the mother-lode site: www.wm3.org). Suffice to say, the crime scene yielded little physical evidence tying the teens to the killings: no blood, no fingerprints, no murder weapon.

There was clothing fiber that pointed to the suspects. A knife was fished months later from a lake behind one defendant's house that prosecutors said was consistent with the murder weapon.

A witness said she saw one of the teens near the crime scene around the time it could have occurred. Two others say they overheard Echols boasting about the murders at a girls' softball game.

And there was a confession: Jessie Misskelley, then 17, told police that Jason Baldwin, then 16, and Echols, the 18-year-old ringleader, murdered the boys. He described the killings as a drunken, idle-time eruption and his own role as that of an active, if reluctant, bystander. He kept one kid from running away before fleeing himself.

The problem with the confession, as defense lawyers and WM3 supporters see it: Misskelley's IQ has registered in the lows 70s --- borderline retarded --- and his confession initially confused basic facts, like whether the murders occurred in the morning or at night. He later recanted it.

He confessed twice more, in more incriminating detail, then retracted those confessions, too.

It was a case that prosecutor John Fogleman admitted had little direct evidence. The circumstantial evidence was enough to convince two different juries, but not enough to preclude sundry threads of speculation. Like a small-scale version of the Kennedy assassination, post-Warren Report, the case virtually begs for re-interpretations of the official record.

"You begin to explore this story, and it keeps opening up like an onion," says Mara Leverett, an Arkansas writer whose book on the murders is due out in October. "People are drawn to it who have a sense there should be a rational explanation. They're not satisfied with no physical evidence and a satanic motive."

It is a case where you can see what you want to see. You can see a town caught up in "satanic panic" --- evidence was presented that Echols read Stephen King novels, listened to Metallica and wrote occult-based musings, and that investigators heard stories that he participated in orgies and animal sacrifices.

You can see detectives working a confession from a weak-minded teen --- "all of a sudden the local retarded kid comes forward who they can pressure into saying whatever they want," says Misskelley lawyer Dan Stidham.

Murder and melodrama; Did Arkansas town go on a witch hunt, or are activists playing the 'redneck' card? The Atlanta Journal-Constitution February 11, 2002 Monday,

You can see other suspects. These include "Bojangles Man," a bloodied drifter who appeared at a nearby Bojangles restaurant the night of the murders then disappeared before police arrived, and Mark Byers, Christopher's bizarrely posing stepfather.

You can see a media high-alert that turned some lawyers, parents and defendants into actors playing outsized roles of themselves.

You can see it all on two HBO documentaries, themselves part of the media frenzy: 1996's "Paradise Lost: The Child Murders at Robin Hood Hills," which won a Peabody award, and its sequel four years later, "Paradise Lost 2: Revelations."

New York-based filmmakers Joe Berlinger and Bruce Sinofsky were lured to West Memphis after reading a brief newspaper account of the murders.

They initially assumed the teens' guilt and were eager to explore their disconnect to a Bible-thumping Delta where, as Berlinger puts it, "there's the idea of heaven and hell and a literal devil who runs among us."

After 10 months filming the trials, they were convinced the trio didn't do it. They made a sequel to drive that point home and hoped it would lead to the three's release.

The arc traveled by most WM3 supporters begins with these films, which still air occasionally on HBO and are available at video stores. The first leaves you suspicious about the teens' convictions, with Echols starring as a bright, darkly charismatic, too cool cucumber. The second removes any doubt.

"If I just watched those documentaries and knew nothing else about the case, I would have questions, too," says Capt. Mike Allen of the West Memphis police, who investigated the murders. "I would say to myself, 'Those boys may not have done it. There are a thousand and one questions. This is a crying shame.'"

"But the reality is HBO did a one-sided, biased job," Allen says. "They did the case a real injustice. If this country gets to the point where instead of a trial we say, 'Let's have HBO do what they do and have people e-mail the courts, well . . .'"

Allen's voice trails off. Then he adds, "As I know the case, I can sleep at night in peace, knowing who killed those kids."

It's a Saturday night in Anniston, Ala., and a few dozen teens hang around the 1213 Club, an exquisitely bombed-out-looking music venue on an otherwise deserted downtown street.

Some kids show up on skateboards. Others arrive in their parents' cars. Inside the tiny unmarked building, the walls are black, the tile floor broken, the music ear-splitting. There's no obvious drinking or drug-taking; the kids here think of themselves as outsiders, into alternative bands and fashion, but not into real trouble.

Before the bands start, two women from nearby Gadsden, both in their late 20s, set up a table piled with Free the West Memphis Three material. Kids gather around the table, fingering T-shirts, checking out musicians on the WM3 benefit CD (Steve Earle, Eddie Spaghetti of the Supersuckers, Tom Waits).

One kid --- braces, baggy pants, black jersey --- asks one of the women more about the case. Christie Houk, a stay-at-home mother of a 5-year-old, unreels a litany of transgressions before concluding: "What it boils down to is these guys were different." She mentions the Stephen King books, the black clothes, Metallica.

"They could convict me of the same thing. I listen to worse than Metallica," says Ben Pike, a Gadsden High School junior. "I might check out the Web site."

The Anniston scene has been repeated in cities across the country, from San Francisco to Chapel Hill, N.C. It shows how culturally deep, if legally shallow, the West Memphis Three movement runs.

Houk got interested after watching the first HBO documentary with her mother. When credits rolled, her mother turned to Houk, once a partying metal-head, and said, "Ten years ago, in our little town, that would have been you."

Houk now explores the case for hours a day at home on the Internet, also organizing awareness events like the one in Anniston.

Murder and melodrama; Did Arkansas town go on a witch hunt, or are activists playing the 'redneck' card? The Atlanta Journal-Constitution February 11, 2002 Monday,

The effect that all this attention has on the case itself is dubious. Edward Mallett, Echols' prominent defense lawyer from Houston, dismisses it.

"A naivete runs through American culture that assumes if I make a lot of noise, judicial behavior will be affected," he says. "I don't think judges are favorably affected by young people's groups and Web sites. If the court could be pressured by popular demand, Al Gore would be president."

Still, he adds, "It is remarkable that people continue to be so curious."

Another appeal for Echols is pending. Barry Scheck, of O.J. Simpson defense fame, is an adviser.

The photographer, screenwriter and graphic artist who run the wm3.org support site in Los Angeles say that the continued curiosity prevents the case from dropping off the legal radar.

Grove Pashley, 39, the photographer, says their crusade has been compared to the three Canadians who kept the case of boxer Rubin "Hurricane" Carter alive until his New Jersey murder conviction was overturned.

Another person drawn to the case is Lorri Davis, who married Echols in prison. A Manhattan architect, she pursued him after attending a screening of the first HBO film at New York's Museum of Modern Art.

Davis now works as an architect in Little Rock. She collects legal defense funds through the wm3.org site.

Mallett says he's never asked for, nor received, a dime. Davis says she's saving the funds to hire another, full-time attorney.

Plenty of people are sickened by the efforts to free the West Memphis Three.

Melody Meadows, a Memphis disc jockey and friend of the murdered children's families, once organized an on-air boycott of a local Pearl Jam concert because of Vedder's link to the convicts.

"You don't come in here and say you're going to free three child-molesting murderers," she says. "These parents are very upset. People think all this happened because these kids wore black and listened to heavy metal. That's not what it's about at all."

Meadows says interest in the case would have vanished years ago if not for Echols, whom she describes as psychotically manipulative, a kind of preening, spruced-up Charles Manson who pronounced in one HBO film that he'd be remembered forever as "the West Memphis boogeyman."

"He thrives on the attention and the limelight, and they continue to give it to him," she says. "The day Echols is executed is the day all of this will subside."

GRAPHIC: Photo:

Damien Echols (above left) received the death penalty. The case is the subject of two HBO movies and a virtual cult following of Web sites and activists. / GROVE PASHLEY / Special Photo:

Jessie Misskelley / GROVE PASHLEY / Special Photo:

Two members of the West Memphis Three, Jason Baldwin (above right) and Jessie Misskelley received life sentences in a the slaying of three 8-year-old boys in West Memphis, Ark., / GROVE PASHLEY / Special Map:

WEST MEMPHIS

Map shows location of West Memphis, AK. Drop-down map shows Area of detail as it relates to Atlanta. / ROB SMOAK / Staff

LOAD-DATE: February 11, 2002

EXHIBIT A-97



Copyright 2002 Cox Enterprises, Inc.
Cox News Service

February 10, 2002 Sunday

SECTION: Domestic; Non-Washington; General News Item

LENGTH: 2189 words

HEADLINE: Arkansas case cast darkly

BODY:

West Memphis Three caught in Bible Belt witch hunt, says growing bevvy of disciples.

By Drew Jubera

WEST MEMPHIS, Ark. _ This is a drive-through town. You exit I-40 for a fill-up or a Happy Meal or a night's sleep. You stay longer if you're one of the town's 28,000 mostly working-class citizens, and maybe you come back if you like to bet on the dogs over at Southland Greyhound Park. Otherwise, you just keep heading to wherever you're headed, which likely is anywhere but here.

Yet for a city with such a transitory, 18-wheeler identity _ I-40 might as well be designated Main Street _ it now has an unexpected infamy: center of a movement that has turned "West Memphis" into a kind of underground shorthand for intolerance.

"When I go out of town and tell people I'm from West Memphis, they go, 'Oh, that's where they arrested those kids for murder because they wore black,'" Laura Cartwright, a West Memphis High School senior, says in low tones from behind the counter of a local TCBY, where she works after school. "It's the unspoken thing here. Everybody knows about it, but nobody talks about it."

Free the West Memphis Three, an Internet-fueled network run largely from a Web site created in Los Angeles, seeks the release of three men convicted as teens in the gruesome murders of three young boys near an interstate service road here nine years ago.

Two of the teens were sentenced to life. The third _ Damien Echols, a Goth-looking kid who dressed in black, grew his fingernails absurdly long, listened to heavy metal and noodled with witchcraft _ was shipped to death row.

The Arkansas appeals courts that have reviewed the case _ as well as all but one of the dead children's parents _ remain satisfied justice was done.

But with its renown sparked by two award-winning HBO documentaries, the case is regarded by West Memphis Three disciples as a Bible Belt witch hunt. Made up of people from all walks of life _ students, musicians, Wiccans, anti-death penalty activists, metal-heads-turned-housewives _ they vend T-shirts and bumper stickers and CDs at benefits around the country, including one over the weekend at a Birmingham rock club. They hold online chats with Echols from death row. They make pilgrimages to the crime scene. They attend appeals in Little Rock, circling the courthouse to show support.

The three convicts are the subject of dozens of Web sites, and they've received public backing from such youth culture celebrities as "South Park" co-creator Trey Parker and Pearl Jam frontman Eddie Vedder. The case's Southern backdrop is one reason it continues to generate such intense interest. Some supporters outside the region _ from posts as farflung as Germany, Australia and the Netherlands _ bring old-South stereotypes to the crime's post-modern narrative of kids adrift in a world of cool, casual violence.

For these people, Arkansas is an inbred backwater, a trailer-strewn landscape where teeth are scarce and ignorance rampant. Where drawling, God-fearing cops, judges and juries couldn't be anything but hostile toward kids who run around town wearing Metallica T-shirts.

In this interpretation, West Memphis is where Goth meets Southern Gothic.

On a spring afternoon in 1993, the hog-tied bodies of three 8-year-old boys were found in Robin Hood Hills, a 4-acre patch of scratchy woods behind the Blue Beacon truck wash.

They had been murdered, no question, though it remains unclear at exactly what hour. Second-graders from the adjoining subdivision, who'd been out riding bikes the evening before, Steve Branch, Michael Moore and Christopher Byers were left naked in a dingy creek near a drainage canal. Branch and Moore had been brutally beaten and they drowned. Byers was also castrated, and he bled to death.

Those constitute just about the last unambiguous elements in this case. It was a horrific crime _ maybe this town's worst ever _ and its eye-averting ghastliness may partly explain whatever investigative missteps followed.

There's no need to retry that investigation here, as the WM3 crowd does obsessively on Internet message boards (the mother-lode site: www.wm3.org). Suffice to say, the crime scene yielded little physical evidence tying the teens to the killings: no blood, no fingerprints, no murder weapon.

There was clothing fiber that pointed to the suspects. A knife was fished months later from a lake behind one defendant's house that prosecutors said was consistent with the murder weapon. A witness said she saw one of the teens near the crime scene around the time it could have occurred. Two others say they overheard Echols boasting about the murders at a girls softball game.

And there was a confession: Jessie Misskelley, then 17, told police that Jason Baldwin, then 16, and Echols, the 18-year-old ringleader, murdered the boys. He described the killings as a drunken, idle-time eruption, and his own role as that of an active, if reluctant bystander: He kept one kid from running away before fleeing himself.

The problem with the confession, as defense lawyers and WM3 supporters see it: Misskelley's IQ has registered in the lows 70s _ borderline retarded _ and his confession initially confused basic facts, like whether the murders occurred in the morning or at night. He later recanted it. He confessed twice more, in more incriminating detail, then retracted those confessions, too.

It was a case that prosecutor John Fogleman admitted had little direct evidence. The circumstantial evidence was enough to convince two different juries, but not enough to preclude sundry threads of speculation. Like a small-scale version of the Kennedy assassination, post-Warren Report, the case virtually begs for re-interpretations of the official record.

"You begin to explore this story and it keeps opening up like an onion," says Mara Leverett, an Arkansas writer whose book on the murders is due out in October. "People are drawn to it who have a sense there should be a rational explanation. They're not satisfied with no physical evidence and a satanic motive."

It is a case where you can see what you want to see. You can see a town caught up in "Satanic panic" _ evidence was presented that Echols read Stephen King novels, listened to Metallica, wrote occult-based musings, and investigators heard stories that he participated in orgies and animal sacrifices. You can see detectives working a confession from a weak-minded teen _ "all of a sudden the local retarded kid comes forward who they can pressure into saying whatever they want," says Misskelley lawyer Dan Stidham.

You can see other suspects. These include "Bojangles Man," a bloodied drifter who appeared at a nearby Bojangles restaurant the night of the murders, then disappeared before police arrived; and Mark Byers, Christopher's bizarrely-posturing stepfather. You can see a media high-alert that turned some lawyers, parents and defendants into actors playing outsized roles of themselves.

And you can see it all on two HBO documentaries, themselves part of the media frenzy: 1996's "Paradise Lost: The Child Murders at Robin Hood Hills," which won a Peabody award, and its sequel four years later, "Paradise Lost 2: Revelations."

New York-based filmmakers Joe Berlinger and Bruce Sinofsky were lured to West Memphis after reading a brief newspaper account of the murders. They initially assumed the teens' guilt and were eager to explore their disconnect to

a Bible-thumping Delta where, as Berlinger puts it, "there's the idea of heaven and hell and a literal devil who runs among us."

But after 10 months filming the trials, they were convinced the trio didn't do it. They made a sequel to drive that point home, and hoped it would lead to the three's release.

The arc travelled by most WM3 supporters begins with these films, which still air occasionally on HBO and are available at video stores. The first leaves you suspicious about the teens' convictions, with Echols starring as a bright, darkly charismatic, too-cool cucumber. The second removes any doubt.

"If I just watched those documentaries and knew nothing else about the case, I would have questions too," says Capt. Mike Allen of the West Memphis police, who investigated the murders. "I would say to myself, 'Those boys may not have done it. There are a thousand and one questions. This is a crying shame.'"

"But the reality is HBO did a one-sided, biased job," Allen says. "They did the case a real injustice. If this country gets to the point where instead of a trial we say, 'Let's have HBO do what they do and have people e-mail the courts, well...'"

Allen's voice trails off. Then he adds, "As I know the case, I can sleep at night in peace, knowing who killed those kids."

It's a Saturday night in Anniston, Ala., and a few dozen teens hang around the 1213 Club, an exquisitely bombed-out-looking music venue on an otherwise deserted downtown street.

Some kids show up on skateboards. Others arrive in their parents' cars. Inside the tiny unmarked building, the walls are black, the tile floor broken, the music ear-splitting. There's no obvious drinking or drug-taking; the kids here think of themselves as outsiders, into alternative bands and fashion, but not into real trouble.

Before the bands start, two women from nearby Gadsden, both in their late 20s, set up a table piled with Free the West Memphis Three material. Kids gather around the table, fingering T-shirts, checking out musicians on the WM3 benefit CD (Steve Earle, Eddie Spaghetti of the Supersuckers, Tom Waits).

One kid _ braces, baggy pants, black jersey _ asks one of the women more about the case. Christe Houk, a stay-at-home mother of a 5-year-old, unreels a litany of transgressions before concluding: "What it boils down to is these guys were different." She mentions the Stephen King books, the black clothes, Metallica.

"They could convict me of the same thing. I listen to worse than Metallica," says Ben Pike, a Gadsden High School junior. "I might check out the Web site."

The Anniston scene has been repeated in cities across the country, from San Francisco to Chapel Hill. It shows how culturally deep, if legally shallow, the West Memphis Three movement runs.

Houk got interested after watching the first HBO documentary with her mother. When credits rolled, her mother turned to Houk, once a partying metal-head, and said, "Ten years ago, in our little town, that would have been you."

Houk now explores the case for hours a day at home on the Internet, while also organizing awareness events like the one in Anniston.

The effect that all this attention has on the case itself is dubious. Edward Mallett, Echols' prominent defense lawyer from Houston, dismisses it. Another appeal for Echols is pending. Barry Scheck, of O.J. Simpson defense fame, is an adviser.

"A naivete runs through American culture that assumes if I make a lot of noise judicial behavior will be affected," he says. "I don't think judges are favorably affected by young people's groups and Web sites. If the court could be pressured by popular demand, Al Gore would be president."

Still, he adds, "It is remarkable that people continue to be so curious."

The photographer, screenwriter and graphic artist who run the wm3.org support site in Los Angeles say that the continued curiosity prevents the case from dropping off the legal radar. Grove Pashley, 39, the photographer, says their crusade has been compared to the three Canadians who kept the case of boxer Rubin "Hurricane" Carter alive until his New Jersey murder conviction was overturned.

Another person drawn to the case is Lorri Davis, who married Echols in prison. A Manhattan architect, she pursued him after attending a screening of the first HBO film at New York's Museum of Modern Art.

Davis now works as an architect in Little Rock. She collects legal defense funds through the wm3.org site. Mallett says he's never asked for, nor received, a dime. Davis says she's saving the funds to hire another, full-time attorney.

There are plenty of people sickened by the efforts to free the West Memphis Three. Melody Meadows, a Memphis disc jockey and friend of the murdered children's families, once organized an on-air boycott of a local Pearl Jam concert because of Vedder's link to the convicts.

"You don't come in here and say you're going to free three child-molesting murderers," she says. "These parents are very upset. People think all this happened because these kids wore black and listened to heavy metal. That's not what it's about at all."

Meadows says interest in the case would have vanished years ago if not for Echols, who she describes as psychotically manipulative, a kind of preening, spruced-up Charles Manson who pronounced in one HBO film that he'd be remembered forever as "the West Memphis boogeyman."

"He thrives on the attention and the limelight, and they continue to give it to him," she says. "The day Echols is executed is the day all of this will subside."

Drew Jubera writes for The Atlanta Journal-Constitution. You may contact him at [djubera\(at\)ajc.com](mailto:djubera(at)ajc.com)

LOAD-DATE: February 11, 2002

EXHIBIT A-98



Copyright 2001 Newark Morning Ledger Co.
All Rights Reserved
The Star-Ledger (Newark, New Jersey)

May 31, 2001 Thursday
FINAL EDITION

SECTION: TODAY; Pg. 39

LENGTH: 2042 words

HEADLINE: Working for a cause

BYLINE: LISA ROSE, STAR-LEDGER STAFF

BODY:

Bill Prichason and Marcia Ian are unlikely crusaders.

Prichason, 45, a Citibank vice president, has never taken up a cause before. His wife, Marcia Ian, 50, an English professor at Rutgers University in New Brunswick, hasn't been involved in any type of activism since she was a student demonstrator against the Vietnam War.

The Metuchen couple was roused to action four years ago by "Paradise Lost: The Child Murders at Robin Hood Hills," an Emmy-winning HBO documentary about the 1994 trials of three West Memphis, Ark., teenagers charged with killing three 8-year-old boys in an alleged black magic ritual. Though there was little physical evidence linking the defendants to the crime, police and a cult specialist testified that the teens' Gothic fashions and fondness for heavy metal music were signs of satanic worship and violent tendencies.

All three were found guilty of murder. Damien Echols, then 19 and the alleged ringleader of the group, was sentenced to die by lethal injection and has been on Death Row awaiting appeal for seven years. Both Jason Baldwin, 16, and Jessie Misskelley, 18, were sentenced to prison for life.

Watching the film, Prichason and Ian were horrified by the crime and further rattled by the possibility the three young men were innocent.

"I didn't see the evidence that led to the convictions," said Prichason. "I wondered what was missing. So, I went onto the Internet to find more information. The more I found, the more doubts I had and the more upset I got."

Prichason's search led him to the "Free the West Memphis Three" Web site (www.wm3.org), a virtual library of case documents compiled by Burk Sauls, a Los Angeles-based television writer, and two friends.

Like Prichason, Sauls saw the film and wondered what evidence had been left on the cutting-room floor.

"You watch this story and it seems so unfinished," said Sauls. "You're like, 'So, now what?' The three of us started digging for some clue, anything that would make them look guilty, but never found anything. We thought that people need to see this, so we shared what we'd found on the Web."

Launched five years ago, the WM3.org site has drawn more than 500,000 hits. They've hosted chat sessions with Echols from death row, established college funds for Baldwin and Echols, and created personal pages for each of the prisoners with legal updates and contact info.

Off-line, WM3 has evolved into a national support network. The site lists 35 regional chapters, including a New Jersey group with some 30 members.

On Sunday the local WM3 chapters will mark the eighth anniversary of the arrests with West Memphis Three National Awareness Day, coordinating events from coast to coast. Supporters will spend the day canvassing parks, college campuses and other public spaces. At night, there will be benefit shows at rock clubs in Seattle, San Francisco and Columbus, Ohio. Locally, the Lakeside Lounge in New York will host a concert featuring alt-country singer Laura Cantrell, Beauty and the Muscular Christians.

"We don't expect to raise a large amount of money," said Prichason. "But it will be nice if we get lucky and raise the awareness of a few wealthy individuals who would like to fund it on a more substantial basis."

Echols, now 26, credits the WM3 effort with helping him find a measure of hope that he will someday have a life outside of prison.

"Sometimes I think I can become overly optimistic," he said by telephone from Tucker Maximum Security Prison in Tucker, Ark. "When you're surrounded by people constantly giving encouragement, you can forget that there's still people out there want to see you dead."

"I used to hear about these type of cases and I was never interested," said Prichason, who has made three trips to Arkansas with Ian for court hearings and to visit Baldwin and Echols. "Oh, poor innocent guy in jail. To me it was like, 'Big deal, it happens all the time.' With this case, I'm so fascinated by it that I can't stop talking about it. I'll talk with people on the train about it."

On May 5, 1993, Michael Moore, Steve Branch and Christopher Byers vanished after riding their bikes to Robin Hood Hills, a stretch of woods off Interstate 40 behind a West Memphis truck wash. The next day, their bodies were found nude, beaten and hog-tied with shoelaces in a drainage ditch. Moore and Branch had drowned. Byers bled to death after being castrated.

A month after the crime, Misskelley, a high school dropout with an IQ of 72, confessed under police questioning that he'd helped restrain one of the victims and implicated Echols and Baldwin. Though his story, which he recanted days later, contained discrepancies in the time frame of the incident and the identities of the victims, it led to police raids on Echols' and Baldwin's trailer-homes.

Echols was an object of curiosity and suspicion in the Bible Belt community. The bookish teen, a Catholic with an interest in pagan religions such as Wicca, had tattooed himself with a pentagram and an Egyptian ankh, and often wore a black trenchcoat on sticky summer days. His best friend, Baldwin, was a shy high school sophomore with a flair for art and an ear for heavy metal bands such as Metallica and Megadeth.

Misskelley refused to take the stand against Baldwin and Echols. Because there was no DNA evidence and no murder weapon recovered, the prosecution's case hinged on the testimony of an expert in the occult and locals who said they'd overheard Baldwin and Echols confess to the crime. A carload of neighbors were the only eyewitnesses, claiming they drove by Echols as he walked with a companion near the woods the night of the crime. Though they initially identified the other person as Echols' girlfriend Domini Teer, police suggested they'd mistaken Baldwin for Teer.

At the conclusion of the six-week trial, Baldwin and Echols were each found guilty on three counts of capital murder. Because he allegedly orchestrated the crime, Echols was sentenced to die by lethal injection. Baldwin received life in prison without parole. Misskelley, who was tried separately, got life plus 40 years on one count of first-degree murder.

"This was a case of three teenagers convicted of murder because they wore Metallica T-shirts and dabbled in things the townspeople thought they shouldn't be dabbling in," said Ian.

The other side

For every supporter of the three, there are equally outspoken advocates, including victims' families, police and others close to the case, who feel "Paradise Lost" was misleading and that the teens were rightly found guilty.

"If I was in New York or New Jersey watching 'Paradise Lost,' I'd have doubts, too," said Lt. Mike Allen, a West Memphis police detective who assisted in the investigation. "People are basing opinions on a 2 1/2-hour movie when those trials were six weeks long. Those Hollywood HBO people came down here to do a job - to get people to watch a show."

"Paradise Lost" and "Revelations: Paradise Lost 2," a follow-up that aired on HBO last spring, were both directed by Joe Berlinger and Montclair resident Bruce Sinofsky. The pair's previous documentary, "Brother's Keeper," followed the case of an elderly upstate New York man charged with murdering his brother.

"We traveled (to Arkansas) to make a film about guilty teenagers," said Berlinger, who also directed last year's "Book of Shadows: Blair Witch 2." "HBO faxed us a wire service blurb about three devil-worshipping teens who sacrificed three 8-year-old boys. We wondered how kids could get so disaffected that they'd be capable of such a crime. The last thing we expected to find was three innocent teens getting f- by the system."

Berlinger and Sinofsky spent 10 months in West Memphis, eventually editing 150 hours of footage down to a 150-minute film. The two filmed both trials and interviewed grieving parents, the prisoners and their families, police, prosecutors, defense attorneys and the judge who presided over both trials. Several weeks into production, the directors' emphasis shifted away from the Satanic angle as they began to explore the possibility that the three were innocent.

"Things were not adding up in my mind," said Berlinger. "I think there was a rush to judgment because of the nature of the crimes, and the entire community had already imbued Damien with all these sinister qualities."

Both Prichason and Ian appear in "Revelations," which chronicles the trio's appeals process and the growing WM3 campaign. The film also raises the issue of other suspects, including the stepfather of one of the victims.

"(With the second film) we were much more focused on the likelihood that the guys in prison didn't do it," said Sinofsky. "If Damien loses the appeal, he'll be dead in two years, and the last thing I want to do is go to Damien's funeral."

Celebrities weigh in

A number of celebrities have joined the WM3 effort. "South Park" creator Trey Parker shouted, "Free the West Memphis Three!," at the podium on the nationally televised MTV Movie Awards last year. A "Free the West Memphis Three" benefit album, with proceeds donated to trust funds for the prisoners, was released last year and featured songs from Pearl Jam singer Eddie Vedder, Steve Earle, Tom Waits and others.

Metallica donated their music to "Paradise Lost" and "Revelations," the first time they've allowed their songs to be used in a movie. During the trial, Echols' scribbles of the band's lyrics were presented as evidence.

"The film hit me on a deeper emotional level than anything I've ever seen," said Metallica drummer Lars Ulrich. "It's about alienation and being branded outsiders. It shows you this Middle American mentality where you blame popular culture for these type of situations. It all boils down to a fear of the unknown and a fear of things they don't understand."

Prichason and Ian met Berlinger and Sinofsky outside the Craighead County Court House in Jonesboro during the couple's first trip to Arkansas in October 1998. They joined a dozen other activists who'd traveled from as far away as Los Angeles and Ohio to observe Echols' Rule 37 hearing, an appeal based on charges that his trial attorneys were ineffective.

"We became a part of the story," said Prichason. "We knew we could help by being there. I'd like to imagine that we showed people that Damien's supporters aren't a bunch of bleeding heart death penalty protesters or high school kids who were hypnotized by him."

Allen isn't convinced.

"It's a big strange world out there," he said. "If you started a Web site worshipping pine trees, you'd get people to follow you. I'm not saying these people are devil worshippers, but I think that Damien has a cult-like following."

While other commuters scan the sports pages on the train home from Manhattan, Prichason sifts through hundreds of pages of court papers downloaded from the Web. Ian's written articles on the topic for journals such as *Psychoanalysis of Culture and Society*.

"A case like this brings people together for all different motives and reasons," she said. "Some people follow it because they are lawyers who feel there is something wrong with the system, others are Wiccans who think this religious persecution. There's people who listen to Metallica, people who read horror books and some who follow the case because they think Damien is cute."

Parents of three children - ages 16, 23 and 26 - from previous marriages, Prichason and Ian send letters to the prisoners regularly and visited them most recently in January.

"Damien is very serious, intense," said Ian. "Jason is just this nice, goofy, positive guy. It's like he's our kid who's away at summer camp - except he's in prison for life He calls us his Yankee parents."

In April 2000, Echols' attorney Edward Mallett filed an appeal with the Arkansas Supreme Court, after his request for a new trial was denied at the circuit level. If the high court appeal is rejected, the next step is federal district court. Baldwin and Misskelley are also appealing the verdicts, but their legal teams are awaiting the outcome of Echols' hearings.

"I'd like to stay optimistic," said Prichason. "But I do keep in the back of my mind the very real possibility that (Damien) will be killed, so I'm not fooling myself. If Damien is executed, it will feel like a friend was murdered."

GRAPHIC: Marcia Ian and Bill Prichason are working to free the West Memphis Three.

LOAD-DATE: April 17, 2007

EXHIBIT A-99



Copyright 2000 Chicago Tribune Company
Chicago Tribune

November 12, 2000 Sunday, CHICAGOLAND FINAL EDITION

SECTION: Arts & Entertainment; Pg. 17; ZONE: C; Recordings.

LENGTH: 1343 words

HEADLINE: CULT FOLLOWING;
ROCK STARS BAND TOGETHER TO HELP TRIO ACCUSED OF 'SATANIC MURDERS'

BYLINE: By Allison Stewart. Special to the Tribune.

BODY:

One day not too long ago, Eddie Spaghetti, frontman of the Supersuckers, was in the studio recording with his friend Eddie Vedder, when talk turned to the case of the West Memphis 3. Although not as celebrated a case as that of, say, Mumia Al Jabal, the West Memphis 3 were well known in rock and indie film circles, thanks in part to two well-received documentaries, 1996's "Paradise Lost," and its sequel, "Revelations," both directed by "Blair Witch 2" helmer Joe Berlinger.

The films detailed the furor surrounding the ritualistic murders of three second-grade boys, Christopher Byers, Steve Branch and Michael Moore, in the tiny Bible Belt town of West Memphis, Ark., in 1993. A police investigation quickly focused on the three teenagers, Damien Echols, Jessie Misskelley and Jason Baldwin, local misfits who wore black, painted their fingernails and demonstrated a fondness for Metallica and Stephen King. For many in West Memphis, so roiled by hysteria and fear in the days following the murders that townsfolk gathered outside the courthouse to throw rocks at the defendants, the trio's affinity for heavy metal and Goth accessories was enough to suggest they were members of a Satanic cult -- and capable of murder.

The three were promptly brought to trial and convicted (Nichols was sentenced to death, Misskelley and Baldwin to life without parole plus 40 years), though the case against them was slight. Physical evidence was virtually nonexistent, and prosecutors had little more than the inaccuracy-filled confession of Misskelley to hang their hats on (Misskelley has a borderline-retarded I.Q. of 72; he later recanted and passed a lie-detector test). To the West Memphis 3 and their supporters, the trial was a modern-day witch hunt, propelled by a small-town conviction (dubbed "Satanic Panic" in a 20/20 story about the case) that anyone with long hair and black nail polish was a cultist and murderer.

Recently, suspicion in the murders of the three boys has focused upon John Mark Byers, the much-arrested stepfather of Christopher Byers. Byers, who admitted to whipping his stepson the day of the murder, gave the "Paradise Lost" film crew a knife -- supposedly unused -- that had traces of blood that were later found to match Christopher's. Byers' wife was also found dead in early 1996, under circumstances that have yet to be explained. Byers' possible guilt is explored in detail in the two widely disseminated documentaries, which are largely responsible for the shifting of public opinion in the case of the West Memphis 3.

Spaghetti, who had rented "Paradise Lost" one night because, he said ruefully, "I thought it would be a cool, sick story about Satan and heavy metal," was briefly moved by the plight of the West Memphis 3, then promptly forgot about them until that night a year later, in the recording studio with Vedder. Spaghetti figured someone else had to have done something about the West Memphis 3 by now, but Vedder said he'd just been on the Web site of the defendants' support group (www.wm3.org), and it didn't seem like anybody had.

Spaghetti rapidly enlisted friends like Steve Earle, Tom Waits, L7, John Doe and Rocket From the Crypt for what would eventually become the raucous, star-studded benefit record "Free the West Memphis 3: A Benefit for Truth and Justice." Profits from the record will go into a fund for the defendants, though organizers realize raising awareness is equally important: Thanks to a crowded field of Death Row inmates with rock star advocates, compassion fatigue is a

real danger. Members of the West Memphis 3 Support Group, who've been battling energetically to get the three new trials, figure that teens who listen to rock 'n' roll and have occasional feelings of alienation will see themselves in Echols, Misskelley and Baldwin. Most of the record's musicians were drawn to the project for the same reasons.

"This case speaks strongly to artists and musicians because of the outsider element," Spaghetti said. "Those boys were indicted because of a small-town mentality . . . we identified with them. [We all] wear black and listen to heavy metal. We didn't have a selfless bone in our bodies, but if it could happen to them, it could've happened to us."

Despite the presence of high-profile stars like Vedder (who appears with the Supersuckers on the record's standout track, "Poor Girl"), Waits and Earle, putting the tribute together was harder than anybody had imagined. Record labels were wary of having their artists associated with so-called Satanists, and those involved with the making of the record say Pearl Jam's label, Epic, was particularly reluctant to let Vedder appear. Pearl Jam's music had been banned by a local radio station after Vedder spoke out in favor of the West Memphis 3, and a fear of further reprisals might also explain his refusal to comment for this story (Waits also wouldn't comment).

Metallica, who didn't appear on "Free the West Memphis 3" but supplied the music for both documentaries, have been the defendants' highest profile supporters, and, given that Echols' absentminded scribbling of Metallica lyrics in his notebook helped coalesce suspicion against him in the case's early days, one of their biggest liabilities.

"When Metallica associated with those guys early on, it hurt the defendants because of their heavy metal affiliation," said someone associated with the making of the benefit record who preferred to remain nameless. "Those people on the jury, they thought the defendants were all Satanists because they listened to heavy metal, and to have a heavy metal band come out in favor of them [confirmed their worst suspicions]. But there's no reason we should cater to that type of closed-mindedness."

Echols, whose tastes actually run more to Earle's music, doesn't think Metallica's high-profile support has hurt his cause. "At the time [of the murders], Metallica was more underground, and a certain type of person listened to them. Now that they're more mainstream, everyone listens to them," he said through an intermediary. "I still think they are one of the great bands."

Earle, who was brought on board by his friends in the Supersuckers, is a longtime anti-death penalty activist, but said his participation in the project "goes beyond a philosophical objection to the death penalty. I happen to sincerely believe that these boys are innocent. If I didn't, I would still object to the death penalty in Damien's case, not for Damien's sake as much as mine. If the state takes a life, then I take a life, and I object to that."

The journey to Echols' Tucker, Ark., prison cell has become something of a pilgrimage for well-intentioned rock stars; Spaghetti and Vedder both made visits. "He is a very intense kind of person," Echols said of Vedder, in what's likely a vast understatement. "But very friendly. I was upset at the way the people who work here treated him, but very grateful for the opportunity to talk to him." Echols, who has been on Death Row for seven years, hasn't heard the record (prisoners aren't allowed access to tapes or CDs) but said he's already feeling the effects of the record and the films. "People's perceptions of us have changed a tremendous amount," he said. "People don't think of me the way they did before."

Spaghetti writes to Echols occasionally. "He inspires me in my day to day. I'll think I have a problem, and then I think of him."

While the defendants watch their case make its torturous way through the courts, their supporters promise to see the case through to the end. Berlinger, who parlayed the success of his two documentaries into a big-budget gig directing the "Blair Witch" sequel, said he'll make a third film if he has to, and Spaghetti is committed to another record, if necessary.

But with Echols' execution date looming in the not too distant future, no one is sure how much time is left. "I think eventually we'll get around to doing the right thing," said Earle. "The question is, will Damien still be alive when we do?"

GRAPHIC: PHOTOS 3PHOTO: Damien Echols.; PHOTO: Jason Baldwin.; PHOTO: Jessie Misskelley.

LOAD-DATE: November 12, 2000

EXHIBIT A-100



Copyright 2000 Journal Sentinel Inc.
Milwaukee Journal Sentinel (Wisconsin)

October 10, 2000 Tuesday STATE EDITION

SECTION: NEWS; Pg. 06B

LENGTH: 409 words

HEADLINE: Musicians voice questions in case;
Benefit CD promotes new trial for 'West Memphis 3'

BYLINE: DAVE FERMAN Fort Worth Star-Telegram

BODY:

On May 6, 1993, three 8-year-old boys were found murdered in West Memphis, Ark.

Steve Branch, Michael Moore and Chris Byers had been hogtied, tortured and mutilated. The case became national news.

Three young local men -- Damien Echols, Jason Baldwin and Jessie Misskelley Jr. (at the time 18, 16 and 17, respectively) -- were convicted of the crime.

Prosecutors called the crime a satanic ritual. The main evidence: All three were fans of heavy metal and horror novels.

Echols was sentenced to death and the other two to long prison sentences.

But the case of the so-called "West Memphis 3" became something of a cause celebre, due in part to a 1996 HBO documentary, "Paradise Lost: Child Murders at Robin Hood Hills."

"South Park" co-creator Trey Parker and others have spoken out about the case, and those seeking acquittal or at least a new trial number in the thousands. A second documentary aired on HBO earlier this year.

Which is where "Free the West Memphis 3" comes in. Set for release today, the benefit CD includes a wide range of artists, from Tom Waits and Steve Earle to Eddie Vedder and L7.

"Free" executive producer Danny Bland is the co-founder of Seattle's Aces & Eights Records; he and co-founder Scott Parker became aware of the case through the first HBO documentary and immediately identified with Echols, Baldwin and Misskelley.

"I grew up a punk rocker in Phoenix, so I know about alienation and being different," he said. "And it grew into a bigger understanding that we have a big problem and I'm not going to stand for it."

Several aspects of the case trouble Bland and the teens' supporters. For one thing, Bland says, the 17-year-old Misskelley, who has an IQ of 72, was questioned for 12 hours without a lawyer or parent present; only 30 minutes of the interrogation was recorded.

Then there's the lack of physical evidence: no blood, no hair, nothing. Instead, the teens' lifestyle was used against them: Books by Anne Rice, Stephen King and Aleister Crowley were entered as evidence, as were CDs and T-shirts touting such bands as Megadeth and Metallica.

As a result of the HBO special, many artists were familiar with the case and willing to cut a song for "Free." Earle jumped in after researching the case; Waits' song came after Bland wrote him a letter.

Bland hopes the CD keeps up the pressure for a new trial.

Benefit CD promotes new trial for 'West Men' s 3' Milwaukee Journal Sentinel
(Wisconsin) October 10, 2000 Tuesday

"I don't want them to think they swept three guys under the rug," he said.

LOAD-DATE: October 10, 2000