



Conviction Integrity Review PETITION FOR REVIEW

MELISSA W. NELSON
STATE ATTORNEY

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

Office of the State Attorney
Fourth Judicial Circuit
Attn: Conviction Integrity Review
311 W. Monroe St.
Jacksonville, FL 32202

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

1. You must have been convicted in the Fourth Judicial Circuit (Clay, Duval, and Nassau counties) of a felony.
2. You must present a plausible claim of actual innocence (you did not commit or participate in the crime charged).
3. The claim must be supported by information or evidence not previously litigated before the original trier of fact (jury or judge).
4. The claim must be capable of being investigated and resolved, and if substantiated, would bear directly on the issue of innocence.
5. The direct appeal has become final, the mandate has issued, and there is no pending litigation.

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

Initial each statement below to indicate your understanding and agreement:

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

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

PETITIONER INFORMATION

Complete Petitioner's information below:

Today's Date: _____

Name: _____

Address: _____

Date of Birth: _____

DOC Number: _____

CASE Number: _____

Charge(s): _____

Date of Conviction: _____

Current Attorney: _____

Important: If you are currently represented by an attorney, the CIR will only communicate with your attorney. You should consult your attorney prior to submitting your Petition; your attorney may want to wait to submit the Petition or submit the Petition on your behalf.¹

Former Attorney(s): _____

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

Applicant's Name: _____

Relationship to Petitioner: _____

Applicant's Contact Information: _____

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

CASE INFORMATION

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

If Yes, provide status information and case numbers: _____

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

If Yes, provide status information: _____

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

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

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

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

If Yes, provide status information: _____

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

7. Did you provide a statement to police? Yes No

8. Did you testify at trial? Yes No

9. What is the basis for your petition for review (check all that apply)?

- _____ actual innocence (I did not commit the crime) **and**
- _____ the witness/informant has recanted or changed their testimony
- _____ I have an alibi (please provide contact information below)
- _____ I have newly discovered evidence (please explain below)
- _____ there is DNA in my case that was not tested
- _____ there is an issue with the scientific evidence or expert witness (please explain below)
- _____ the police officer in my case has been arrested.
Name of officer and badge number: _____
- How do you believe this impacts your case: _____
- _____
- _____ other (please provide more detail below) _____
- _____

