

Defense Attorney Wins Second Career Not Guilty Verdict in a Capital Murder Case

MCKINNEY, TX, USA, April 2, 2014 /EINPresswire.com/ -- A Collin County Jury deliberated less than five hours Wednesday before finding a 26-year old man not guilty of capital murder in the November 2012 shooting death of Jamie Smith.



There are very few defendants found not guilty of murder in Collin County. Mitch Nolte has achieved that result twice in his career as a defense attorney.

On November 29, 2012, Jamie Smith was found dead at a weed house at the Cresmont Apartment complex in North Dallas. Smith had been shot four times in the head at close range. Stevie Latodd Barnes was indicted for Smith's murder by a Collin County Grand Jury in April 2013.

"We believed in Mr. Barnes' innocence from the beginning. That belief only grew stronger as the trial progressed," stated defense counsel Mitch Nolte. "We attacked this as a reasonable doubt case showing that the State was stretching the facts in order to cover up for their lack of evidence. There wasn't sufficient evidence to prove that our client was a cold blooded killer," Nolte stated. Nolte, along with law partner Gregg M. Gibbs, showed the jury that Mr. Barnes actions the night of Smith's death were more consistent with the acts of an innocent man, not those of a cold blooded killer.

The State had phone records which placed Mr. Barnes in the area on the night of Smith's death, as well as a witness that reported seeing Mr. Barnes at the weed house with a gun prior to the death. Additionally, there were text messages they believed showed Mr. Barnes was involved in a robbery of the weed house.

During the trial, the Honorable Angela Tucker, Judge of the 199th Judicial District Court, ruled that as a matter of law the District Attorney had failed to produce sufficient evidence that a robbery had occurred. Therefore, the jury had only to consider the lesser included charge of murder – because it could only be capital murder if there was a robbery.

The defense attacked the poor crime scene work and criminal investigation done by the Dallas Police Department. Ross M. Gardner, a nationally known expert in crime scene reconstruction

and bloodstain pattern analysis, testified for the defense and showed the numerous forensic and technical problems with the investigation and evidence collection.

After the not guilty verdict, and after spending 14 months in the Collin County Detention Center for a crime he didn't commit, Mr. Barnes thanked his defense team for believing in him and is eager to be back with his family. Annie Farris, Mr. Barnes' mother, hugged Nolte and Gibbs tightly and thanked them for bringing her son back home to her.

GIBBS NOLTE ROBISON ROSE, PLLC

Experienced counsel and representation to individuals and businesses throughout the North Dallas and Collin County area.

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