

Dear Governor Scott,

April 20, 2016

I am writing to request that you investigate the malfeasance of state attorney Jeffery Ashton. I complained to the Florida Bar but they told me Ashton was not answerable to The Bar while he is the elected state attorney.

The Bar referred me to your authority under Sec. 7, Art. IV, Florida Constitution. A copy of The Bar letter is enclosed.

William Thomas Zeigler was convicted in 1976 of the brutal murders of his wife, his mother-in-law and father-in-law and an alleged customer. The four murders all occurred in the Zeigler family furniture store on December 24, 1975. Zeigler himself was shot in the abdomen and he has always maintained his innocence. The trial was before DNA evolved as criminal evidence.

The case against Zeigler is riddled with errors and evidence of his innocence has evolved over the years. Procedural bars have prevented a single courts review of the entire case. I have investigated this case for five years on my own time and costs. I had no prior connection to the case or the people involved. I invite you to visit tommyzeiglerisinnocent.com to see the issues with this conviction.

At the trial one of the state's main theories of guilt was that Zeigler's shirt contained his father-in-law, Perry Edwards, Sr's, blood type around the shirts arm pit because Zeigler held Edwards in a headlock while beating him in the head with a metal crank. The prosecutor, John Robert Eagan, and the state's blood expert Herb MacDonnell demonstrated and argued to the jury how Edward's blood type got on Zeigler's shirt (TT page 2552 line 22 through page 2553 line7). Eagan also cross-examined Zeigler on this theory, accusing Zeigler of beating Edwards in the head with the crank (TT p.2425, lines11-22). The inference of Edward's blood on Zeigler's shirt obviously weighed heavily against him and he was convicted.

DNA tests decades later revealed that the blood tested on Zeigler's shirt is not from Edwards. Based upon the DNA results Zeigler was granted a hearing on a motion for a new trial in December of 2004. During closing argument, assistant state attorney Jeff Ashton told Judge Whitehead that the blood didn't mean anything because Zeigler was convicted because his fingerprint was found in a torn off glove tip found at the scene of the crime (HT 242, line1-5) This was totally false, as no such fingerprint evidence ever existed. Not having been at the trial 28 years prior, unfortunately the defense attorney and the judge relied upon the integrity of the state to accurately convey the evidence. The false fingerprint argument by Ashton went unchallenged and the judge denied Zeigler's motion. Ashton's argument was, at best, a reckless disregard for the truth and he has never moved to correct the record. He refuses to talk about it when asked about it by reporters. At the same hearing in 2004 in order to deflect from the fact that the states original trial theory of the case regarding Tommy holding his father in law in a head lock and beating him to death was proven to be false by the DNA testing, Jeff Ashton also intimated to the court that Tommy Zeigler must have performed a sex act on the genitals of the dead body of Charlie Mays, (TTp. 156-158), who Tommy has said from the very beginning he was a fight for his life with.

In December 2015 Zeigler was granted a hearing on his motion for further DNA testing. At the hearing on this motion, held March 31, 2016, assistant state attorney Kenneth Nunnelley argued for the state against further DNA testing. In the courtroom with Nunnelley was his boss Jeff Ashton who was in his first term as the elected State Attorney. Shortly after conferring with Ashton, Nunnelley implied to the court that Zeigler was wearing a raincoat and gloves during the murders. After the hearing was concluded Nunnelley emailed the judges assistant (copied to the defense) where-in the trial record store employee James Curtis Dunaway testified that he kept a raincoat in the store but it was missing after the murders and never found. Nunnelley did not point out to the judge that the record was devoid of any evidence that Zeigler wore the raincoat or removed it from the store or that he was wearing gloves. Furthermore, thorough searches of Zeigler's properties and vehicles failed to find the raincoat. The missing raincoat supports Zeigler's story that the real killers escaped the scene. The raincoat argument by Nunnelley at the direction of Ashton was pure speculation and violates the rule that prohibits attorneys from misleading the court.

Ashton's false statements about Zeigler's fingerprint and Ashton's coaching of Nunnelley on the raincoat and gloves argument were clearly unethical and designed to deprive Zeigler the justice he is entitled to. Ashton's challenge to modern DNA testing defies judicial logic and common sense. His specious and speculative post trial arguments and changing theories are clearly malfeasance of his office.

It is well accepted that DNA has no downside to seeking the truth. Ashton's objection to further DNA testing coupled with his malfeasance needs to be investigated by your office and it is clearly within your authority to do so, especially where the Florida Bar says it cannot do so.

On April 15, 2012 on Bay News 9 you stated, " Florida is a state that cares about justice." I feel certain you will care deeply about the truth I have shared with you today.

Sincerely,

Lynn-Marie Carty,

Investigator

727.201.4222

Reunite People

6822 22nd Ave North # 186

St. Petersburg, FL. 33710

Hard Copies Mailed April 20, 2016

CC Attorney General Pam Bondi

CC Tampa Bay Times Leonora LaPeter Anton

CC Orlando Sentinel Elyssa Cherney

CC WESH Greg Fox

CC Medill Innocence Project

CC National/International Committee of supporters of Tommy Zeigler Secretary Vicki Holland

